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COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1945. 136th of the General Assembly.

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SENATE

WEDNESDAY, March 14, 1945.

The Senate met at 11:00 o'clock a. m., Eastern War Time.

The ACTING PRESIDENT PRO TEMPORE (John M. Walker) in the Chair.

PRAYER

The Chaplain, Rev. EDWIN S. WALLACE, D. D., offered the following prayer:

O Thou who inhabitest eternity and who hast planted eternity in our hearts, enable us to take the long view that we may see our lives not limited by the few years of our earthly existence, but as co-existent with Thee. We are the children of a day, but we are the heirs of eternity. May we not lose our heritage through indifference or unbelief.

We pray Thee to inspire us with the desire to serve God and our fellow-men, and for the strength and courage that will cause desire to be expressed in righteous conduct and Christly deeds.

To the men of this legislative body, called by the people to serve the interests of the state, grant the long view that they may see beyond the immediate present to the horizons of the future and work with Thee to bring in the kingdom wherein dwelleth righteousness. Let no bigotry, no intolerance, no narrow-mindedness, no hatred be in our hearts.

A special prayer we now offer for the President, the Governor and the Lieutenant-Governor. The Lord bless them and equip them to meet all responsibilities with honor to God and to themselves.

In the name of Christ our Lord. Amen.

JOURNAL APPROVED

The ACTING PRESIDENT PRO TEMPORE. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HEYBURN and Mr. MALLERY, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. Wade asked and obtained leave of absence for Mr. SCARLETT.

NOMINATION BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations.

JUSTICE OF THE PEACE

UPPER MILFORD TOWNSHIP, LEHIGH COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 14, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Henry M. Miller, R. F. D. No. 1, Zionsville, Lehigh County, for appointment as Justice of the Peace in and for the Township of Upper Milford, Lehigh County, until the first Monday in January, 1946, vice Jesse W. Miller, deceased.

EDWARD MARTIN.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House, as follows:

House Bill No. 24, entitled:

An Act to amend subsection (a) of section two of article two of the act, approved the twenty-fifth day of June, one thousand nine hundred nineteen (P. L. 581), entitled "First Class City Charter Law," by making the mayor of any such city eligible to such office for one successive term.

Which was committed to the Committee on Judiciary General.

House Bill No. 176, entitled:

An Act to add sections eight point one and eight point two, to the act approved the thirtieth day of March, one thousand nine hundred three (P. L. 106), entitled "An act authorizing and empowering the city treasurers of the several cities of second class and third class of this Commonwealth to sell at public sale all properties upon which the taxes, assessed and levied, are delinquent and remain unpaid," by fixing the interests of the various taxing authorities having taxes or claims against property sold under the provisions of said act by the treasurer of any city of the second class, and providing for the distribution of moneys received as income from, or resale of any such property purchased by the city at such tax sale.

Which was committed to the Committee on Municipal Government.

House Bill No. 240, entitled:

An Act providing for local referendums in wards of cities of the first class before public parks may be diverted to other use.

Which was committed to the Committee on Municipal Government.

House Bill No. 289, entitled:

An Act to further amend section four of the act, approved th first day of May, one thousand nine hundred thirteen (P. L. 138), entitled "Vocational Education Law," by adding clause (d) providing for future veterans and rehabilitation programs in public schools.

Which was committed to the Committee on Education.

House Bill No. 290, entitled:

An Act to amend section one thousand one of the act approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "General Borough Act," providing compensation for councilmen.

Which was committed to the Committee on Municipal Government.

House Bill No. 315, entitled:

An Act to further amend the act approved the seventeenth day of May, one thousand nine hundred seventeen (P. L. 208), entitled "Pharmaceutical Practice Law," discontinuing the registration of assistant pharmacists, and providing that persons who have served as registered assistant pharmacists for ten years or longer shall be qualified for examination as pharmacists.

Which was committed to the Committee on Public Health.

House Bill No. 345, entitled:

An Act to further amend sections two and three of the act approved the eleventh day of June, one thousand nine hundred thirty-five (P. L. 326), entitled "An act relating to counties of the first class; defining deceased service persons; providing for contributions by the county to the funeral expenses for such persons and their widows; providing for the erection and care of markers, headstones, and flags, and for the compilation of war records," further changing the provisions for the burial of deceased service persons and their widows.

Which was committed to the Committee on Military Affairs.

House Bill No. 480, entitled:

An Act to add subsection nineteen to section twenty-one to the act, approved the fourteenth day of April, one thousand eight hundred sixty-eight (P. L. 1083), entitled "A supplement to an act, entitled 'An act appropriating ground for public purposes in the city of Philadelphia, approved the twenty-sixth day of March, Anno Domini one thousand eight hundred and sixty-seven," providing that children under the age of seventeen years shall not be charged for the use of certain recreational facilities within Fairmount Park.

Which was committed to the Committee on Judiciary Special.

House Bill No. 507, entitled:

An Act to further amend section eight hundred two of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law," regulating contracts and purchases by townships; and prescribing penalties.

Which was committed to the Committee on Municipal Government.

House Bill No. 547, entitled:

An Act to further amend the act approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled "Banking Code," by further providing for the powers and duties and limitations upon powers of corporations or persons authorized to engage in a banking or fiduciary business, or both.

Which was committed to the Committee on Banking.

House Bill No. 552, entitled:

An Act to further amend section two hundred twenty of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "Fish Laws of 1925," authorizing the use of eel chutes in the Delaware River above Easton.

Which was committed to the Committee on Forests and Waters, Game and Fish.

House Bill No. 602, entitled:

An Act to further amend sections one of the act approved, the eleventh day of June, one thousand nine hundred and fifteen, (P. L. 938) entitled "An act to regulate and establish the fees to be charged and collected by the several clerks of courts of oyer and terminer, general jail delivery, and quarter sessions of the peace, in counties of this Commonwealth having a population of over eight hundred thousand and less than one million five hundred thousand inhabitants, as computed by the last preceding United States census" as amended changing and fixing the fees to be charged by said clerks.

Which was committed to the Committee on Judiciary General.

House Bill No. 611, entitled:

An Act to further amend the act approved the first day of July, one thousand nine hundred thirty-seven (P. L. 2603), entitled "An act relating to vocational education; creating vocational school districts for the purpose of conducting systems of vocational schools, departments or classes; providing for their government; prescribing their powers and duties; conferring powers and imposing duties on school districts and on the State Board for Vocational Education; and providing for referendum in certain cases," limiting the taxing power of vocational school districts; and providing for determining the question of establishing vocational schools, departments or classes by the directors of the school district or the several school districts constituting the vocational school district.

Which was committed to the Committee on Education.

House Bill No. 681, entitled:

An Act to further amend section one of the act approved the nineteenth day of June, one thousand nine hundred eleven (P. L. 1055), entitled "Indeterminate Sentence, Probation and Penitentiary Parole Law," extending the probationing powers of courts.

Which was committed to the Committee on Judiciary General.

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House Bill No. 688, entitled:

An Act to further amend section twenty-one of the act, approved the sixth day of August, one thousand nine hundred forty-one (P. L. 861), entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth; establishing the 'Pennsylvania Board of Parole'; conferring and defining its jurisdiction, duties, powers and functions, including the supervision of persons placed upon probation in certain designated cases; providing for the method of appointment of its members; regulating the appointment, removal and discharge of its officers, clerks and employes; dividing the Commonwealth into administrative districts for purposes of parole; fixing the salaries of members of the board and of certain other officers and employes thereof; making violations of certain provisions of this act misdemeanors; providing penalties therefor; and for other cognate purposes, and making an appropriation," empowering the Board of Parole to grant paroles to convicted persons before the expiration of their minimum sentence with the consent of the sentencing judge or the Pardon Board.

Which was committed to the Committee on Judiciary General.

House Bill No. 696, entitled:

An Act to further amend sections one, two, three, and four of the act approved the twenty-first day of May, one thousand nine hundred thirty-seven (P. L. 787), entitled, as amended, "An act authorizing, subject to approval of the court of common pleas, the compromise or reduction of tax and municipal claims on real property purchased by any county, city, borough, town, school district or poor district at any sale for the nonpayment of taxes or municipal claims; and the reconveyance or private sale of such property," requiring such reconveyance and private sale to have the approval of the municipality or municipalities having a majority interest therein.

Which was committed to the Committee on Municipal Government.

House Bill No. 727, entitled:

An Act providing for the issuance of certified copies of birth, death and marriage certificates by the proper city and county officers in cities of the first class to disabled war veterans and their dependents in death and compensation cases, free of charge.

Which was committed to the Committee on Military Affairs.

House Bill No. 771, entitled:

An Act to further amend clause (b), section six of the act, approved the fifth day of May, one thousand nine hundred eleven (P. L. 198), entitled "An act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof," by conferring the authority to issue writs of habeas corpus in desertion and non-support cases.

Which was committed to the Committee on Judiciary General.

House Bill No. 780, entitled:

An Act to further amend section six of the act, approved the fifth day of May, one thousand nine hundred eleven (P. L. 198), entitled "An act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof," by extending jurisdiction to cases for support of illegitimate children where the putative father admits parentage.

Which was committed to the Committee on Judiciary General.

House Bill No. 856, entitled:

An Act to amend section one of the act approved the twenty-sixth day of March, one thousand nine hundred thirty-one (P. L. 8), entitled "An act to fix the fees to be allowed the district attorney in counties of the second class, "by changing the fees to be allowed the said district attorney.

Which was committed to the Committee on Judiciary General.

RESOLUTION

He also presented extract from the Journal of the House, which was twice read as follows, and referred to the Committee on State Government:

ROSTER FOR MEMBERS OF GENERAL ASSEMBLY AND EMPLOYES OF COMMONWEALTH SERVING IN THE ARMED FORCES

In the House of Representatives, February 13, 1945.

Whereas, many employees of the Commonwealth of Pennsylvania and former and present members of the General Assembly have been inducted into the Armed Forces of the United States since April first, one thousand nine hundred forty; and

Whereas, many of these persons have died while serving with the Armed Forces; therefore be it

Resolved (if the Senate concurs), That the Department of Property and Supplies be instructed to publish in the Pennsylvania Manual for 1945, a roster and a short biographical note of each officer and employe of the Commonwealth and of each former and present member of the General Assembly who has died in the armed service during World War II; and to continue to publish such rosters and biographical notes in all future issues of the Pennsylvania Manual, with such additions as may from time to time become necessary.

ADDITIONAL COPIES OF HOUSE BILL No. 568

He also presented extract from the Journal of the House, which was twice read as follows and referred to the Committee on Education:

In the House of Representatives, March 13, 1945.

Resolved (if the Senate concurs), That the Department of Property and Supplies is hereby requested to authorize the printing of five hundred (500) additional copies of House Bill No. 568, entitled, "An Act to add section 1209.1 to and to repeal subsections 1, 2, 3, 4, 5, 6, 7, 7A, 8, 9, 10 and 11 and paragraph (a) of subsection 19 of section 1210 and to further amend section 1436 of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled 'Public School Code,' by further providing for the minimum compensation and increments of members of the teaching and supervisory staffs of school districts, county superintendents, and district superintendents, and providing for reimbursement by the Commonwealth."

HOUSE CONCURS IN SENATE BILL No. 25

He also returned to the Senate, Senate Bill No. 25, entitled:

An Act to amend the first paragraph, section one of the act approved the twentieth day of June, one thousand

nine hundred nineteen (P. L. 521), entitled, as amended, "An act to further amend the title to reenact and further amend paragraph (e) of section one, and to further amend section thirty-nine of the act, approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521), entitled, as amended 'An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal,' by defining as a transfer and taxing the right of survivorship in property as to which such right exists; and providing for the extension of the Commonwealth's lien on real property for a further period of time," by exempting military pay due deceased service persons and veterans from the taxes herein imposed

With the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 77

He also returned to the Senate, Senate Bill No. 77, entitled:

An Act regulating the issuance of execution on judgments confessed on written instruments, and providing that when such judgments are entered in one county, defenses may be made to the same by petitions to open, filed in any other county where execution thereon is issued or made.

With the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 129

He also returned to the Senate, Senate Bill No. 129, entitled:

An Act to add subsection C to section two hundred twenty one of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," exempting for the duration of the present war, persons in the armed forces from the payment of a fee to the Commonwealth for non-resident fishing licenses.

With the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 169

He also returned to the Senate, Senate Bill No. 169, entitled:

An Act to further amend subsection (f) of section forty-nine of the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 447), entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of non-resident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," by increasing the amount of wages due a deceased employe which may be paid to certain persons by the employer without the necessity for the issuance of letters testamentary or letters of administration.

With the information that the House has passed the same without amendments.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 246

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 246, entitled:

An Act defining and regulating the practice of Chiropody and providing penalties.

BILL SIGNED

The ACTING PRESIDENT PRO TEMPORE (John M. Walker) announced that the Acting Chief Clerk having reported that the following bill had passed both Houses of the General Assembly and the same being correct, the title was publicly read as follows:

House Bill No. 246, entitled:

An Act defining and regulating the practice of Chiropody and providing penalties

Whereupon,

The ACTING PRESIDENT PRO TEMPORE (John M. Walker) in the presence of the Senate signed the same.

SUMMARY REPORT OF THE JOINT STATE GOVERNMENT COMMISSION TO THE GENERAL ASSEMBLY, 1943-1945

The Chair cleared his table and laid before the Senate Summary Report of the Joint State Government Commission to the General Assembly, 1943-1945, receipt of which was noted in the Legislative Journal.

Mr. EALY. I have been asked to submit a report of the Joint State Government Commission.

I herewith submit to the Senate the Biennial Report of the Joint State Government Commission for the biennium 1943-45. This report is in summary form, as the individual reports of the several committees of the Commission are being submitted separately as they become available. However, I believe that it will be of value to the Members of the General Assembly to comment briefly upon the contents of this report.

The Commission was charged with the study of seven subjects:

Taxes
Strip Mining
Municipal Authorities
Legislative Apportionment
Unemployment Compensation Benefits
State-Local Sharing of Liquid Fuel Taxes
Penal Code, Juvenile Delinquency and Penal Institutions

Each of these studies entailed considerable investigation and study. Much time was contributed by the members of the several committees of the Commission to complete the studies and make recommendations. By examination of this report it will be obvious that the Committee on Continuation of the Tax Study has made no recommendations because it had not completed the study of considerable basic data until January of this year and it also desired to await proposals from an independent citizens' group known as the Tax Advisory Committee. These proposals reached the Committee only the latter part of January of this year and therefore did not afford the Tax Committee an opportunity to give it any study. However, if the Tax Committee of the Commission should be continued, it will proceed immediately to undertake the study of the proposals. In the meantime, it is urged that the Members of the Senate study the summary of proposals of this independent Tax Advisory Committee as contained in this report and the full report to be released shortly and then make its opinions and views available to the Joint State Government Commission for reference to the Tax Committee should it be authorized to proceed further with the study of the State tax structure.

The other six subjects, Strip Mining, Municipal Authorities, and so forth, are all vital to the welfare of the Commonwealth. They are subjects of current importance and interest. The subjects were carefully studied by the respective committees of the Commission and I am sure that you will concur from a reading of the report of the Commission that much time and study has been given by the committees to the studies with which they were charged.

You will find at the end of each of the "review of activities" of each of the committees, the recommendations made by the committees, and the list of bills drafted to incorporate the proposals, and introduced. The individual reports of the several committees of the Commission are also being drafted and some have either reached the members already or will in the very near future. However, the summaries of the reports appear in this report of the Commission handed you today.

I trust that this report will, in your opinion, justify the existence of the Joint State Government Commission and that ample financial provision will be made to continue its work, so that in the interim between legislative sessions the Members of the General Assembly can be afforded an opportunity to give impartial and full study to the many problems confronting the Commonwealth. For I believe that through an interim legislative fact-finding commission of this kind, the members of the General Assembly can better study and consider fully many of the urgent problems requiring solution, and make recommendations and submit legislation to the General Assembly when it convenes in Session.

REPORTS FROM COMMITTEES

Mr. CROWE, from the Committee on Judiciary General, reported as committed, Senate Bill No. 224, entitled:

An Act to extend the lien of taxes and municipal claims and the period for the redemption of real property where the commencement of proceedings or actions for the collection of taxes or municipal claims or sales for the collection thereof are stayed by a court pursuant to the Soldiers' and Sailors' Civil Relief Act of 1940 or the period for the redemption of real property expires before the end of six months after termination of the military service of a person having the right to redeem such real property.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 225, entitled:

An Act to amend sections one and two of the act, approved the twenty-second day of May, one thousand eight hundred and ninety-five (P. L. 111), entitled "An act providing for the divestiture of liens of taxes levied or assessed against lands sold at judicial sales, and for the payment of the same out of the proceeds of such sales"; requiring officers and persons conducting judicial sales to notify political subdivisions to file statements of taxes due on real estate to be sold at such sales; imposing duties on political subdivisions and certain officers having taxes for collection and on county commissioners; providing for the discharge of tax liens where tax statements are not filed; and clarifying the provisions of said act.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 434, entitled:

An Act to further amend sections twenty-one and thirty-one of, and to add section twenty-one and one tenth to the act, approved the sixth day of August, one thousand nine hunded forty-one (P. L. 861), entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth; establishing the 'Pennsylvania Board of Parole'; conferring and defining its jurisdiction, duties, powers and functions, including the supervision of persons placed upon probation in certain designated cases; providing for the method of appointment of its members; regulating the appointment, removal and discharge of its officers, clerks and employes; dividing the Commonwealth into administrative districts for purposes of parole; fixing the salaries of members of the board and of certain other officers and employes thereof; making violations of certain provisions of this act misdemeanors; providing penalties therefor; and for other cognate purposes, and making an appropriation," by further defining the jurisdiction, duties, powers and functions of the Pennsylvania Board of Parole.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 435, entitled:

An Act to repeal certain sections of the act approved the nineteenth day of June, one thousand nine hundred eleven (P. L. 1055), entitled "An act authorizing the release on probation of certain convicts, instead of imposing sentences; the appointment of probation and parole officers, and the payment of their salaries and expenses; regulating the manner of sentencing convicts in certain cases, and providing for their release on parole; their conviction of crime during parole, and their rearrest and reconviction for breach of parole; and extending the powers and duties of boards of prison inspectors of penitentiaries," as amended and supplied.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 455, entitled:

An Act to amend section twenty-one of, and add section twenty point one to the act, approved the second day of June, one thousand nine hundred thirty-three (P. L., 1433), entitled "An act defining the powers of the courts of quarter sessions, the Municipal Court of Philadelphia, and the County or Juvenile Court of Allegheny County, with respect to the care, guidance, control, trial, placement and commitment of delinquent, dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency, neglect and dependency of children; and amending, revising and consolidating the law relating thereto," by defining the jurisdiction of the juvenile courts and making parents responsible for delinquency of children under the age of fourteen years; and prescribing penalties.

He also, from the Committee on Judiciary General, reported as amended, Senate Bill No. 36, entitled:

An Act to add section seven hundred thirty-four to the act approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," making wilful abandonment or nonsupport of an aged or indigent person a misdemeanor; and prescribing penalties.

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 320, entitled:

An Act to amend the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 319), entitled "An act authorizing the waiver of trial by jury in certain criminal cases, and the trial of such cases by a judge without a jury; regulating such trials; and conferring a jurisdiction upon the judges of the several courts in such cases," by extending the act to all cases except murder and treason.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 456, entitled:

An Act to amend section four hundred nineteen of, and to add section four hundred eighteen point one, to the act approved the third day of June, one thousand nine hundred thirty-three (P. L. 1449), entitled "An act establishing a court of record in the county of Allegheny for control, care, guidance, treatment, trial, placement and commitment of delinquent, neglected and dependent children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging delinquency, neglect or dependency of children; defining the jurisdiction and powers of the court, and regulating procedure therein; providing for the transfer thereto of certain powers, functions and duties from other courts, providing for the election of judges thereof, the appointment of probation officers, other necessary staff officials and assistants; providing for housing of same, and providing for detention facilities; making the contributing to or encouraging of the delinquency, neglect or dependency of children a misdemeanor; and providing penalties," by defining the jurisdiction of the juvenile courts, making parents responsible for delinquency of children under the age of fourteen years; and prescribing penalties.

Mr. TROUTMAN, from the Committee on Judiciary General, reported as committed, House Bill No. 374, entitled:

An Act to further amend the second paragraph of section five of the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" making counties in which deceased service persons are buried liable for the cost of headstones.

Mr. BOWERS, on behalf of Mr. WALKER, from the Committee on Judiciary General, reported as committed, Senate Bill No. 170, entitled:

An Act to amend section seven hundred one of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," abolishing capital punishment in the case of murder of the first degree.

He also, on behalf of Mr. WALKER, from the Committee on Judiciary General, reported as committed, Senate Bill No. 296, entitled:

An Act providing that taxes levied by political subdivisions of the Commonwealth on real estate of service persons shall not bear interest or be subject to penalties; and providing for abatement of certain accrued interest and penalties.

He also, on behalf of Mr. WALKER, from the Committee on Judiciary General, reported as committed, Senate Bill No. 414, entitled·

An Act to provide protection in all cases secured or to be secured by individual surety or sureties in courts of record or proceedings therein by specifying the requirements of such suretyship and the qualifications of such surety.

He also, on behalf of Mr. WALKER, from the Committee on Judiciary General, reported as committed, Senate Bill No. 459, entitled:

An Act to amend section six of the act, approved the twelfth day of June, one thousand eight hundred seventy-eight (P. L. 196), entitled "An act to consolidate revise and amend the penal laws of this Commonwealth," by fixing the time for the commencement and prosecution of indictments and for certain felonies committed by certain persons.

He also, on behalf of Mr. WALKER, from the Committee on Judiciary General, reported as committed, Senate Bill No. 371, entitled:

An Act to further amend section two of the act, approved the twelfth day of May, one thousand nine hundred twenty-one (P. L. 548), entitled "An act providing for the depositing of money with the clerk of the several courts of quarter sessions and oyer and terminer or other courts of record having jurisdiction in this Commonwealth, in lieu of bail and recognizances with surety or sureties, in criminal or quasi criminal prosecutions, desertion or nonsupport and surety of the peace cases, pending in said courts, and fixing the fees of the said clerk of the courts," by increasing the commission of clerks of courts on moneys held by them.

PERMISSION TO ADDRESS SENATE

Mr. EDMONDS asked and obtained unanimous consent to address the Senate.

Mr. EDMONDS. Mr. President, this bill provides for the extension of the Educational Commission, whose reports have already been placed on our desk—we have received three of them and I think we have recognized that the committee has done its work with a great deal of skill and with a great deal of patriotism.

Now the proposition is that the commission should be continued for two years, with an appropriation of $50,000, and it seems to me that those of us who have profited by their study can not do more than ask for more along the same lines.

I therefore present this bill in the hope it will appeal to the Senate.

BILLS INTRODUCED AND REFERRED

Mr. EDMONDS read in his place and presented to the Chair Senate Bill No. 524, entitled:

An Act to amend the act, approved the twenty-sixth day of May, one thousand nine hundred forty-three (P. L. 635), entitled "An act creating a commission to study the methods of maintaining and supporting public schools, and the method of participation by the Commonwealth, and local school districts in the maintenance of a thorough and efficient public school system; prescribing its powers and duties; and making an appropriation," continuing such commission; changing its purpose; and making an appropriation.

Which was committed to the Committee on Education.

Messrs. HALUSKA and JONES read in place and presented to the Chair Senate Bill No. 525, entitled:

An Act to further amend subsection (a) of section four of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2045), entitled "An act relating to the support of indigent persons publicly cared for or assisted; providing for the support of such persons by certain relatives, and for the recovery of public moneys expended for care and assistance from the property and estates of such persons; providing for guardians of the persons and property of such persons; providing for the arrest and seizure and sale of the property of deserters; and providing procedure," by providing that no security shall be required for assistance furnished in certain cases.

Which was committed to the Committee on Welfare, Public Assistance and Pensions.

Mr. MALLERY, on behalf of Mr. CARR, read in his place and presented to the Chair Senate Bill No. 526, entitled:

A Supplement to the act approved the fourth day of June, one thousand nine hundred forty-three (Appropriation Acts, page 59), entitled "An act to provide for the ordinary expenses of Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and forty-three; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and forty-three," providing a deficiency for indexing the Legislative Journal.

Which was committed to the Committee on Appropriations.

He also, on behalf of Mr. CARR, read in his place and presented to the Chair Senate Bill No. 527, entitled:

An Act providing for the indexing of the Legislative Journal; and fixing the sum allowed therefor.

Which was committed to the Committee on State Government.

Mr. HOMSHER read in his place and presented to the Chair Senate Bill No. 528, entitled:

An Act to further amend section fourteen of the act, approved the thirty-first day of March, one thousand eight hundred seventy-six (P. L. 13), entitled "An act to carry into effect section five, of article fourteen, of the Constitution, relative to the salaries of county officers and the payment of fees received by them into the State or county treasurer, in counties containing over one hundred and fifty thousand inhabitants," by eliminating the salary of county surveyors in counties having less than two hundred fifty thousand and more than one hundred fifty thousand inhabitants.

Which was committed to the Committee on County Government.

Mr. COX read in his place and presented to the Chair Senate Bill No. 529, entitled:

An Act to amend section four hundred three of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," authorizing appeals from final decrees of courts of quarter sessions establishing or refusing to establish wards.

Which was committed to the Committee on Municipal Government.

PERMISSION TO ADDRESS SENATE

Mr. BECKER asked and obtained unanimous consent to address the Senate.

Mr. BECKER. Lebanon County, Pennsylvania, is one of five counties that has never been obliged to ask for aid for a distressed school district. It so happens that I also, in connection with Senator Homsher, represent a part of Lancaster County, and Lancaster County is one of five counties in Pennsylvania that has never been obliged to ask for such aid for a distressed school district.

In behalf of Senator Homsher and myself I offer the following resolution.

RESOLUTIONS

URGING THE DEPARTMENT OF PROPERTY AND SUPPLIES NOT TO REVIEW APPLICATIONS FOR SPECIAL AID AFTER THE FIRST MONDAY OF JULY FROM THE SCHOOL DISTRICTS

Messrs. BECKER and HOMSHER offered the following resolution which was twice read and referred to the Committee on Education:

In the Senate, March 14, 1945.

Whereas, Because of economic conditions existing in a number of school districts, it has become necessary for the Commonwealth to provide additional financial assistance and to make appropriations for this purpose; and

Whereas, It is important that the money so appropriated shall be distributed among only the school districts where there is an actual need for such assistance and that the moneys appropriated be allocated in such amounts as will most equitably meet the actual needs of these school districts; therefore be it

Resolved (if the House of Representatives concur), That the General Assembly hereby directs the Department of Public Instruction not to review applications for special aid after the first Monday of July, one thousand nine hundred forty-five, unless the petitioning school district submits evidence showing that the petitioning district has levied a school tax at the maximum rate permitted under the law, but not in any case to exceed thirty-five mills, upon the taxable real property in the district, and the maximum school per capita tax permitted by law upon every taxable inhabitant of the district; and that the General Assembly hereby directs the Department of Public Instruction not to pay any special aid moneys to any school district unless the district gives evidence satisfactory to the Department that it has enforced the collection of per capita school taxes in accordance with all the provisions of existing law; and be it further

Resolved, That the General Assembly hereby directs the Department of Public Instruction to investigate all school districts whose financial condition warrants special attention and consideration. The financial condition of a school district shall be presumed to warrant special attention if, and when, upon termination of any school year the district's temporary loans, including book credits, exceed twenty per centum of the district's tax collection for that year. However, the Superintendent of Public Instruction may authorize an investigation of any school district even though the above presumption is not established if in his judgment such an investigation is necessary or desirable.

Upon completion of the investigation of any school district, the Superintendent of Public Instruction shall submit the findings of such investigation together with his recommendations regarding changes in finance and tax practice, curricula, and teaching and supervisory staffs of the Board of School Directors of the district concerned.

Failure of any school district to act in accordance with the recommendations of the Superintendent of Public Instruction shall make it mandatory upon the Superintendent to refuse the district any grants from any appropriation made for special aid.

TIME EXTENDED FOR THE REPORT OF THE JOINT LEGISLATIVE COMMITTEE TO STUDY THE NECESSITY FOR A NEW GOVERNOR'S MANSION

Mr. TALLMAN offered the following resolution which was twice read, considered and agreed to:

In the Senate, March 14, 1945.

Whereas, By Resolution No. 2, Serial No. 4, Printer's No. 5, of the General Assembly, a Committee was created to study the matter of a new Executive Mansion, and inasmuch as the Committee has been unable to complete its work, therefore be it

Resolved (if the House of Representatives concur), that the time for reporting be extended to April 4, 1945.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

URGING MAY FIRST AS AMERICANISM DAY

Mr. BOWERS offered the following resolution which was twice read, considered and agreed to:

In the Senate, March 14, 1945.

For many years this country and the world-at-large has observed May first as May Day, and at different places the observance has been marked by various kinds of celebrations.

At times these celebrations have resulted in demonstrations against organized government.

In 1932 the American Legion in Fayette County inaugurated a new kind of observance of the day by staging a parade of Americanism which has grown each year into an event of first importance.

The participation in the celebration of this day by patriotic societies, veterans' organizations, and other organizations, cannot help but make it throughout the Commonwealth a day to awaken new pride in our American institutions; therefore be it

Resolved (if the House of Representatives concur), That the General Assembly of the Commonwealth of Pennsylvania urges the setting aside of May first as Americanism Day, and urges upon all patriotic veteran, fraternal and civic organizations the planning of its celebration in such a manner as will bring to the people of the Commonwealth a full realization of the benefits and privileges and blessings that come to them through the continuance of our American form of government; and be it further

Resolved, That the Governor of the Commonwealth is hereby urged to issue his proclamation further urging the people of the Commonwealth to join in a real American celebration of Americanism Day.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

URGING CONGRESS TO PASS "VETERANS READJUSTMENT ACT OF 1945"

Messrs. DENT and McCREESH offered the following resolution which was twice read, considered and agreed to:

In the Senate, March 14, 1945.

Whereas, The tide of victory on the far flung battle fronts of the world brings hope of an early termination of hostilities, and

Whereas, The end of the war will present to our United States, its government, its industries, its laboring people, complex problems of readjustment and reconversion, and

Whereas, In this period of transition, with its dislocation of business, resettlement of workers and readjustment of returning veterans, will result in a lack of immediate employment opportunity to millions of returning veterans; now therefore be it

Resolved, That it is the sense of this Senate that we memorialize the Congress of the United States, to pass a "Veterans Readjustment Act of 1945" to provide a continuation of pay to returning veterans, as a matter of right, for a period up to twelve months, to aid in the trying period of readjustment; and be it further

Resolved, That a copy of this resolution be sent to the President, to the Senate and to the House of Representatives at Washington, D. C.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. EALY. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on March 14, 1945.

Mr. CHAPMAN. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 14, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

DAUPHIN COUNTY

Miss Katharine T. McCall, Harrisburg, March 15, 1945.

LANCASTER COUNTY

W. Russell McCauley, Manheim, March 15, 1945.

ALLEGHENY COUNTY

George W. West, McKeesport, March 24, 1945.

BEAVER COUNTY

Joseph A. Tokar, Aliquippa, March 24, 1945.

LAWRENCE COUNTY

Mrs. Alice Hurton, Ellwood City, March 24, 1945.

ALLEGHENY COUNTY

A. F. Moelter, Pittsburgh, Chamber of Commerce Bldg., March 25, 1945.

PHILADELPHIA COUNTY

Miss Regina E. G. McCann, Phila., 3811 Lancaster Ave., March 25, 1945.

CHESTER COUNTY

Miss Linda M. Fulmer, Parkesburg, March 27, 1945.

BRADFORD COUNTY

Miss Elizabeth L. Lake, Sayre, March 28, 1945.

ALLEGHENY COUNTY

Wm. McConaghy, Pittsburgh, 3800 Brighton Rd., March 29, 1945.

BEAVER COUNTY

Harry Troyanowski, Beaver Falls, March 30, 1945.

CAMBRIA COUNTY

J. W. Davidson, Ebensburg, March 31, 1945.

EDWARD MARTIN.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 14, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Fred C. McCafferty, Edgewood.
Miss Lulu B. McNary, Dormont.
E. J. Schwartz, West Homestead.

BEAVER COUNTY

Robert O. Davis, Beaver.

CUMBERLAND COUNTY

D. Roy Hoffman, Lemoyne.

LACKAWANNA COUNTY

Miss Ann M. Kearney, Scranton.

PHILADELPHIA COUNTY

Samuel Salkowe, Phila., Market St. Natl. Bank Bldg.
Mrs. Hilda T. Tyler, Phila., Guarantee Trust Bldg., 1420 Walnut St. (2).

WESTMORELAND COUNTY

J. W. Fisher, New Kensington.
Mrs. Gwendolyn G. Kepple, Jeannette.
F. I. Lyle, New Kensington.

EDWARD MARTIN.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. EALY and Mr. CHAPMAN,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barr,	Crowe,	Jones,	Tallman,
Becker,	Dent,	Klein,	Thomas,
Berger,	Ealy,	Leader,	Troutman,
Blass,	Edmonds,	Letzler,	Tyler,
Bowers,	Geltz,	Mallery,	Wade,
Carr,	Gourley,	Margie,	Wagner,
Chapman,	Haluska,	Rosenfeld,	Wilson,
Coleman,	Heyburn,	Ruth,	Woodring,
Cox,	Holland,	Snowden,	Walker, Acting Pres. Pro. Tem.
Crider,	Homsher,	Stevenson,	

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE NOMINATIONS

A motion was made by Mr. EALY and Mr. LETZLER,

That the Senate do now resolve itself into Executive Session, for the purpose of considering the nominations of His Excellency, the Governor of the Commonwealth of Pennsylvania, which were laid on the table yesterday.

The motion was agreed to.

The Clerk read the nominations as follows:

UNEMPLOYMENT COMPENSATION REFEREE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 2, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate Nicholas Demko, Dunmore, as Unemployment Compensation Referee, from August 18, 1944, until the third Tuesday of January, 1947, and until his successor shall have been appointed and qualified.

EDWARD MARTIN.

MEMBERS OF THE MONTGOMERY COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 5, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Montgomery County Board of Assistance:

Miss Majorie N. MacCoy (Democrat), Booth Lane and Lancaster Avenue, Haverford, to serve until December 31, 1947. (Reappointment)

Henry P. Friend (Republican), 1407 Oakland Boulevard, Norristown, to serve until December 31, 1946, and until his successor is duly appointed and qualified. (Reappointment)

Nathanael B. Groton (Republican), Bethlehem Pike and Church Road, Whitemarsh, to serve until December 31, 1945. (Reappointment)

Carl G Lorenz (Republican), Old Spring Mill Road, Plymouth Meeting, to serve until December 31, 1945, and until his successor is duly appointed and qualified, vice Lawrence E. Orgill, whose term expired.

EDWARD MARTIN.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 22, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Montgomery County Board of Assistance:

Elwood K. Bean (Republican), 328 Columbia Avenue, Lansdale, to serve until December 31, 1947, and until his successor is duly appointed and qualified, vice William E. Wills, resigned.

H. Nelson Reifsnyder (Republican), 1567 Sheridan Lane, Norristown, to serve until December 31, 1946, and until his successor is duly appointed and qualified, vice Mrs. Lillian L. Strauss, whose term expired.

Lester K. Kriebel (Republican), 313 Main Street, Pennsburg, to serve until December 31, 1946, and until his successor is duly appointed and qualified, to fill a vacancy.

EDWARD MARTIN.

MEMBER OF THE BOARD OF TRUSTEES OF CALIFORNIA STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 2, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles A. Gallagher, California, for appointment as a member of the Board of Trustees of California State Teachers' College, from December 22, 1944, until the third Tuesday of January, 1945, and until his successor shall have been appointed and qualified.

EDWARD MARTIN.

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 5, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

Emil E. Rudloff, R. D. No. 2, Mohnton, Berks County, for appointment as Justice of the Peace in and for the Township of Cumru, Berks County, until the first Monday in January, 1946, vice Edward Z. Angstadt, resigned.

Homer D. Smail, 205 Main Street, Brookville, Jefferson County, for appointment as Justice of the Peace in and for the Borough of Brookville, Jefferson County, until the first Monday in January, 1946, vice H. W. Thompson, resigned.

EDWARD MARTIN.

MEMBER OF THE BOARD OF TRUSTEES OF THADDEUS STEVENS INDUSTRIAL SCHOOL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 17, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate C. J. Backstrand, 1034 Woods Avenue, Lancaster, Lancaster County, for appointment as a member of the Board of Trustees of Thaddeus Stevens Industrial School, to serve until the third Tuesday of January, 1947, and until his successor shall have been appointed and qualified, vice Park H. Lutz, resigned.

EDWARD MARTIN.

Whereupon,

A motion was made by Mr. EALY and Mr. LETZLER,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barr,	Crowe,	Jones,	Tallman,
Becker,	Dent,	Klein,	Thomas,
Berger,	Ealy,	Leader,	Troutman,
Blass,	Edmonds,	Letzler,	Tyler,
Bowers,	Geltz,	Mallery,	Wade,
Carr,	Gourley,	Margie,	Wagner,
Chapman,	Haluska,	Rosenfeld,	Wilson,
Coleman,	Heyburn,	Ruth,	Woodring,
Cox,	Holland,	Snowden,	Walker, Acting Pres. Pro. Tem.
Crider,	Homsher,	Stevenson,	

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. EALY. Mr. President, I move that the Executive Session do now rise.

Mr. GELTZ. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of House Bill No. 64, as follows:

An Act to further amend section twenty-three of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by increasing for a further limited period of time the rate of tax imposed upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons by making further provisions for the report and payment of the tax and by further defining gross receipts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twenty-three of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" as last amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 334) is hereby further amended to read as follows

Section 23 That every railroad company pipe line company conduit company steamboat company canal company slack water navigation company transportation company and every other company association joint-stock association or limited partnership now or hereafter incorporated or organized by or under any law of this Commonwealth or now or hereafter organized or incorporated by any other State or by the United States or any foreign government and doing business in this Commonwealth and every copartnership person or persons owning operating or leasing to or from another corporation company association joint-stock association limited partnership copartnership person or persons any railroad pipe line conduit steamboat canal slack water navigation or other device for the transportation of freight passengers baggage or oil except taxicabs motor busses and motor omnibuses and every limited partnership association joint-stock association corporation or company engaged in or hereafter engaged in the transportation of freight or oil within this State and every telephone company telegraph company express company electric light company water-power company hydro-electric company palace car company and sleeping car company now or hereafter incorporated or organized by or under any law of this Commonwealth or now or hereafter organized or incorporated by any other State or by the United States or any foreign government and doing business in this Commonwealth and every limited partnership association jointstock association copartnership person or persons engaged in telephone telegraph express electric light and power waterpower hydro-electric palace car or sleeping car business in this Commonwealth shall pay to the State Treasurer through the Department of Revenue a tax of fourteen mills for the six months' periods ending June thirtieth one thousand nine hundred thirty-five December thirty-first one thousand nine hundred thirty-five and June thirtieth one thousand nine hundred thirty-six and twenty mills for the six months' periods ending December thirty-first one thousand nine hundred thirty-six June thirtieth and December thirty-first one thousand nine hundred thirty-seven June thirtieth and December thirty-first one thousand nine hundred thirty-eight June thirtieth and December thirty-first one thousand nine hundred thirty-nine June thirtieth and December thirty-first one thousand nine hundred forty June thirtieth and December thirty-first one thousand nine hundred forty-one June thirtieth and December thirty-first one thousand nine hundred forty two [and] June thirtieth and December thirty-first one thousand nine hundred forty-three and fourteen mills for the six months' periods ending June thirtieth and December thirty-first one thousand nine hundred [and] forty-four and for the twelve months periods ending December thirty-first one thousand nine hundred forty-five and December thirty-first one thousand nine hundred forty-six and eight mills thereafter upon the dollar of the gross receipts of said corporation company or association limited partnership joint-stock association copartnership person or persons received from passengers baggage and freight transported wholly within this State from telegraph or telephone messages transmitted wholly within the State from express palace car or sleeping car business done wholly within this State or from [electric light and power water-power and hydro-electric business] the sales of electric energy except gross receipts derived from sales for resale of electric energy to persons partnerships associations corporations or political subdivisions subject to the tax imposed by this act upon gross receipts derived from such resale and from the transportation of oil done wholly within the State The said tax shall be paid within the time prescribed by law for the payment of taxes settled by the Department of Revenue and for the purpose of ascertaining the amount of the same it shall be the duty of the treasurer or other proper officer of the said company copartnership limited partnership association joint-stock association or corporation or person or persons to transmit to the Department of Revenue on or before the first [days] day of February [and August] of each year a statement under oath or affirmation of the amount of gross receipts of the said companies copartnerships corporations associations joint-stock associations limited partnerships person or persons derived from all sources and of gross receipts from business done wholly within the State during the period of [six] twelve months immediately preceding the first [days] day of January [and July] of each year The time for filing reports may be extended estimated settlements may be made by the Department of Revenue if reports are not filed and the penalties for failing to file reports and pay the tax shall be as prescribed by the laws defining the powers and duties of the Department of Revenue Provided That in any case where the works of any corporation company copartnership association joint-stock association limited partnership person or persons are operated by another corporation company copartnership association joint-stock association limited partnership person or persons the taxes imposed by this section shall be apportioned between the said corporations companies copartnerships associations joint-stock associations limited partnerships person or persons in accordance with the terms of their respective leases or agreements but for the payment of the said taxes the Commonwealth shall first look to the corporation company copartnership association joint-stock association limited partnership person or persons operating the works and upon payment by the said company corporation copartnership association joint-stock association limited partnership person or persons of a tax upon the receipts as herein provided derived from the operation thereof no other corporation company copartnership association joint-stock association limited partnership person or persons shall be held liable under this section for any tax upon the proportion of said receipts received by said corporation company copartnership association joint-stock association limited partnership person or persons for the use of said works

This act shall be construed to apply to municipalities and to impose a tax upon the gross receipts derived from any municipally owned and operated public utility or from any public utility service furnished by any municipality to the extent of such gross receipts as are derived from business done outside the limits of the municipality operating the public utility service

Section 2 This act shall become effective immediately upon its final enactment

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31.

Becker,	Ealy,	Letzler,	Troutman,
Berger,	Edmonds,	Mallery,	Tyler,
Blass,	Geltz,	Scarlett,	Wade,
Bowers,	Heyburn,	Snowden,	Wagner,
Carr,	Homsher,	Stevenson,	Wilson,
Chapman,	James,	Tallman,	Woodward,
Crider,	Jones,	Taylor,	Walker,
Crowe,	Kephart,	Thomas,	Acting Pres. Pro. Tem.

NAYS—14.

Barr,	DiSilvestro,	Jaspan,	Rosenfeld,
Coleman,	Gourley,	Klein,	Stiefel,
Cox,	Haluska,	Leader,	Woodring,
Dent,	Holland,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 356, as follows:

An Act to further amend Section 411 subsection B of Section 512 Section 1012 Section 1108 and subsection B of Section 1109 of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and duties and limitations upon powers of corporations and persons authorized to engage in a banking or fiduciary business or both

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 411 of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commisions and officers imposing penalties and repealing certain acts and parts of acts" as last amended by the act approved the twenty-ninth day of July one thousand nine hundred forty-one (P. L. 586) is hereby further amended to read as follows

Section 411 Increase of Authorized Capital A A bank a bank and trust company or a trust company may amend its articles to increase its authorized capital in the same manner and with the same approval as is required by this act for any amendment to the articles of a bank a bank and trust company or a trust company except that written notice of a proposed amendment for increasing the authorized capital of the institution shall be given to each shareholder entitled to vote thereon at least sixty days prior to such meeting and except that a proposed amendment for increasing the authorized capital of the institution shall be adopted by the holders of at least a majority in amount of the aggregate par value of the outstanding shares entitled to vote at such meeting and by the holders of at least a majority in number of the outstanding shares entitled to vote at such meeting

Such increase of authorized capital shall however become invalid and inoperative unless the actual increase of capital which is authorized shall be made within one year from the date of the issuance of the certificate of amendment If any portion of such authorized capital shall be created and issued within such one-year period only such portion as remains unissued within such period shall become invalid and inoperative In the case of a bank a bank and trust company or a trust company which upon the effective date of this act has an authorized capital which exceeds the par value of its outstanding shares such one-year period shall date from the effective date of this act Such actual increase may be made from time to time within such period of one year but no such increase shall be made until the shares shall be paid for in full pursuant to the provisions of this act as to the creation or issuance of any share Such increase may however be made by the declaration of a share dividend in acordance with the provisions of this act concerning such share dividends

However a bank a bank and trust company or a trust company may issue common shares to provide for the concurrent retirement of shares of any class other than common shares [The issuance of such] Such common shares shall be issued for a consideration of not less than the par value of such shares and in all other respects shall be subject to all of the requirements for and limitations upon the issuance of common shares prescribed by this act except that if such common shares are issued pursuant to the declaration of a share dividend with the approval of the Department of Banking and in accordance with the provisions of this act concerning such share dividends and if such issuance of common shares shall not effect an increase or decrease of capital no meeting of the shareholders nor their vote need be required The bank the bank and trust company or the trust company shall upon effecting such issuance of common shares and the retirement of shares of another class file articles of amendment in the manner provided in this act except that such articles need not state that advertisement has been made or notice given or action taken by the shareholders

B Except as otherwise specifically provided in this act a common share shall not be issued pursuant to such increase for a consideration of less than the part value of such share plus fifty per centum thereof unless a share can be issued for a consideration less than such amount without reducing the surplus of the bank the bank and trust company or the trust company below one hundred per centum of the capital as increased but in no case shall such share be created or issued for a consideration which is less than the par value thereof

C The bank the bank and trust company or the trust company may withhold any cash or share dividend due on a share certificate which has not been exchanged within six months after the date upon which the shares were issued pursuant to such increase but upon the shareholder's thereafter exchanging such certificate the bank

the bank and trust company or the trust company shall pay to him any dividends which were thus withheld

Section 2 Subsection B of section 512 of said act as amended by the act approved the twenty-second day of April one thousand nine hundred thirty-seven (P. L. 349) is hereby further amended to read as follows

Section 512 Eligibility for Cashier or Treasurer Restrictions upon Office

* * * * *

B A cashier or treasurer of an institution shall not engage [in any other gainful profession business occupation or calling] either directly or indirectly in the business of buying or selling stock real estate or insurance but this shall not be construed to affect the right to be at the same time a member of the board of directors or the board of trustees of the incorporated institution in which he is cashier or treasurer

Section 3 Section 1012 of the said act as last amended by the act approved the twenty-first day of February one thousand nine hundred forty-five (Number 5) is hereby further amended to read as follows

Section 1012 Loans on and Investments in Bonds and Mortgages and Judgments of Record A A bank or a bank and trust company shall have the power to lend on the security of or invest in bonds secured by mortgages upon real property but it shall lend upon or invest in only such bonds and mortgages as (1) are first liens on unencumbered improved real property including improved farm land situated within the Commonwealth or within fifty miles of a boundary thereof and (2) do not exceed two-thirds of the actual value of such real property and (3) become due within ten years after the making of such loan or investment unless amortized in equal annual installments over a period not exceeding fifteen years after the making of such loans or investment Any building which is upon and is included in the valuation of such real property shall be insured against loss by fire to the benefit of such bank or bank and trust company by the borrower or mortgagor during the term of the bond in a company which is authorized to do business in Pennsylvania and is approved by the bank or bank and trust company making the investment It shall be lawful for a bank or bank and trust company to renew such policies at the expense of the borrower or mortgagor from year to year or for a longer or shorter period not however exceeding the term of the obligation in case he shall fail to do so All necessary charges and expenses paid by such bank or bank and trust company for such renewals shall be paid by such borrower or mortgagor In case such borrower or mortgagor shall refuse upon demand to pay such charges and expenses they shall be added to the amount secured by the mortgage and shall together with interest from the date of the payment of such charges and expenses constitute a lien upon the property so mortgaged All expenses of searches examinations certificates of title or appraisal of actual value and all expenses of drawing and recording of papers shall be paid by such mortgagor or borrower The actual value of the real property shall be determined by two reputable persons especially familiar with real property values in the vicinity of the particular property to be appraised selected from or approved by the board of directors They shall inspect the property and shall state in writing that the actual value of the real property inspected to the best of their judgment is as stated Such report shall be filed and preserved among the records of the bank or bank and trust company The provisions of this subsection shall not apply to loans on the security of bonds secured by mortgages upon real property situated within the Commonwealth or within fifty miles of a boundary thereof made or for which a written commitment to guarantee has been made in accordance with the provisions of the "Servicemen's Readjustment Act of 1944" its amendments and supplements and rules and regulations promulgated from time to time pursuant to the provisions of said Act provided that such loans are guaranteed in an amount equal to at least twenty per centum of the value of the property subject to the lien nor shall the provisions of this section apply to bonds secured by mortgages which are insured by or for which a commitment to insure has been made by the Federal Housing Administer pursuant to the provisions of the National Housing Act of one thousand nine hundred and thirty-four approved the twenty-seventh day of June one thousand nine hundred and thirty-four its amendments and supplements nor to public utility railroad or industrial bonds or other securities commonly known as investment securities although such bonds may be secured in whole or in part by a mortgage upon real property

B A bank or bank and trust company shall have the power to lend on security of or invest in judgments of record which are first liens on unencumbered real property situated within the Commonwealth or within fifty miles of a boundary thereof to the amount of fifty per centum of the actual value of such property under the same circumstances and subject to the same conditions as are established by this section in the case of loans on the security of or investments in bonds secured by mortgages upon real property

C The aggregate amount of all loans and investments made by virtue of this section shall not at any time exceed twenty-five per centum of the unimpaired capital and twenty-five per centum of its unimpaired surplus or fifty per centum of the total time deposits of such bank or bank and trust company at the option of the bank or bank and trust company except that the limitations of this subsection shall not apply to the portion of loans guaranteed or for which a written commitment to guarantee has been made in accordance with the provisions of the "Servicemen's Readjustment Act of 1944" its amendments and supplements and rules and regulations promulgated from time to time pursuant to the provisions of said Act

Section 4 Section 1108 of the said act as amended by the act approved the second day of July one thousand nine hundred thirty-five (P. L. 521) is hereby further amended to read as follows

Section 1108 Segregation and Designation of Trust Funds Deposit of Uninvested Funds A bank and trust company or a trust company shall keep all funds property or investments held by it in a fiduciary capacity separate and apart from the assets of such bank and trust company or trust company All investments including fractional interests in investments [made] held by a bank and trust company or a trust company as fiduciary [including fractional interests in investments] either as sole fiduciary or as co-fiduciary acting with other fiduciaries may be held [in the name of such bank and trust company or trust company] in the name or names of the fiduciaries or in the name of a nominee of such bank and trust company or trust company provided the consent of the co-fiduciary or co-fiduciaries if any is obtained to such nominees registration but all such investments shall be so designated upon the records of such bank and trust company or trust company that the estate to which such investments belong shall be clearly shown upon such records at all times Such bank and trust company or such trust company may however clear receipts and payments of such funds in the regular course of business in the same manner as other funds held by it Funds held by a bank and trust company or a trust company as fiduciary awaiting investment or distribution may be deposited in any other institution in any national banking association or with any corporation or person in any other state which is authorized to receive deposits and is subject to the full supervision of the banking authorities of such other state or in the case of a bank and trust company may be used by it in the conduct of its business If such funds held by a bank and trust company as fiduciary are used by such bank and trust company in the conduct of its business there shall be pledged or hypothecated by such bank and trust company with the trust department of the bank and trust company acting as fiduciary interest-bearing bonds or other obligations of the United States or those for the payment of the principal and interest on which the faith and credit of the United States is pledged or of the Commonwealth of Pennsylvania or

such other securities as may be approved by the department The par value of the bonds other obligations or securities so pledged or hypothecated to secure such funds of the market value if such market value is less than the par value shall at all times be equal to an amount not less than the funds so used or deposited provided that security for such funds shall not be required to the extent that such funds are insured under the provisions of section 12B of the Federal Reserve Act approved the twenty-third day of December one thousand nine hundred and thirteen its amendments and supplements If the bank and trust company which has put up such collateral should fail or be taken in possession by the department the estate from which the funds were taken shall have a lien for the amount of such funds on the bonds other obligations or securities so pledged or hypothecated in addition to their claim against the estate of such bank and trust company

Section 5 Subsection B of section 1109 of the said act as last amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 475) is hereby further amended to read as follows

Section 1109 Common Trust Funds

* * * * *

B If the instrument under which a trust company or bank and trust company acts as fiduciary whether such fiduciary capacity arose before or is created after this act takes effect shall limit or restrict the investment of moneys of the estate in assets of the class authorized by law as legal investments the trust company or bank and trust company may in its capacity as sole fiduciary or with the consent of any person acting with it in a fiduciary capacity invest and reinvest moneys of the estate in any such common trust fund maintained by the trust company or bank and trust company provided the assets composing such fund consist solely of assets of the class authorized as legal investments for funds held by fiduciaries

If the instrument under which a trust company or bank and trust company acts as fiduciary whether such fiduciary capacity arose before or is created after this act takes effect shall authorize the investment of moneys of the estate in a common trust fund or in investments other than those designated by law as legal investments or shall authorize the trust company or bank and trust company either alone or in conjunction with any person acting with it in a fiduciary capacity to exercise its or their discretion with respect to the investment of moneys of the estate the trust company or bank and trust company may in its capacity as sole fiduciary or with the consent of any person acting with it in a fiduciary capacity invest and reinvest moneys of the estate in any such common trust fund maintained by the trust company or bank and trust company Any such common trust fund consisting solely of moneys of estates contributed thereto by the trust company or bank and trust company pursuant to authority contained in any such instruments creating the fiduciary capacity to invest moneys of the estates in a common trust fund or in investments other than such legal investments or pursuant to such discretionary power with respect to the investment of moneys of the estates as contained in any such instruments creating the fiduciary capacity may be composed of investments other than those of the class designated by law as legal investments for funds by fiduciaries including common and preferred stocks

Bonds secured by mortgages and securities of the class authorized by law as legal investments for fiduciaries shall be deemed proper investments for any such common trust funds Provided however That no investment for a common trust fund shall be made or maintained in bonds secured by mortgages which would cause the total amount of the investment for such fund in bonds secured by mortgages to exceed forty per centum of the value of all the assets comprising such fund

No moneys of any one estate shall be invested in any one or more of such common trust funds as may be maintained by a trust company or bank and trust company if such investment would result in such estate having an interest in excess of ten per centum of the value of the assets of such common trust fund or funds or the sum of [twenty-five] fifty thousand dollars whichever is less at the time of investment In applying this limitation if two or more trusts are created by the same settlor or settlors and as much as one-half of the income or principal or both of each trust is payable or applicable to the use of the same person or persons such trusts shall be considered as one

Section 6 This act shall become effective immediately upon its final enactment

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barr,	Crowe,	Jones,	Tallman,
Becker,	Dent,	Klein,	Thomas,
Berger,	Ealy,	Leader,	Troutman,
Blass,	Edmonds,	Letzler,	Tyler,
Bowers,	Geltz,	Mallery,	Wade,
Carr,	Gourley,	Margie,	Wagner,
Chapman,	Haluska,	Rosenfeld,	Wilson,
Coleman,	Heyburn,	Ruth,	Woodring,
Cox,	Holland,	Snowden,	Walker,
Crider,	Homsher,	Stevenson,	Acting Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 381, as follows:

An Act to further amend section nine of the act approved the thirty-first day of May one thousand nine hundred thirty-three (P. L. 1108) entitled "An act providing for the appointment promotion reduction removal and reinstatement of paid officers firemen and employes of fire departments and of fire alarm operators and fire box inspectors in the bureaus of electricity in cities of the second and third class defining the powers and duties of civil service commissions for such purposes and fixing penalties" raising the age limit for applicants who are honorably discharged war veterans in cities of the third class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section nine of the act approved the thirty-first day of May, one thousand nine hundred thirty-three (P. L. 1108) entitled "An act providing for the appointment promotion reduction removal and reinstatement of paid officers firemen and employes of fire departments and of fire alarm operators and fire box inspectors in the bureaus of electricity in cities of the second and third class defining the powers and duties of civil service commissions for such purposes and fixing penalties" as amended by the act approved the thirty-first day of March one thousand nine hundred thirty-seven (P. L. 190) is hereby further amended to read as follows

Section 9 All applicants for any position in the fire department and as fire alarm operators and fire box inspectors in the bureau of electricity shall undergo a physical examination which shall be conducted under the supervision of the physician member of the civil service commission or if there be none then by a physician appointed by the civil service commission Said examiner

shall certify that an applicant is free from any bodily or mental defects deformity or diseases that might incapacitate him from the performance of the duties of the position desired before said applicant shall be permitted to take further examinations No application will be received if the person applying is less than twenty-one years of age or more than forty years of age at the date of his application Provided however That applications may be received from any person who has served in the armed forces of the United States during time of war and who have been honorably discharged from such service if such person is not more than forty years of age at the date of his application and Provided further That in event any applicant has formerly served in the fire department or as a fire alarm operator or fire box inspector in the bureau of electricity of the city to which he makes application for a period of more than six months and no charges of misconduct or other misfeasance were made against such applicant within a period of two years next preceding the date of his application and is a resident of the city then such person shall be eligible for reinstatement in the discretion of the civil service commission even though such applicant shall be over the age of thirty-five years Such applicant providing his former term of service so justifies may be reappointed to the fire department or as a fire alarm operator or five box inspector in the bureau of electricity without examination other than a physical examination If such person is reinstated he shall be the lowest in rank in the department next above the probationers of the department

Section 2 The provisions of this act shall become effective immediately upon final enactment

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barr,	Crowe,	Jones,	Tallman,
Becker,	Dent,	Klein,	Thomas,
Berger,	Ealy,	Leader,	Troutman,
Blass,	Edmonds,	Letzler,	Tyler,
Bowers,	Geltz,	Mallery,	Wade,
Carr,	Gourley,	Margie,	Wagner,
Chapman,	Haluska,	Rosenfeld,	Wilson,
Coleman,	Heyburn,	Ruth,	Woodring,
Cox,	Holland,	Snowden,	Walker,
Crider,	Homsher,	Stevenson,	Acting Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 424 as follows:

An Act to amend section 686 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by providing that a cashier of a bank who engages in any gainful profession occupation or calling other than that of his duty as cashier shall not be guilty of a misdemeanor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 686 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" is hereby amended to read as follows

Section 686 Bank Cashiers Whoever being the cashier of any bank engages directly or indirectly [in the purchase or sale of stock or in any gainful profession occupation or calling other than that of his duty as cashier] in the business of buying or selling stock real estate or insurance is guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) or to undergo imprisonment not exceeding one (1) year or both

Nothing contained in this section shall prevent a cashier from being a member of the board of directors or board of trustees of the institution of which he is cashier

Section 2 This act shall become effective immediately upon its final enactment

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barr,	Crowe,	Jones,	Tallman,
Becker,	Dent,	Klein,	Thomas,
Berger,	Ealy,	Leader,	Troutman,
Blass,	Edmonds,	Letzler,	Tyler,
Bowers,	Geltz,	Mallery,	Wade,
Carr,	Gourley,	Margie,	Wagner,
Chapman,	Haluska,	Rosenfeld,	Wilson,
Coleman,	Heyburn,	Ruth,	Woodring,
Cox,	Holland,	Snowden,	Walker,
Crider,	Homsher,	Stevenson,	Acting Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 39, as follows:

An Act to reenact and amend the title and the act approved the ninth day of June one thousand nine hundred thirty-six (Special Session of one thousand nine hundred thirty-six P. L. 13) entitled "An act imposing an emergency State tax for a limited period of time on liquor as herein defined sold by the Pennsylvania Liquor Control Board providing for the collection and payment of such tax and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board" as previously reenacted and amended by extending the provisions thereof for a further limited period of time

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and all the sections of the act approved the ninth day of June one thousand nine hundred thirty-six (Special Session of one thousand nine hundred thirty-six P. L. 13) entitled "An act imposing an emergency State tax for a limited period of time on liquor as herein defined sold by the Pennsylvania Liquor Control Board providing for the collection and payment of such tax and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board"

as last reenacted and amended by the act approved the seventh day of May one thousand nine hundred forty-three (P. L. 207) are hereby reenacted and further amended to read as follows

An Act imposing an emergency State tax for a limited period of time on liquor as herein defined sold by the Pennsylvania Liquor Control Board providing for the collection and payment of such tax and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board

Section 1 Be it enacted &c That the following words terms and phrases used in this act are for the purposes hereof defined as follows

"Liquor" Any alcoholic spirituous vinous fermented or other alcoholic beverage or combination of liquors and mixed liquor a part of which is spirituous vinous fermented or otherwise alcoholic and all drinks or drinkable liquids preparations or mixtures intended for beverage purposes which contain more than one-half of one per centum of alcohol by volume except alcohol and malt or brewed beverages

"Department" The Department of Revenue of this Commonwealth

"Board" The Pennsylvania Liquor Control Board of this Commonwealth

"Fiscal Month" The monthly period established from time to time by the Pennsylvania Liquor Control Board for the purpose of conducting its business

Section 2 Until the first day of June one thousand nine hundred [forty-five] forty-seven an emergency State tax is hereby imposed and assessed at the rate of ten per centum of the net price of all liquors sold by the board The tax herein imposed shall be collected by the board from the purchasers of the liquor from the board The amount of such ten per centum so collected by the board under the provisions of this act shall be paid into the State Treasury through the department in the manner and within the times herein specified and shall be credited to the General Fund

Section 3 It shall be the duty of the board to transmit to the department on or before the fifteenth day of each calendar month a statement of its receipts from sales of liquor and taxes collected during the preceding fiscal month and such other information as may be necessary to effectuate the provisions of this act at which time it shall also be the duty of the board to pay to the department the tax imposed upon such liquor by the provisions of this act Provided however That the board may in its discretion add the tax imposed by this act to the wholesale and retail price at which liquors are sold and eliminate any accounting of such tax separate from sale prices and in such case the amount of the tax for any calendar month shall be ascertained by dividing the entire gross receipts derived from sales at Pennsylvania liquor stores during such month by eleven and the quotient thus obtained shall be deemed the amount of the tax for such month payable over under this section

Section 4 This act shall become effective immediately upon its final enactment

Section 2 This reenacting and amending act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31

Becker,	Ealy,	Kephart,	Troutman,
Berger,	Edmonds,	Letzler,	Tyler,
Blass,	Farrell,	Mallery,	Wade,
Bowers,	Geltz,	Snowden,	Wagner,
Carr,	Heyburn,	Stevenson,	Wilson,
Chapman,	Homsher,	Tallman,	Woodward,
Crider,	James,	Taylor,	Walker,
Crowe,	Jones,	Thomas,	Acting Pres. Pro. Tem.

NAYS—18

Barr,	Gourley,	Leader,	Rosenfeld,
Coleman,	Haluska,	Margie,	Ruth,
Cox,	Holland,	McCreesh,	Stiefel,
Dent,	Jaspan,	McGinnis,	Woodring,
DiSilvestro,	Klein,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. GELTZ. Mr. President, I ask unanimous consent that House Bill No. 80 on third reading, entitled:

An Act to reenact and amend the title and the act approved the sixteenth day of May, one thousand nine hundred thirty-five (P. L. 208) entitled as amended, "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net income of certain corporations, joint-stock associations and limited partnerships providing for the assessment, collection, settlement and resettlement of taxes and reviews and appeal therefrom, conferring powers and imposing duties on certain persons, corporations, joint-stock associations, limited partnerships, State and county officers, boards and departments making an appropriation and providing penalties" as previously reenacted and amended by extending the provisions of the act for a further limited period of time by providing for additional deductions in fixing the tax by specifically imposing tax on corporations receiving rent or other income from property in Pennsylvania by providing that a report of change of income becomes part of the original report in certain instances by changing the gross receipts fraction by specifically providing for the computing of interest on increases of income indicated by reports of change

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 83, as follows:

An Act to reenact and amend the title and the act approved the fourteenth day of June one thousand nine hundred thirty-five (P. L. 341) entitled as amended "An act to provide revenue by imposing a State tax upon sales of cigarettes by dealers as herein defined requiring persons engaged in the sale of cigarettes at wholesale and retail to secure permits prescribing the method and manner of collecting such tax conferring powers and imposing duties on the Department of Revenue and persons as herein defined engaged in the sale of cigarettes at retail or wholesale and providing penalties" as previously reenacted and amended by extending the provisions of the act for a further limited period of time

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and all the sections of the act

approved the fourteenth day of June one thousand nine hundred thirty-five (P. L. 341) entitled as amended "An act to provide revenue by imposing a State tax upon sales of cigarettes by dealers as herein defined requiring persons engaged in the sale of cigarettes at wholesale and retail to secure permits prescribing the method and manner of collecting such tax conferring powers and imposing duties on the Department of Revenue and persons as herein defined engaged in the sale of cigarettes at retail or wholesale and providing penalties" as last reenacted and amended by the act approved the seventh day of May one thousand nine hundred forty-three (P. L. 209) are hereby reenacted and further amended to read as follows

An Act to provide revenue by imposing a State tax upon sales of cigarettes by dealers as herein defined requiring persons engaged in the sale of cigarettes at wholesale and retail to secure permits prescribing the method and manner of collecting such tax conferring powers and imposing duties on the Department of Revenue and persons as herein defined engaged in the sale of cigarettes at retail or wholesale and providing penalties

Section 1 Be it enacted &c That this act shall be known and may be cited as the "Cigarette Tax Act"

Section 2 The following words terms and phrases when used in this act shall have the meanings ascribed to them in this section except where the context clearly indicates a different meaning

"Association" Any partnership limited partnership or other form of unincorporated enterprise owned by two or more persons

"Dealer" Any wholesale dealer and in the cases hereinafter prescribed retail dealers The term "wholesale dealer" shall include any person who or which sells within Pennsylvania cigarettes to retail dealers or for purposes of resale or who or which purchases cigarettes directly from any manufacturer for purposes of resale The term "retail dealer" shall include every person other than a wholesale dealer who or which receives from any source whatsoever cigarettes for the purpose of sale to consumers in Pennsylvania or for any other purpose than that of reseale whenever the packages of cigarettes so received do not have affixed to them the stamps evidencing the payment of the tax imposed by this act

"Department" The Department of Revenue of this Commonwealth

"Package" The individual package box or other container in or from which retail sales of cigarettes are normally made or intended to be made

"Person" Every natural person association or corporation Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to associations shall mean the partners or members thereof and as applied to corporations the officers thereof

"Cigarettes" Any roll for smoking made wholly or in part of tobacco irrespective of size or shape and whether or not such tobacco is flavored adulterated or mixed with any other ingredient the wrapper or cover of which is made of paper or any other substance or material excepting tobacco

"Sale" Any transfer for a consideration exchange barter gift offer for sale and distribution in any manner or by any means whatsoever

The singular shall include the plural and the masculine shall include the feminine and the neuter

Section 3 (a) On and after the effective date of this act it shall be unlawful for any person to continue to engage in or thereafter to begin to engage in the sale of cigarettes at wholesale within this Commonwealth or for any person excepting commissaries ship's stores and voluntary unincorporated organizations of the Army or the Navy personnel operating under regulations promulgated by the Secretary of War or the Secretary of the Navy to continue to engage in or thereafter to begin to engage in the sale of cigarettes at retail within this Commonwealth unless a cigarette permit or permits shall have been issued to him as hereinafter prescribed

(b) Every person desiring to continue to engage in or hereafter to begin to engage in the sale of cigarettes at wholesale or retail within this Commonwealth except those persons exempt under section 3 (a) hereof shall file an application for a cigarette permit or permits with the department Every application for a cigarette permit shall be made upon a form prescribed prepared and furnished by the department and shall set forth the name under which the applicant transacts or intends to transact business the location of his place of business within this Commonwealth whether or not the applicant is the holder of a mercantile license in effect when the application is made and if so the number of such license and the county for which such license was issued and such other information as the department may require If the applicant has or intends to have more than one place of business within the Commonwealth the application shall state the location of each place of business If the applicant is an association the application shall set forth the names and addresses of the persons constituting the association and if a corporation the names and addresses of the principal officers thereof and any other information prescribed by the department for purposes of identification The application shall be signed [and verified by oath or affirmation] by the owner if a natural person and in the case of an association by a member or partner thereof and in the case of a corporation by an executive officer thereof or some person specifically authorized by the corporation to sign the application to which shall be attached the written evidence of his authority

At the time of making such application the applicant shall pay to the department a permit fee of one dollar ($1.00) for each permit

Upon approval of the application and the payment of the permit fee or fees herein required the department shall grant and issue to each applicant a cigarette permit for each place of business within the Commonwealth set forth in his application Cigarette permits shall not be assignable and shall be valid only for the persons in whose names issued and for the transaction of business at the places designated therein and shall at all times be conspicuously displayed at the places for which issued

All permits shall expire on the thirty-first day of December next succeeding the date upon which they are issued unless sooner suspended surrendered or revoked for cause by the department

(c) Permits issued under the provisions of this act may be renewed annually before the first day of January upon application made to the department and the payment of a renewal fee of one dollar ($1.00)

Whenever any permit issued under the provisions of this act is defaced destroyed or lost the department may issue a duplicate permit to the holder of the defaced destroyed or lost permit upon the payment of a fee of fifty cents ($.50)

(d) The department may suspend or after hearing revoke a cigarette permit whenever it finds that the holder thereof has failed to comply with any of the provisions of this act or any rules or regulations of the department prescribed adopted and promulgated under this act Upon suspending or revoking any cigarette permit the department shall request the holder thereof to surrender to it immediately all permits or duplicates thereof issued to him and the holder shall surrender promptly all such permits to the department as requested Whenever the department suspends a cigarette permit it shall notify the holder immediately and afford him a hearing if desired and if a hearing has not already been afforded After such hearing the department shall either rescind its order of suspension or good cause appearing therefor shall continue the suspension or revoke the permit

Section 4 A State excise tax is hereby imposed and assessed upon sales of cigarettes by dealers at the rate of one cent per ten cigarettes or fraction thereof except such sales of cigarettes as are not within the taxing power of this Commonwealth under the commerce clause of the Constitution of the United States and except such sales as are made to authorized purchasers by commissaries ship's stores and voluntary unincorporated organizations of the Army or the Navy personnel operating under

regulations promulgated by the Secretary of War or the Secretary of the Navy Provided That only one sale of the same package of cigarettes shall be used in computing the amount of tax due hereunder

Execpt as hereinafter provided dealers shall be liable to the Commonwealth as taxpayers for the payment of the tax imposed by this act and shall pay the tax into the State Treasury through the department by purchasing from the department adhesive stamps of such design and denominations as may be prescribed by the department

Manufacturers of cigarettes located either within or outside of this Commonwealth and wholesale dealers in cigarettes located outside of this Commonwealth may purchase stamps from the department and affix such stamps in the manner hereinafter prescribed to packages of cigarettes to be sold within this Commonwealth in which case the dealer within this Commonwealth receiving such stamped packages of cigarettes will not be required to purchase and affix stamps on such packages of cigarettes

Section 5 Each dealer shall affix within the time hereinafter prescribed to each package of cigarettes stamps furnished by and purchased from the department evidencing the payment of the tax imposed by this act and shall cancel such stamps before such cigarettes are offered for sale or before they are otherwise disposed of unless stamps have been affixed to such packages of cigarettes before such dealer received them Each wholesale dealer in this Commonwealth shall affix such stamps to each package of cigarettes unless such stamps shall have been previously affixed thereto and shall cancel the same in the manner prescribed by the department prior to the delivery of such packages to any retail dealer in this Commonwealth

Each retail dealer in this Commonwealth except those persons exempt under section 3 (a) hereof shall immediately upon the receipt of any cigarettes at his place of business so affix such stamps to each package of cigarettes unless such stamps shall have been previously affixed thereto and shall cancel the same in the manner prescribed by the department or shall immediately mark in ink on each unopened box carton or other container of such cigarettes the word "received" and the month day and year of such receipt and shall affix his signature thereto The retail dealer shall in any event open such box carton or other container and immediately affix such stamps to each package therein and cancel the same in the manner prescribed by the department within twenty-four hours after such receipt and prior to the sale of such cigarettes

Whenever any cigarettes are found in the place of business of such retail dealer without the stamps affixed and cancelled or not marked as having been received within the preceding twenty-four hours as required by this section the prima facie presumption shall arise that such cigarettes are kept therein in violation of the provisions of this act

Stamps shall be affixed to each package of cigarettes of an aggregate denomination not less than the amount of the tax upon the contents therein and shall be affixed in such manner that they will be visible to the purchaser Upon affixing stamps to a package of cigarettes the person affixing them shall cancel them by such method or in such manner as may be prescribed by the department

Section 6 The department shall prescribe prepare and furnish adhesive stamps of such denominations and quantities as may be necessary for the payment of the tax imposed and assessed by this act The department shall make provisions for the sale of such stamps in such places and at such times as it may deem necessary

The department shall appoint wholesale dealers in cigarettes within this Commonwealth and may appoint any other persons within or without the Commonwealth as agents to affix the stamps to be used in paying the tax herein imposed upon sales of cigarettes but a wholesale dealer shall at all times have the right to appoint the person who is to affix the stamps to any cigarettes under his control and whenever the department shall sell consign or deliver to any such agent any such stamps such agent shall be entitled to receive as compensation for his services and expenses as such agent in affixing such stamps and to retain out of the moneys to be paid by him for such stamps a commission of seven and one-half per centum on the par value thereof if and when such agent has purchased the stamps affixed by him directly from the department The department is hereby authorized and required to allow such commission or compensation in the settlement of the accounts of such agent upon payment by him into the State Treasury through the department of any moneys which may be or become due to the Commonwealth by reason of the sale delivery or consignment to such agent of such stamps

Section 7 Every person engaged in the sale of cigarettes at wholesale within this Commonwealth and every person engaged in the sale of cigarettes at retail within this Commonwealth except commissaries ship's stores and voluntary unincorporated organizations of the Army or of the Navy personnel operating under regulations promulgated by the Secretary of War or the Secretary of the Navy shall maintain and keep for a period of two years such record or records of cigarettes received sold and delivered within this Commonwealth by him together with invoices bills of lading and other pertinent papers as may be required by the department

The department or any agent appointed in writing by it is hereby authorized to examine the books papers invoices and other records the stock of cigarettes in and upon any premises where the same are placed stored and sold and equipment of any such wholesale or retail dealer pertaining to the sale and delivery of cigarettes taxable under this act to verify the accuracy of the payment of the tax imposed and assessed by this act Every such person is hereby directed and required to give to the Secretary of Revenue or his duly authorized representative the means facilities and opportunity for such examinations as are hereby provided and required

Section 8 The department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations relating to

(a) The method and the means to be used in the cancellation of stamps

(b) The denominations and sale of stamps

(c) Any other matter or thing pertaining to the administration and enforcement of the provisions of this act

Section 9 The tax imposed by this act shall be in lieu of the mercantile license tax heretofore imposed upon the business of selling cigarettes

Section 10 Whenever any cigarettes upon which stamps have been placed by a dealer have been sold and shipped by him into another state for sale or use therein or have been sold to commissaries ship's stores and voluntary unincorporated organizations of the Army or of the Navy personnel operating under regulations promulgated by the Secretary of War or the Secretary of the Navy for resale to authorized purchasers or have become unfit for use and consumption or unsalable or have been destroyed such dealer shall be entitled to a refund of the actual amount of tax paid by him with respect to such cigarettes If the department is satisfied that any dealer is entitled to a refund it shall certify the proposed amount of such refund to the Board of Finance and Revenue for approval and thereafter shall issue to such dealer stamps of sufficient value to cover the refund as approved by the board The department is hereby authorized to adopt prescribe and promulgate such rules and regulations with regard to the presentation and proof of claim for refunds as it may deem advisable

The department may promulgate rules and regulations to relieve manufacturers and dealers from affixing the stamps on such cigarettes as are sold and shipped to points outside the Commonwealth for use outside the Commonwealth or on such cigarettes as are sold to commissaries ship's stores and voluntary unincorporated organizations of the Army or of the Navy personnel

operating under regulations promulgated by the Secretary of War or the Secretary of the Navy for resale to authorized purchasers

Section 11 Every person other than a common carrier or the employes thereof who shall possess or transport any cigarettes upon the public highways roads or streets of this Commonwealth for the purpose of delivery sale or disposition shall be required to have in his actual possession invoices or delivery tickets for such cigarettes The absence of such invoices or delivery tickets shall be prima facie evidence that such person is a dealer in cigarettes in this Commonwealth and subject to the provisions of this act

Section 12 (a) Any person who shall sell cigarettes without being the holder of a cigarette permit or permits as required by this act shall upon conviction in a summary proceeding be sentenced to pay a fine of twenty-five dollars ($25.00) and costs of prosecution and in default of payment thereof to undergo imprisonment for not more than ten (10) days

(b) Any person who shall sell cigarettes without purchasing and affixing stamps to each package thereof as required by this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced for the first offense to pay a fine of not less than one hundred dollars ($100.00) or more than one thousand dollars ($1,000.00) or to suffer imprisonment for a term not exceeding six (6) months or both in the discretion of the court and in the case of a conviction of a second or subsequent offense hereunder shall be sentenced to pay a fine of not less than five hundred dollars ($500.00) or more than one thousand dollars ($1,000.00) and to suffer imprisonment for a term not less than six (6) months or more than three (3) years

(c) Any person who shall fail neglect or refuse to comply with or shall violate the rules and regulations prescribed adopted and promulgated by the department under the provisions of this act or who shall refuse to permit the department or any agent appointed by it in writing to examine his books papers invoices and other records his stock of cigarettes in and upon any premises where the same are prepared stored and sold and his equipment pertaining to the sale of cigarettes taxable under this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100.00) or more than five hundred dollars ($500.00) or to suffer imprisonment of not more than six (6) months or both in the discretion of the court

(d) Any person who falsely or fraudulently makes forges alters or counterfeits any stamp prescribed by the department under the provisions of this act or causes or procures to be falsely or fraudulently made forged altered or counterfeited any such stamp or knowingly and willfully utters publishes passes or tenders as true any such false altered forged or counterfeited stamp or uses more than once any stamp provided for and required by this act for the purpose of evading the tax hereby imposed and assessed shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to suffer imprisonment for a term of not less than two (2) years or more than five (5) years

Section 13 The provisions of this act are severable and if any of its provisions shall be held to be unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 14 This act shall become effective thirty days after its final enactment and shall continue in effect until and including the thirty-first day of May one thousand nine hundred [forty-five] forty-seven

Section 2 This reenacting and amending act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31

Becker,	Ealy,	Kephart,	Troutman,
Berger,	Edmonds,	Letzler,	Tyler,
Blass,	Farrell,	Mallery,	Wade,
Bowers,	Geltz,	Snowden,	Wagner,
Carr,	Heyburn,	Stevenson,	Wilson,
Chapman,	Homsher,	Tallman,	Woodward,
Crider,	James,	Taylor,	Walker
Crow,	Jones,	Thomas,	Acting Pres. Pro. Tem.

NAYS—18

Barr,	Gourley,	Leader,	Rosenfeld,
Coleman,	Haluska,	Margie,	Ruth,
Cox,	Holland,	McCreesh,	Stiefel,
Dent.	Jaspan,	McGinnis,	Woodring,
DiSilvestro,	Klein,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILLS OVER IN ORDER

Mr. WADE. Mr. President, I ask unanimous consent that Senate Bill No. 376, on third reading, entitled:

An Act relating to investments by fiduciaries and repealing acts or parts of acts inconsistent herewith

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 382, on third reading, entitled:

An Act to amend section seven hundred two of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled, "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by authorizing such townships to regulate parking

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. BECKER. Mr. President, I ask unanimous consent that Senate Bill No. 423, on third reading, entitled:

An Act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities, counties and townships as herein defined; prescribing the rights, powers and duties of such Authorities; authorizing such authorities to acquire, construct, improve, maintain, and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such authorities, authorizing such authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof, conferring exclusive jurisdiction on certain courts over rates

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. BECKER. Mr. President, I ask unanimous consent that Senate Bill No. 425, on third reading, entitled:

An Act authorizing individual co-fiduciaries, in certain cases to consent to holding of investments in the name of their corporate co-fiduciaries' nominee, and validating such consents heretofore given

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 52, entitled:

An Act to amend clause six of section thirteen of the act approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" further defining the disability retirement rights of members of the School Employes' Retirement Association who engage in active military service

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. HOMSHER offered the following amendments:

Amend Section 1, section thirteen, clause six (clause six of section thirteen) page three, line two by inserting after the word "examination" and before the word "at" the following: "Any employe who has been honorably discharged from active military service prior to the approval of this act shall have one year from the effective date thereof to apply for said examination"; Amend Section 1, section thirteen, clause six (clause six of section thirteen) page four, line five by inserting after the word "service" and before the word "all" the following: "However, if the employe is permitted to resume the duties of his employment, he shall not be denied his disability rights."

They were agreed to.

The section was agreed to as amended.

The second section and title were read and agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 88, entitled:

An Act making an appropriation to the Department of Public Instruction for the expenses of the State Board for Vocational Education in licensing and regulating private trade schools and classes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. WAGNER. Mr. President, I move that Senate Bill No. 88, the bill just read, be recommitted to the Committee on Appropriations.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER

Mr. BECKER. Mr. President, I ask unanimous consent that House Bill No. 115 on second reading, entitled:

An Act to exempt from taxation for all local purposes certain property of hospitals universities colleges seminaries academies associations and institutions of learning benevolence or charity and declaring the public policy of the Commonwealth with respect to the exemption of said property from such taxation

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 147 on second reading, entitled:

An Act to amend sections 203 and 204 and to further amend sections 205 of, and to add sections 205.1 205.2 205.3 205.4 205.6 205.7 205.8 205.9 205.10 and 205.11 to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for the election of school directors in school districts of the second third and fourth classes by nonpartisan ballots at special elections

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 164, entitled:

An Act to reenact and amend the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 563) entitled "An act to add section two thousand two and one-tenth to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled 'An act to establish a public school

system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation theerof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' providing for cooperation of State Teachers Colleges at the request of the State Council of Defense with other agencies in furthering national defense programs and activities" extending the effective period thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 222 on second reading, entitled:

An Act abating certain tax penalties interest and costs on unpaid county, city, borough, town, township, school district, poor district, and county institution district taxes with certain exceptions, prohibiting the sale of real property for the nonpayment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. BARR. Mr. President, I move that Senate Bill No. 264 on second reading, entitled:

An Act to ascertain and appoint the fees to be received by the several prothonotaries of the courts of common pleas of the Commonwealth in counties of the fourth class to provide the time of paying the same and to repeal all acts inconsistent herewith

be recommitted to the Committee on County Government.

Mr. WAGNER. Mr. President, I second the motion.

The motion was agreed to.

Mr. BARR. Mr. President, this bill came out of the committee on Judiciary Special and it was agreed yesterday that when the bill was printed, containing the amendments, it would be re-referred to the Committee on County Government, together with the rest of the fee bills.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 274, entitled:

An Act to amend clause (g) of section one thousand three hundred four of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by definitely specifying the place where the records of professional examining boards shall be kept

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 279, entitled:

An Act defining and providing for the licensing and regulation of private trade schools and classes conferring powers and imposing duties on the State Board for Vocational Education and prescribing penalties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 286, entitled:

An Act providing for the payment of moneys to school districts of the fourth class the taxes of which have been or are hereafter reduced by the acquisition of lands and property by the Commonwealth for any State college or university other than State teachers' colleges or for any State penitentiary or by State-aided colleges or universities and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. LETZLER. Mr. President, I move that Senate Bill No. 286 the bill just read, be recommitted to the Committee on Appropriations.

Mr. BECKER. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 342, entitled:

An Act to amend section one of the act approved the fifth day of March one thousand nine hundred and three (P. L. 14) entitled "An act concerning proxies authorizing representation and voting of shares of capital stock of corporations at meetings and elections thereof" by further regulating the execution of proxies.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 344 on second reading, entitled:

An Act to further amend section five hundred and forty of the act, approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," further defining the duties of the secretary to the board of supervisors; and providing for the preservation and turning over to the successor in office of township records and for the destruction of certain records

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. BARR. Mr. President, I ask unanimous consent that Senate Bill No. 373 on second reading, entitled:

An Act to further amend the act approved the nineteenth day of June one thousand nine hundred thirty-one (P. L. 589) entitled as amended "An act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering regulating barber shops and barber schools and apprentices and students therein regulating compensation for service rendered conferring certain powers and duties on the Department of Public Instruction and providing penalties" by further regulating the practice of barberiing and the registration of barber shops managers and owners of barber shops barbers teachers of barbering students and apprentices

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 385, entitled:

An Act to amend clause two of subsection (b), and to further amend clause six of subsection (c) of section two hundred two of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and interinsurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties and repealing existing laws," by authorizing domestic stock and mutual fire and marine and casualty insurance companies to make insurances against all risk of loss of or damage to personal property.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Mr. BARR. Mr. President, I wish to call to the attention of the Senate that the Senator from Monroe, Mr. Crowe, I believe has some amendments he desired to offer to this bill.

RECONSIDERATION OF SENATE BILL No. 385.

Mr. BARR. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 385 passed second reading.

The ACTING PRESIDENT PRO TEMPORE. How did the Senator vote?

Mr. BARR. Mr. President, I voted "aye".

Mr. STEVENSON. Mr. President, I second the motion.

The ACTING PRESIDENT PRO TEMPORE. How did the Senator vote?

Mr. STEVENSON. Mr. President, I voted "aye".

The motion was agreed to.

BILL OVER IN ORDER

Mr. BARR. Mr. President, I ask unanimous consent that Senate Bill No. 385 on second reading, go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection, The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 393, entitled:

An Act to further amend clauses six seven twenty and twenty-three of section two of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossing of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and

regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" exempting from the provisions thereof motor vehicles engaged in the transportation of logs or pulpwood

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 403, entitled:

An Act to further amend clause eighteen of section one and subsection one of section twelve of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payment therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by terminating interest on accumulated deductions on the date of separating from school service

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 421, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 444, entitled:

An Act to further amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" by guaranteeing to employes equal employment opportunity and full membership rights in labor organizations without discrimination on account of race creed color national origin or political affiliation and by making any such discrimination an unfair labor practice.

The first, second, third, fourth and fifth sections were read and agreed to.

The sixth section was read.

On the question,

Will the Senate agree to the section?

Mr. BOWERS offered the following amendment:

Amend Section 6, sub-section 1(c) page 6, line 26 by striking out before the word "in" the words "By discrimination" and inserting in lieu thereof the words "To discriminate".

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading?

BILLS OVER IN ORDER

Mr. HOLLAND. Mr. President, I ask unanimous consent that Senate Bill No. 444, on second reading, go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. DENT. Mr. President, I ask unanimous consent that Senate Bill No. 457 on second reading, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" further revising and changing the penal laws of the Commonwealth

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 462, on second reading, entitled:

An Act establishing a mode of selecting and drawing jurors for counties of the first class, and imposing penalties

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 468, on second reading, entitled:

An Act authorizing the alteration, improvement and construction of buildings, equipment and facilities for the Pennsylvania Maritime Academy by the Navigation Commission for the Delaware River, and making an appropriation

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. DENT. I might suggest, Mr. President, that this bill carries a sizable appropriation and, being a member of the Appropriations Committee, I consider this bill too important to pass on the floor without the Appropriations Committee first analyzing the proposed expenditures. I believe it would be proper to send this bill back to the Committee on Appropriations.

Mr. HEYBURN. I agree with the gentleman from Westmoreland, Mr. Dent, that this bill has not been in the Committee of Appropriations but on the other hand, in the absence of the sponsor, I suggest that it go over in order until Monday.

The ACTING PRESIDENT PRO TEMPORE. If there is no further objection the bill will go over in its order.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 482, entitled:

An Act to add section two thousand two point two to the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing for cooperation of State Teachers' Colleges with other agencies in vocational rehabilitation education of veterans and defense workers.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Mr. HOLLAND. On behalf of the Chamber of Commerce, which is in my district, I wish to withdraw the request I made yesterday that a public hearing be held in connection with this bill, as I have been advised by the Chamber of Commerce it is not their desire that a public hearing be held on this bill.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 631, entitled:

An Act approving, ratifying and enacting into law, the Ohio River Valley Sanitation Compact for the prevention, abatement and control of pollution of the rivers, streams, and waters in the Ohio River drainage basin, and making the State of Pennsylvania a party thereto; creating the "Ohio River Valley Water Sanitation Commission;" providing for the members of such commission from the State of Pennsylvania; and providing for the carrying out of said compact after the conclusion of hostilities of the present war.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 665, entitled:

An Act to further amend the act approved the twenty-second day of April one thousand nine hundred nine (P. L. 122) entitled "An act to validate the exercise of franchise of manfacturing corporations and land companies whose charters have expired and to validate the conveyance and other instruments of said corporations" making said act apply to any corporation of the Commonwealth of Pennsylvania and extending the time thereof and authorizing certain conveyances

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING

Mr. HEYBURN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 36, entitled:

An Act to add section seven hundred thirty-four to the act approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," making wilful abandonment or nonsupport of an aged or indigent person a misdemeanor; and prescribing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 170, entitled:

An Act to amend section seven hundred one of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," abolishing capital punishment in the case of murder of the first degree.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 224, entitled:

An Act to extend the lien of taxes and municipal claims and the period for the redemption of real property where the commencement of proceedings or actions for the collection of taxes or municipal claims or sales for the collection thereof are stayed by a court pursuant to the Soldiers' and Sailors' Civil Relief Act of 1940 or the period for the redemption of real property expires before the end of six months after termination of the military service of a person having the right to redeem such real property.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 225, entitled:

An Act to amend sections one and two of the act, approved the twenty-second day of May, one thousand eight hundred and ninety-five (P. L. 111), entitled "An act providing for the divestiture of liens of taxes levied or assessed against lands sold at judicial sales, and for the payment of the same out of the proceeds of such sales"; requiring officers and persons conducting judicial sales to notify political subdivisions to file statements of taxes due on real estate to be sold at such sales; imposing duties on political subdivisions and certain officers having taxes for collection and on county commissioners; providing for the discharge of tax liens where tax statements are not filed; and clarifying the provisions of said act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 296, entitled:

An Act providing that taxes levied by political subdivisions of the Commonwealth on real estate of service persons shall not bear interest or be subject to penalties; and providing for abatement of certain accrued interest and penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 320, entitled:

An Act to amend the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 319) entitled "An act authorizing the waiver of trial by jury in certain criminal cases and the trial of such cases by a judge without a jury regulating such trials and conferring a jurisdiction upon the judges of the several courts in such cases" by extending the act to all cases except murder and treason.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 371, entitled:

An Act to further amend section two of the act, approved the twelfth day of May, one thousand nine hundred twenty-one (P. L. 548), entitled "An act providing for the depositing of money with the clerk of the several courts of quarter sessions and oyer and terminer or other courts of records having jurisdiction in this Commonwealth, in lieu of bail and recognizances with surety or sureties, in criminal or quasi criminal prosecutions, desertion or nonsupport and surety of the peace cases, pending said courts, and fixing the fees of the said clerk of the courts," by increasing the commission of clerks of courts on moneys held by them.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 374, entitled:

An Act to further amend the second paragraph of section five of the act, approved the eleventh day of June, one thousand nine hundred thirty-five (P. L. 326), entitled "An act relating to counties of the first class; defining deceased service persons; providing for contributions by the county to the funeral expenses for such persons and their widows; providing for the erection and care of markers, headstones, and flags, and for the compilation of war records," making counties in which deceased service persons are buried liable for the cost of headstones.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 414, entitled:

An Act to provide protection in all cases secured or to be secured by individual surety or sureties in courts of record or proceedings therein by specifying the requirements of such suretyship and the qualifications of such surety.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 434, entitled:

An Act to further amend sections twenty-one and thirty-one of, and to add section twenty-one and one-tenth to the act, approved the sixth day of August, one thousand nine hundred forty-one (P. L. 861), entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the 'Pennsylvania Board of Parole'; conferring and defining its jurisdiction, duties, powers and functions, including the supervision of persons placed upon probation in certain designated cases; providing for the method of appointment of its members; regulating the appointment, removal and discharge of its officers, clerks and employes; dividing the Commonwealth into administrative districts for purposes of parole; fixing the salaries of members of the board and of certain other officers and employes thereof; making violations of certain provisions of this act misdemeanors; providing penalties therefor; and for other cognate purposes, and making an appropriation," by further defining the jurisdiction, duties, powers and functions of the Pennsylvania Board of Parole.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 435, entitled:

An Act to repeal certain sections of the act approved the nineteenth day of June, one thousand nine hundred eleven (P. L. 1055) entitled "An act authorizing the release on probation of certain convicts, instead of impos-

ing sentences; the appointment of probation and parole officers, and the payment of their salaries and expenses; regulating the manner of sentencing convicts in certain cases, and providing for their release on parole; their conviction of crime during parole, and their rearrest and reconviction for breach of parole; and extending the powers and duties of boards of prison inspectors of penitentiaries," as amended and supplied.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 455, entitled:

An Act to amend section twenty-one of, and add section twenty point one to the act, approved the second day of June, one thousand nine hundred thirty-three (P. L. 1433) entitled "An act defining the powers of the courts of quarter sessions, the Municipal Court of Philadelphia, and the County or Juvenile Court of Allegheny County, with respect to the care, guidance, control, trial, placement and commitment of delinquent, dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency, neglect and dependency of children; and amending, revising and consolidating the law relating thereto," by defining the jurisdiction of the juvenile courts and making parents responsible for delinquency of children under the age of fourteen years; and prescribing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 456, entitled:

An Act to amend section four hundred nineteen of, and to add section four hundred eighteen point one, to the act approved the third day of June, one thousand nine hundred thirty-three (P. L. 1449), entitled "An act establishing a court of record in the county of Allegheny for control, care, guidance, treatment, trial, placement and commitment of delinquent, neglected and dependent children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging delinquency, neglect or dependency of children; defining the jurisdiction and powers of the court, and regulating procedure therein; providing for the transfer thereto of certain powers, functions and duties from other courts, providing for the election of judges thereof, the appointment of probation officers, other necessary staff officials and assistants; providing for housing of same, and providing for detention facilities; making the contributing to or encouraging of the delinquency, neglect or dependency of children a misdemeanor; and providing penalties," by defining the jurisdiction of the juvenile courts; making parents responsible for delinquency of children under the age of fourteen years; and prescribing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 459, entitled:

An Act to amend section six of the act, approved the twelfth day of June, one thousand eight hundred seventy-eight (P. L. 196), entitled "An act to consolidate revise and amend the penal laws of this Commonwealth," by fixing the time for the commencement and prosecution of indictments for certain felonies committed by certain persons.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

HOUSE MESSAGE

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurred in resolution from the Senate as follows:

TIME EXTENDED FOR THE REPORT OF THE JOINT LEGISLATIVE COMMITTEE TO STUDY THE NECESSITY FOR A NEW GOVERNOR'S MANSION

In the Senate, March 14, 1945.

Whereas, By Resolution No. 2, Serial No. 4, Printer's No. 5, of the General Assembly, a Committee was created to study the matter of a new Executive Mansion, and inasmuch as the Committee has been unable to complete its work, therefore be it

Resolved (if the House of Representatives concur), That the time for reporting be extended to April 4, 1945.

ADJOURNMENT

Mr. HEYBURN. Mr. President, I move that the Senate do now adjourn until Monday, March 19, 1945, at 4:00 o'clock p. m., Eastern War Time.

Mr. TALLMAN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 12.42 o'clock p. m., Eastern War Time until Monday, March 19, 1945, at 4:00 o'clock p. m., Eastern War Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, March 14, 1945

The House met at 11 a. m.

The SPEAKER (Ira T. Fiss) in the Chair.

PRAYER

The Chaplain, Rev. Lester C. Updegrove, offered the following prayer:

O God, who fulfillest Thy purpose in unexpected and unimagined ways, speak to us in our hearts when we are baffled, wearied, and discouraged, when our minds are darkened by clouds of human misery and woe. Grant unto us that inner release that will enable us to overcome the oppression of the outer circumstance. Keep us steadfast unmovable, always abounding in good works, knowing that in Thee and for others no labor can be in vain. For Thy name sake. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Tuesday, March 13, 1945.

The Clerk proceeded to read the Journal of Tuesday, March 13, 1945, when, on motion of Mr. PAUL G. MURRAY, unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Messrs. LEONARD and BAKER.

HOUSE BILL No. 1164.

An Act creating a state civil service department to be

administered by a director and civil service board empowered to make rules and regulations providing for the classification of positions compensation schedules competitive entrance and promotional examinations certifications and appointments probationary service periods and rejections therein for demotions promotions reemployments suspensions transfers sick leave and vacations for lay-offs when necessary according to seniority for separation from service by discharge for cause for hearing and reinstatements for establishing status of incumbent employes prescribing penalties for violations and repealing acts in conflict herewith.

Referred to the Committee on State Government.

By Mr. DIX. HOUSE BILL No. 1165.

An Act authorizing the Secretary of Highways, with the approval of the Governor, to take over as State Highways public roads which connect existing State Highway routes with free interstate bridges and providing for construction, reconstruction and maintenance at the expense of the Commonwealth.

Referred to the Committee on Highways.

By Messrs. ELISH and POLEN. HOUSE BILL No. 1166.

An Act to further amend Section one of article fourteen of the act approved, the ninth day of June one thousand nine hundred eleven (P. L. 766), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania and for the protection and preservation of property connected therewith," by making the construction and maintenance of wash houses near mine entrances compulsory.

Referred to the Committee on Mines and Mining.

By Messrs. ELISH and POLEN. HOUSE BILL No. 1167.

An Act to amend section one of article VI of the act, approved the second day of June, one thousand eight hundred ninety-one (P. L. 176), entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith," by making the construction and maintenance of wash houses near mine entrances compulsory.

Referred to the Committee on Mines and Mining.

By Mr. WAGNER. HOUSE BILL No. 1168.

An Act to further amend the title and section one of the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 844), entitled, as amended "An act authorizing the Commonwealth of Pennsylvania, or any department or division thereof, and counties, cities, boroughs, incorporated towns, townships, school districts, vocational school districts, and institution districts to make contracts of life, health, hospitalization, medical services, and accident policies for the benefit of employes thereof, and contracts for pensions for such employes," extending the provisions thereof to pupils of school districts.

Referred to the Committee on Education.

By Mrs. COYLE and Mrs. VARALLO. HOUSE BILL No. 1169.

An Act authorizing the Department of Military Affairs upon request to supply an official flag of the Commonwealth to each post of a nationally chartered veterans' service organization in the Commonwealth, and making an appropriation.

Referred to the Committee on Military Affairs.

By Mr. CHARLES H. BRUNNER, Jr. HOUSE BILL No. 1170.

An Act making an appropriation to the Department of Property and Supplies for the installation of an electric roll call system in the Hall of the House of Representatives.

Referred to the Committee on Appropriations.

By Mr. DILLON. HOUSE BILL No. 1171.

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section.

Referred to the Committee on Constitutional Amendments.

RESOLUTION INTRODUCED AND REFERRED

By Mr. LEVY. (Concurrent) RESOLUTION No. 39.

In the House of Representatives, March 12, 1945.

Whereas, in certain areas in counties, cities and other municipalities and incorporated districts, boroughs and townships of this Commonwealth there exist insanitary and substandard housing conditions owing to overcrowding and concentration of the population, improper planning, excessive land coverage, lack of proper light, air and space, insanitary design and arrangement, or lack of proper sanitary facilities; that these conditions are chiefly in areas where low rent dwellings prevail and that such conditions and dwellings are a menace to the health, safety, morale, welfare, and reasonable comfort of the citizens of this state; that there is not an adequate supply of adequate, safe, and sanitary dwelling accommodations for persons of low income; that these conditions cause an increase and spread of disease and crime and constitute a menace to the health, safety, morale, welfare, and comfort of the citizens of this State; that these conditions inflict blight upon the economic value of large areas, impair private investments and the source of public revenues; that all of these conditions have become intensified and aggravated by the present war which has caused an influx of people to our larger congested areas, while at the same time causing a cessation of new construction for housing; that these conditions cannot be remedied by the ordinary operation of private enterprise, but require government participation on Federal, State and local levels; that these conditions require that provisions be made for the investment of public and private funds at low interest rates in low rent housing and the acquisition at fair prices of adequate parcels of property, the gradual demolition of existing insanitary and unsafe housing and the construction of new housing facilities, under public supervision in accord with proper standards of sanitation and safety and at a cost which will permit monthly rentals which persons of low income can afford to pay; that loans and subsidies by the State and its subdivisions are necessary for such purposes; that the clearance, replanning, reconstruction and rehabilitation of substandard and insanitary areas or the providing of adequate, safe and sanitary low rent housing accommodations in these areas and elsewhere for persons and families of low income, or both of these, are public uses and purposes for which public money may be spent and private property acquired; and

Whereas, it is in consonance with the great democratic traditions of this Commonwealth and its Constitution and of the democratic principles for which Americans are at present shedding their blood overseas, for this General Assembly to state that it is its fixed legislative policy to guarantee the right of every Pennsylvania family to a safe and decent home, and that since the building of homes necessary to realize this guarantee will provide jobs to Pennsylvanians which in turn will help to realize

a goal of full employment and domestic tranquility in Pennsylvania in the post war period; therefore be it

Resolved, (if the Senate concurs), That the Senate and House of Representatives, in the name of the people of Pennsylvania, do hereby memorialize the Congress of the United States of America and urge it to allocate for the Commonwealth of Pennsylvania, its counties, cities and other municipalities and incorporated districts, boroughs and townships, from any and all funds that the Congress may hereafter appropriate for low cost, low rent public housing and for the demolition of existing, unsafe housing, adequate funds to help realize the goal of full employment in Pennsylvania and a decent safe home for every Pennsylvania family. This General Assembly pledges its full support and cooperation to the Congress and all Federal, and State government agencies and instrumentalities engaged in administering this important work; that it will accept all Federal funds so allocated, supplement such funds with State and other local funds, and put such funds to work to provide a minimum of 35,000 new low cost, low rent homes annually and otherwise carry out the purpose and ends herein recited; and be it further

Resolved, That the Governor be requested to join in this memorialization to the United States Congress; and be it further

Resolved, That a copy of this resolution be presented on behalf of the people of Pennsylvania to the Speaker of the United States House of Representatives, to the President of the United States Senate, to President Franklin Delano Roosecelt, to the Director of the Federal Housing Agency, and to all Chairmen of local housing authorities; and be it finally

Resolved, That the members of the Pennsylvania delegation in the United States Congress all receive copies of this resolution and they are hereby memorialized to lend their efforts towards the obtaining of Federal appropriations of adequate funds to carry out the purposes and ends recited in this resolution.

Referred to the Committee on State Government.

LEAVES OF ABSENCE

By consent of the House leave of absence was granted as follows:

Mr. Smith for Messrs. McCORMACK and SALUS for today's session.

Mr. Martin L. Murray for Mr. MODELL for today's session.

Mr. Trent for Messrs. PETTIGREW and MYHAN for today's session.

COMMITTEE REPORTS

Mr. LYONS, from the Committee on Judiciary Special, reported as committed House Bill No. 162, entitled:

An Act to further amend section one thousand three hundred eleven of the act approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractural relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed, or kept by persons, associations, companies, corporations or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies, and corporations, (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," by authorizing the court to impose prison sentences in certain cases.

Mr. COHEN, from the Committee on State Government, reported as committed House Bill No. 163, entitled:

An Act to further amend clauses (a), (d) and (f) of section one thousand three hundred four of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," providing for regulation of preliminary education of candidates for licenses to practice professions or work at trades or occupations granted by the Department of Public Instruction, or other departments of the Commonwealth.

Mr. RUDISILL, from the Committee on Judiciary Special, reported as committed House Bill No. 295, entitled:

An Act to repeal certain obsolete and supplied penal laws.

Mr. STONIER, from the Committee on State Government, reported as committed House Bill No. 417, entitled:

An Act authorizing the Pennsylvania Historical Commission to acquire by gift from the Historical Society of Cambria County, the Admiral Peary Memorial Park in Cresson Township, Cambria County; restricting the use thereof, and making an appropriation to said commission for the improvement of said park.

Mr. FULLERTON, from the Committee on Highways, reported as committed House Bill No. 419, entitled:

An Act to amend the act, approved the first day of June, one thousand nine hundred forty-three (App. Acts, page 45), entitled "An act making an appropriation to the Department of Highways out of the Motor License Fund for the purpose of rebuilding certain bridges in the County of Wayne, destroyed by flood in said county during the month of May, one thousand nine hundred forty-two," increasing the appropriation for the construction of certain bridges.

Mr. JAMES, from the Committee on State Government, reported as committed House Bill No. 425, entitled:

An Act providing for the construction of a museum building and the acquisition and maintenance, by the Department of Forests and Waters, with the advice of the Bushy Run Battlefield Commission, of lands adjacent to the Bushy Run Battlefield State Park; and making an appropriation.

Mr. GORE, from the Committee on State Government, reported as committed House Bill No. 434, entitled:

An Act making an appropriation to the Department of Forests and Waters to be used for the acquisition of land within the limits of the "Bucktail State Park," and prescribing the uses to be made of such land.

Mr. ROBERTSON, from the Committee on State Government reported as committed House Bill No. 457, entitled:

An Act to permit the sale and purchase of imitation butter or oleomargarine for consumption by inmates and employes of charitable and penal institutions within the Commonwealth for a period of two years, and suspending certain provisions of the law prohibiting such sales and purchase for the same period of time under certain circumstances; requiring the keeping of records and the making of reports; and providing penalties.

Mr. BRICE, from the Committee on Judiciary Special, reported as committed House Bill No. 472, entitled:

An Act prohibiting the sale of drugs, chemicals and preparations thereof without a label bearing certain information; and prescribing a penalty.

Mr. ROYER, from the Committee on Motor Vehicles, reported as committed House Bill No. 614, entitled:

An Act to further amend section nine hundred and three of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by changing the maximum gross weight of certain commercial motor vehicles and truck tractors.

Mr. O'CONNOR, from the Committee on State Government, reported as committed House Bill No. 615, entitled:

An Act to further amend clauses six and nine of section one; and section three of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," further defining State employes and original members, and making further exception to compulsory membership in the system.

Mr. O'CONNOR, from the Committee on State Government, reported as committed House Bill No. 662, entitled:

An Act to promote interstate cooperation for the conservation and protection of water resources in the Delaware River Basin.

Mr. FLACK, from the Committee on State Government, reported as committed House Bill No. 697, entitled:

An Act to further amend clause seven of section one of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," extending the time for officers and employes of the Department of Public Instruction to withdraw from the Retirement system and receive reimbursement for moneys paid in; and requiring payments from the School Employes' Retirement Fund into the State Employes' Retirement Fund in certain cases.

Mr. FLACK, from the Committee on State Government, reported as committed House Bill No. 698, entitled:

An Act to further amend clauses nine and thirteen of section one of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from conrtibutions by the Commonwealth

and contributing State employes; defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," further defining original members and prior service in the case of certain former members of the Public School Employes Retirement Association.

Mr. JAMES, from the Committee on State Government, reported as committed House Bill No. 714, entitled:

An Act to further amend section one of the act, approved the eighth day of July, one thousand nine hundred nineteen (P. L. 782), entitled, as amended, "An act providing that clerks, appraisers, investigators and other persons assisting the registers of wills in the collection of inheritance taxes, in all counties shall be appointed and their compensation fixed by the Secretary of Revenue; and prescribing the method of their payment and that of other expenses incident to the collection of said taxes, including cost of registers' bonds," by clarifying the provisions for the payment of the cost of registers' bonds filed with the Department of Revenue.

Mr. MOSER, from the Committee on State Government, reported as committed House Bill No. 719, entitled:

An Act to amend section one of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 558), entitled "An act authorizing the Department of Property and Supplies to sell and convey a lot or piece of land in Delaware County," correcting an erroneous measurement.

Mr. POLASKI, from the Committee on State Government, reported as committed House Bill No. 754, entitled:

An Act to reamend section two of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1513), as amended the fifth day of June, one thousand nine hundred thirty-seven, entitled "An act regulating the construction, equipment, maintenance, operation and inspection of boilers; granting certain authority to and imposing certain duties upon the Department of Labor and Industry; providing penalties for violations of the act; and repealing all acts or parts of acts inconsistent with this act," by further regulating the construction and maintenance of boilers, and extending the provisions of the act to certain boilers heretofore exempt therefrom; and repealing existing laws.

Mr. KENNEDY, from the Committee on Game, reported as committed House Bill No. 770, entitled:

An Act to amend section eight hundred and fifteen of the act approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by controlling certain shooting throughout the year.

Mr. LOVETT, from the Committee on Judiciary Special, reported as committed House Bill No. 805, entitled:

An Act to amend Article VIII of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by making it unlawful to injure, tap or make unauthorized connections with telegraph and telephone facilities, to receive or send communications by means of such unauthorized connections or to induce such actions by another; and providing penalties.

Mr. ELDER, from the Committee on State Government, reported as committed House Bill No. 808, entitled:

An Act authorizing the Department of Property and Supplies, acting for the Commonwealth of Pennsylvania, to acquire by purchase from the owner thereof a tract of land adjacent to the Pottsgrove Mansion, situate in the Borough of Pottstown, Montgomery County, Pennsylvania; and providing for the control, management, supervision, improvement and maintenance thereof by the Pennsylvania Historical Commission.

Mr. WAGNER, from the Committee on State Government, reported as committed House Bill No. 901, entitled:

An Act to further amend the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by transferring the State Board of Undertakers from the Department of Health to the Department of Public Instruction.

Mr. MADDEN, from the Committee on State Government, reported as committed House Bill No. 942, entitled:

An Act to amend the act approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 439), entitled "An act authorizing the Governor of the Commonwealth of Pennsylvania, with the advice of the Attorney General and the approval of certain members of the General Assembly, for a limited period of time, to suspend or modify laws, either in whole or in part, under certain circumstances, during the existence of the present war," by extending the effective period of the act.

Mr. STONIER, from the Committee on Motor Vehicles, reported as committed House Bill No. 943, entitled:

An Act to further amend clause (a) of section one thousand two hundred seven of the act, approved the first day of May, one thousand nine hundred twenty-nine, (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation

of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by further providing for the disposition of fines and penalties collected.

Mr. TATE, from the Committee on State Government, reported as committed Senate Bill No. 187, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately eighty-nine acres of land in the Twenty-Sixth and Forty-Eighth Wards of the City of Philadelphia, Pennsylvania, known as the League Island Navy Yard; and ceding jurisdiction to the United States.

Mr. GYGER, from the Committee on Highways, reported as committed Senate Bill No. 217, entitled:

An Act authorizing agreements between the Secretary of Highways and officials of political subdivisions of the Commonwealth or the Federal Government whereby Federal funds appropriated for the payment of property damages on State highways may be made available to the political subdivisions.

Mr. DEPUY, from the Committee on Game, reported as committed Senate Bill No. 324, entitled:

An Act to amend article nine of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," providing for auxiliary State game refuge projects; and repealing existing provisions for auxiliary State game refuges.

Mr. DEPUY, from the Committee on Game, reported as committed Senate Bill No. 384, entitled:

An Act to repeal section three hundred twenty and part of section three hundred twenty-one of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," eliminating the provisions of said act which require licensees to forward to the commission reports of game and fur-bearing animals killed during the previous season.

Mr. TATE, from the Committee on State Government, reported as amended House Bill No. 37, entitled:

An Act to further amend subsection (9) of section eight of the act approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns benefits, and rights from taxation and judicial process; and providing penalties," permitting contributors to change from the one one-hundred-sixtieth (1/160) to the one one-hundredth (1/100) class and providing for obtaining of full benefits by contributors or hereafter making such change.

Mr. STANK, from the Committee on Highways, reported as amended House Bill No. 119, entitled:

An Act providing for the construction, erection and maintenance of roadside parks adjacent to State highway routes; providing for the acquisition of interests in land by gift, purchase or condemnation; granting powers to and imposing duties upon the Department of Highways; the Secretary of Highways, the Governor, and the Department of Property and Supplies; authorizing rules and regulations and providing penalties for violations thereof; and making an appropriation.

Mr. KLINE, from the Committee on State Government, reported as amended House Bill No. 420, entitled:

An Act to amend the act approved the twelfth day of May, one thousand nine hundred and forty-three (P. L. 259), entitled "An act providing for the payment by the State Treasurer, of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies, to the treasurers of the several cities, boroughs, towns and townships, and for the payment thereof into police pension funds, and in certain cases into the Municipal Employes' Retirement System, and in certain other cases into the State Employes' Retirement Fund, for certain purposes," by providing for allocation and distribution of such moneys and further prescribing their use.

Mr. FROST, from the Committee on Law and Order, reported as amended House Bill No. 725, entitled:

An Act authorizing certain organizations with permission of the court of quarter sessions to conduct bingo games and award prizes to the winners, fixing fees and providing penalties.

Mr. LICHTENWALTER. It gives me pleasure to submit to the House of Representatives the Biennial Report of the Joint State Government Commission for the biennium 1943-45. This report is in summary form as the individual reports of the several committees of the Commission are being submitted separately as they become available. However, I believe that it will be of value to the Members of the General Assembly to comment briefly upon the contents of the report.

The Commission was charged with the study of seven subjects:

Taxes
Strip Mining
Municipal Authorities
Legislative Apportionment
Unemployment Compensation Benefits
State-Local Sharing of Liquid Fuel Taxes
Penal Code, Juvenile Delinquency and Penal Institutions

Each one of these studies entailed considerable investigation and study. Much time was contributed by the members of the several committees of the Commission to complete the studies and make recommendations. If you will examine this report you will find that each committee has completed its work, made its recommendations, and had legislation drafted for introduction, with the exception of one committee, and that is the Committee on Continuation of the Tax Study. Before the Tax Committee would be in a position to make recommendations it was necessary to prepare, assemble and submit in the form of reports, a considerable amount of basic data. This was not completed until January of this year and it was necessary to wait until it would receive recommendations from an independent group of citizens, many of whom are tax experts, who are also studying the tax

structure of the Commonwealth and is known as the Tax Advisory Committee. The recommendations of the Tax Advisory Committee did not reach the Tax Committee of the Commission until the latter part of January and therefore the Committee on Continuation of the Tax Study of the Commission has requested that it be continued in its study.

I urge the members of the General Assembly to go through this report because it presents considerable valuable data, not only from the Tax Advisory Committee, but from all the committees of the Commission, and sets forth this data in clear and simple language. A full report containing proposals of the independent Tax Advisory Committee will be submitted later. It is my humble opinion that the Joint State Government Commission has justified its existence, and I might say, should be furnished with sufficient funds so that the excellent work it is doing will be continued and expanded.

SUMMARY REPORT OF JOINT STATE GOVERNMENT COMMISSION

The SPEAKER laid before the House a letter of transmittal accompanying the Summary Report of the Joint State Government Commission to the General Assembly, 1943-1945.

The letter was read by the Clerk as follows:

LETTER OF TRANSMITTAL

To the General Assembly of Pennsylvania:

Under authority of the act of July 1, 1937, P. L. 2460, as last amended by the Act of March 8, 1945, P. L. 13, I have the honor to submit herewith a summary report of the Joint State Government Commission and its several Committees, with special reference to the activities of the Commission for the biennium February 1, 1943 to February 1, 1945, and the recommendations of the several Committees of the Commission.

(Signed) IRA T. FISS, Chairman,
Joint State Government Commission
of the General Assembly.

The SPEAKER. The report will be noted in the Journals of the House and printed in the Appendix to the Legislative Journal.

SENATE MESSAGE

The Clerk of the Senate, Mr. Steinfeld, being introduced, presented extracts from the Journal of the Senate which were laid on the table.

The SPEAKER. The Chair requests the gentleman from Cambria, Mr. O'Connor, to preside during the first reading calendar.

MR. O'CONNOR IN THE CHAIR

ABSENCE FROM HOUSE

Mr. ANDREWS. Mr. Speaker, I desire to absent myself from the Hall of the House for a brief period. If during that time any matters should come up that require the attention of the Minority Leader I ask the Chair to recognize the gentleman from Philadelphia, Mr. Cohen.

The SPEAKER Pro Tempore. The request of the gentleman from Cambria will be granted.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 283, entitled:

An Act to add clause XLVIII to section one thousand five hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" authorizing purchase of real property and construction of garbage disposal plants.

On the question,

Will the House agree to the bill on first reading?

PARLIAMENTARY INQUIRY

Mr. CHUDOFF. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER Pro Tempore. The gentleman will state it.

Mr. CHUDOFF. Mr. Speaker, is House Bill No. 283, Printer's No. 257, on file?

The SPEAKER Pro Tempore. The Chair is advised that there is an understanding between the Minority and the Majority Floor Leaders that first reading bills not amended are to be considered even though they are not on file.

The Chair further advises the gentleman from Philadelphia. The objection should have been raised before the Minority Floor Leader left the floor of the House.

Mr. CHUDOFF. Thank you, Mr. Speaker.

The SPEAKER Pro Tempore. The Chair would inquire whether there are any objections to the consideration of the first reading bills at this time?

Mr. HEATHERINGTON. I object, Mr. Speaker. I am a Member of the House and I want to know about these agreements. Are the bills on first reading on file?

The SPEAKER Pro Tempore. If the gentleman from Allegheny had been paying attention he would have heard the Chair announce that they were not. We are proceeding under the agreement between the Floor Leaders.

Mr. HEATHERINGTON. Mr. Speaker, do you have to have unanimous consent to pass these bills on first reading?

The SPEAKER Pro Tempore. You do not.

Mr. HEATHERINGTON. Unless they are on file?

The SPEAKER Pro Tempore. For the information of the gentleman from Allegheny, Mr. Heatherington, as well as the information of the other Members of the House, the Chair states that the bills on first reading, pages one to seven inclusive of today's calendar, are not on file on the desks of the Members. However, these bills are in print in pink. In considering these bills at this time we are keeping within the provisions of our Constitution and the rules of this House.

The Chair is about to resume today's calendar, if there is no objection.

Mr. HEATHERINGTON. Mr. Speaker, I understand and I know that these bills are not in print. That is on account of the situation of the printing, is that right?

The SPEAKER Pro Tempore. That is correct so far as the white bills are concerned. However, the bills are printed in pink.

Mr. HEATHERINGTON. Well, Mr. Speaker, is this just for today or is this going to go on every Wednesday from now until the end of the Session?

The SPEAKER Pro Tempore. I believe that will depend upon the attitude of the gentleman from Allegheny and the Members of the House.

Mr. HEATHERINGTON. Or do you think it depends on the Printer, Mr. Speaker?

The SPEAKER Pro Tempore. The Chair will state for the information of the gentleman from Allegheny and the Members of the House that if we hope to have Wednesday sessions before noon it will be necessary to follow the established procedure of this House. Otherwise we will have to wait until the afternoon to have these bills filed, and we will then be drifting into a Thursday session before they are filed.

Mr. HEATHERINGTON. The only reason I ask that question, Mr. Speaker, is, if I thought there was going to be an agreement on account of the printing situation and they were going to push through these bills on first reading, we could all go home on Wednesday and just leave the Floor leaders right here and let them push them over.

On the question recurring,

Will the House agree to the bill on first reading?

It was agreed to.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 337, entitled:

An Act to further amend subsection (b) of section nine hundred thirteen of the act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for the violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" eliminating the payment of fees for the filing of nomination petitions for public offices in townships of the second class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 354, entitled:

An Act relating to and prohibiting discriminatory and unfair employment practices making the equal opportunity to seek employment a civil right establishing a Commission of Fair Employment Practice prescribing its functions powers and duties formulating an educational program to prevent such employment practices and imposing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 414, entitled:

An Act to further amend section fourteen of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by increasing the minimum amount to be paid to certain persons on retirement

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 451, entitled:

An Act to further amend clause seven of section one of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" providing that secretaries of county superintendents may join the retirement system.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 470, entitled:

An Act to further amend section four of the act approved the eighth day of May one thousand nine hundred nine (P. L. 470) entitled "An act to prevent the manufacture and sale of adulterate or misbranded drugs defining the word 'drug' prescribing penalties for violation of this act and the method of its enforcement" by further defining what shall constitute misbranding of drugs.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 522, entitled:

An Act to further amend the title and sections one three eight eleven sixteen eighteen and nineteen of and to add section ten point one to the act approved the twenty-eighth day of May one thousand nine hundred fifteen (P. L. 587) entitled "An act to protect the public health by regulating the manufacture preparation hand-

ling storage sale transportation and possession of meat and meatfood products prescribing the powers and duties of the Department of Agriculture incidental thereto" including poultry within the provisions of the act providing for the licensing of establishments making possession of unwholesome meat or meatfood products prima facie evidence of intention to sell and prescribing additional penalties

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 558, entitled:

An Act to amend subsection (e) of section three of the act approved the first day of August one thousand nine hundred forty-one (P. L. 744) entitled "An act requiring school boards in all school districts and boards of directors of all vocational school districts to grant leaves of absence to all school employes who shall volunteer or be called to military or naval service in time of war or during a state of national emergency preserving certain contracts salaries increments retirement rights seniority State contributions and grants to local school boards eligibility lists reemployment authorizing school boards and boards of directors of vocational schools to employ substitutes in place of such employes requiring school districts and vocational school districts to make additional payments into the School Employes' Retirement Fund; reserving all rights and privileges of employes granted leaves of absence under the provisions herein and superseding or repealing all contrary laws" limiting the amount of refund payable to such employes who resign or fail to return to their employment and providing for payments to school districts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 695, entitled:

An Act to amend Section eight hundred one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any part thereof that are or may be inconsistent therewith" providing for special meetings of school directors under jurisdiction of county superintendents.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 739, entitled:

An Act authorizing the judges of the courts of common pleas and the county commissioners jointly to create medical clinics for the examination of persons prior to trial and of persons convicted of the commission of any crime prior to sentencing thereof providing for the creation of joint medical clinics among the several counties and imposing costs of maintaining and operating such clinics upon the county or counties creating same.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 756, entitled:

An Act to reenact and amend clause XIII of section fifteen hundred and two of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (P. L. 1206) entitled "An act concerning townships of the first class and amending revising consolidating and changing the law relating thereto" by providing for the furnishing of street lighting by contract with lighting companies upon petition of property owners in villages and for the assessment and collection of the costs and maintenance thereof upon property benefited thereby and validating petitions of property owners contracts entered into between townships and lighting companies taxes levied to pay the costs and maintenance of lighting service and the collection receipt and payment out of the revenues therefrom notwithstanding such petitions were filed contracts entered into and taxes levied collected and paid out under unconstitutional laws validating agreements and understandings between townships and lighting companies to continue lighting service pending the enactment of valid laws regulating and providing for the expenditure of moneys arising from special lighting taxes and authorizing the payment of the costs and expenses of maintaining lighting service until valid laws are enacted to collect charges from property owners benefited thereby out of the township tax and the creation and transfer of moneys to a special account for such purposes at any time notwithstanding the prior adoption of the budget and authorizing any light and power company to apply the net rate and to waive the gross rate or to grant discounts and to waive penalties in the same manner as if payments had been made by the township within the time required by the contract and the company's schedules or tariffs.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 773, entitled:

An Act to amend section five hundred fifteen of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" increasing the maximum compensation of township supervisors for attending meetings.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 789, entitled:

An Act validating county treasurers' sales of unseated lands heretofore made where such sales were held under laws not at that time applicable to such lands.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 791, entitled:

An Act to further amend section two of the act approved the ninth day of March one thousand eight hundred forty-seven (P. L. 278) entitled "An act in relation

to the sales of unseated lands in the several counties of this Commonwealth" by providing that the cost of advertising such sales shall be paid out of the proceeds of the sale.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 792, entitled:

An Act prescribing the question to be determined in certain cases where a new trial is granted.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 812, entitled:

An Act to further amend the last paragraph of section eight of the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" changing the name of the veterans' grave registrar to director of veterans' affairs and prescribing his duties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 846, entitled:

An Act to amend sections one thousand seventeen and one thousand two hundred seven of the act approved the twenty-third day of June one thouand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" removing the maximum limits on salaries of councilmen and mayors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

PARLIAMENTARY INQUIRY

Mr. BROWN. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER Pro Tempore. The gentleman will state it.

Mr. BROWN. Mr. Speaker, it is permissible for a committee to amend a bill in committee before it has been reported out, is that right?

The SPEAKER Pro Tempore. That is correct.

Mr. BROWN. Could I be informed, Mr. Speaker, as to whether or not any of these bills on first reading have been amended in committee?

The SPEAKER Pro Tempore. The Chair would inform the gentleman from Allegheny, Mr. Brown, that the bills on first reading on pages 8 and 9 of today's calendar are the bills that were amended in committee. No other bills have been amended in committee.

Mr. BROWN. Then, Mr. Speaker, I do not believe these bills are on file either, are they?

The SPEAKER Pro Tempore. The bills that were amended in committee are on pages 8 and 9, are not on file and will not be considered.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 879, entitled:

An Act to amend sections one and three of the act approved the eighth day of April one thousand nine hundred and thirty-seven (P. L. 276) entitled "An act regulating the employment and hours of employment of the officers and members of the uniformed fire protection forces of the cities of the first class and repealing existing laws" by establishing a three platoon system

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 931, entitled:

An Act to amend Section two thousand five of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by changing the requirements for the vacation of certain highways

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 946, entitled:

An Act to further amend section one thousand one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" increasing the compensation of township auditors

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 947, entitled:

An Act to further amend section five hundred forty-five of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" increasing the compensation of township auditors

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 18, entitled:

An Act to amend sections one and two of the act approved the eighteenth day of July, one thousand nine hundred thirty-five (P. L. 1303) entitled "An act to regulate the sale of certain hypnotic, analgesic, and body-weight reduction drugs, in the interest of public health," by redefining the meaning of "other hypnotic drug, or analgesic drug or body-weight reducing drug" and adding "inhalers" to the remedies permitted to be sold at retail.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 38, entitled:

An Act making an appropriation to the Department of Property and Supplies for completing the construction of accommodations and furnishing facilities for the conduct of a nautical school for use by the Navigation Commission for the Delaware River and its navigable tributaries.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

The SPEAKER Pro Tempore. The bills on pages 8 and 9 have been amended, are not on file, and will not be considered.

THE SPEAKER (Ira T. FISS) IN THE CHAIR.

The SPEAKER. The Chair thanks the gentleman from Cambria, Mr. O'Connor, for presiding.

BILLS ON SECOND READING

Agreeably to order,

The bill having been called up from the postponed calendar, by Mr. DEPUY,

The House resumed the consideration on second reading of House Bill No. 321, entitled:

An Act to amend the title and section one of the act approved the eleventh day of May one thousand eight hundred ninety-nine (P. L. 289) entitled "An act providing for the payment to the county or counties of the moneys or bonus which any foreign railway corporation is required to pay into the State Treasury for the right to pass through the said county or counties and by which payment such foreign railway corporation is relieved from local taxation" by eliminating the reference to relief from local taxation

The first section was read.

On the question,

Will the House agree to the section?

Mr. DEPUY offered the following amendments:

Amend Sec. 1, page 2, line 9, by inserting light face brackets before and after the words "moneys or," and inserting immediately thereafter: "annual".

Amend Sec. 1, (Sec. 1), page 2, line 16, by inserting light face brackets before and after the word "a", and inserting immediately thereafter: "an annual".

Amend Sec. 1, (Sec. 1), page 2, line 26, by striking out the light face bracket before the word "for".

Amend Sec. 1, (Sec. 1), page 2, line 29, by striking out the light face bracket after the word "taxation," and inserting immediately thereafter: "and of the appropriation of otherwise taxable realty by the said foreign railway corporation."

They were agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. DEPUY offered the following amendment:

Amend the title, page 1, second from last line of title and last line of title, by striking out the words "eliminating the reference to relief from local taxation," and inserting in lieu thereof: "providing for payments to counties irrespective of whether relief from payment of local taxes results from payment of the bonus."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 314, entitled:

An Act to amend section one thousand one hundred one of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," requiring the Pennsylvania Game Commission to pay bounties on red and grey foxes killed in any county accepting the provisions of this amendment.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. GREENWOOD. Mr. Speaker, I move that this bill be recommitted to the Committee on Game for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 536, entitled:

An Act to further amend section fifteen hundred and one of the act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing that additional inspections of the eyes of pupils may be made by opthalmologists or optometrists and for their compensation.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 612, entitled:

An Act to amend section 1206 of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof, providing revenue to establish and maintain the same and the method of collecting such revenue, and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith" by further providing for leaves of absence of professional employees because of illness or other unavoidable circumstances.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 497, entitled:

An Act fixing the fees of the record of deeds in counties of the fourth class.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 845, entitled:

An Act to amend section thirteen of the act approved the twenty-third day of May, one thousand nine hundred seven, (P. L. 206) entitled "An act to regulate and improve the civil service of the cities of the second class in the Commonwealth of Pennsylvania; making violation of its provisions to be misdemeanors, and providing penalties for violations thereof," by further regulating the eligibility lists in cities of the second class "A".

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 495, entitled:

An Act authorizing the treasurer in counties of the fourth class to appoint a solicitor; prescribing the duties and qualifications of such solicitor; fixing his term; and providing for the fixing of his salary and the payment thereof by the county.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 5, entitled:

An Act prohibiting political subdivisions from imposing wage income or occupation taxes on non-residents and abolishing such taxes heretofore imposed

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

INTERROGATION

Mr. COHEN. Mr. Speaker, I desire to interrogate the gentleman from Lehigh, Mr. Lichtenwalter.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. LICHTENWALTER. I shall, Mr. Speaker.

Mr. COHEN. For the gentleman's information, I am referring to House Bill 5 which appears on page 12 of today's calendar, and I should like to ask the gentleman if he knows whether or not the appearance of the bill on the calendar on second reading, probably in faster time than any bill on second reading on the calendar in this session, has any implication of unanimous support by the other side when the bill comes up for third reading?

Mr. LICHTENWALTER. Mr. Speaker, I have no information and no indication whatsoever.

Mr. COHEN. I thank the gentleman.

Mr. Speaker, I should like to interrogate the gentleman from Delaware, Mr. James.

The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. JAMES. I shall, Mr. Speaker.

Mr. COHEN. Mr. Speaker, in addition to the question propounded to Mr. Lichtenwalter, can the gentleman from Delaware tell me whether or not he has any information which might indicate unanimity of support for the bill when it comes up for third reading?

Mr. JAMES. Mr. Speaker, I very naturally would not have information that the bill will be supported unanimously. I hope it will.

Mr. COHEN. I thank the gentleman, Mr. Speaker.

BILL PASSED OVER

There being no objection Senate Bill No. 243, Printer's No. 113, was passed over at the request of the SPEAKER.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, I am merely calling the attention of the House to the fact that had we chosen to take that position, House Bill 5 could have been defeated on second reading today, because you do not have a constitutional majority, and you could not have passed House Bill 5 on second reading.

Mr. JAMES. Mr. Speaker, I am at a loss to know why the question should arise at this time on House Bill 5. I have to assume that House Bill 5 is connected in the minds of a great many of the members of the House with the bill which we dealt with yesterday, House Bill 726. Both bills are related to the Philadelphia wage tax situation. The question of who will and who will not support either one of these bills I think will have to be left to the time when they are up for third reading and final passage.

However, I think I ought to make my own position clear. I most certainly have not receded from the position I originally took on House Bill 726. I do not want any misunderstanding about that. I am not receding from the position I originally took with respect to House Bill 5. I can support both of these bills and intend to, because they do different things. While they both have an effect on the wage tax as levied in Philadelphia, nevertheless both these bills have merit that are not related between the two bills. I want it clearly understood that I am supporting both these bills.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, the reason the point was raised at this time was that there seems to have been an impression in various quarters that House Bill 5 appears upon the calendar as the result of some exceedingly clever, cute parliamentary maneuvers, and I just wanted to call the attention of the House to the fact that if House Bill 5 had been placed upon the calendar as the result of

a clever parliamentary maneuver, that we could have knocked House Bill 5 off the calendar today.

BILLS ON THIRD READING

BILL PASSED OVER

There being no objection House Bill No. 51, Printer's No. 166, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 146, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" changing the definition of "dealer" and limiting the delivery and issuance of temporary regisartion plates or markers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one hundred and two of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-sixth day of April one thousand nine hundred and forty-three (P. L. 74) is hereby further amended to read as follws

Section 102 Definitions The following words and phrases when used in this act shall for the purpose of this act have the meanings respectively ascribed to them in this section except in those instances where the context clearly indicates a different meaning

"Approved" Having been favorably passed upon by the secretary as suitable for the purpose designed

"Auxiliary Driving Lamp" A complete road illuminating device in addition to or supplementing the head lamps located upon the front of a motor vehicle

"Bicycle with Motor Attached" Every vehicle except a motorcycle as herein defined which is self-propelled by an engine not exceeding four (4) horsepower

"Business District" The territory contiguous to a highway when fifty (50) per cent or more of the frontage thereon for a distance of three hundred (300) feet or more is occupied by buildings in use for business

"Chassis" The chassis of a motor vehicle to be propelled by an internal combustion or steam engine shall consist of an assembly of all essential parts with protective housings ready for operation on the highway including as minimum equipment a set of tires attached to wheels driver's seat including cab front wheel fenders running board or mounting step tool compartment priming coat on all parts to be painted pair of front lamps and one rear lamp license brackets jack and a set of tools commonly used for making adjustments and minor repairs on the highway water oil and fuel

"Clearance Lamp" A lamp or lamps so arranged to show white green or amber to the front and red to the rear

"Commercial Motorcycle" Every motorcycle designed to travel on three wheels in contact with the ground and designed for carrying freight merchandise implements or articles of any kind or service in connection with calling for and delivering automobiles to patrons

"Commercial Motor Vehicle" Any motor vehicle designed for carrying freight or merchandise Provided however That a motor vehicle originally designed for passenger transportation to which has been added a removable box body without materially altering said motor vehicle when owned and used by a farmer shall not be deemed a "commercial motor vehicle" for the purpose of this act And further provided That any motor vehicle of the bus type operated under contract with or owned by any school district of this Commonwealth for the transportation of school children shall be deemed a "commercial motor vehicle"

"Crosswalk" That portion of a highway ordinarily included within the prolongation of curb and property lines at intersections or any portion of a highway clearly indicated for pedestrian crossing by lines or other markings on the surface

"Cushion Rubber Tire" A tire molded on a steel base having a longitudinal cavity running circumferentially at the center line of the tire extending from its base with a height of no less than one half the overall standing height of the tire such tires when new being no less than four and one-half (4½) inches high over all including steel base

"Dealer" (1) A person actively and principally engaged in and devoting a substantial portion of his time to the business of buying selling or exchanging new motor vehicles trailers or semi-trailers on commission or otherwise who maintains a salesroom or garage devoted principally to the motor vehicle[s] business and who holds a contract in writing with a manufacturer giving such person selling rights for new motor vehicles trailers or semi-trailers or with a jobber of such vehicles who as such jobber holds a manufacturer's franchise or contract giving selling rights on new motor vehicles trailers or semi-trailers in this Commonwealth or (2) a person actively and principally engaged in and devoting a substantial portion of his time to the business of buying selling or exchanging used motor vehicles trailers or semi-trailers and who maintains a salesroom garage or used car lot actually occupied by such person either continuously or at regular intervals and upon which or adjacent thereto is a building or a portion of a building owned or rented by such person where his books and records are kept and which is devoted principally to the motor vehicle business in which the repair of motor vehicles is subordinate or

incidental to the business of buying selling or exchanging the same or (3) any person regularly engaged in the business of transporting new motor vehicles trailers or semi-trailers on their own wheels and who has an established place of business or (4) a person who is duly authorized to do business in this Commonwealth and is actively engaged in the business of financing sales or making loans on security of motor vehicles [:] or (5) any person who maintains an established place of business and who is engaged in the business of buying selling or exchanging second hand motor vehicles for the purpose of remodeling taking apart or rebuilding the same or buying or selling of parts of second hand motor vehicles or the assembling of second hand motor vehicle parts or (6) any person engaged in the repair service or towing of motor vehicles Provided however That a person entitled to dealer registration under clause (3) hereof may only use dealer's registration plates for the purpose of transporting new motor vehicles trailers or semi-trailers on their own wheels and a person entitled to dealer registration under clause (4) hereof may only use dealer's registration plates for the uprpose of moving or operating a motor vehicle trailer or semi-trailer which he is repossessing or which after repossession he is moving for the purpose of repairing or having repaired demonstrating for sale or which he is moving for delivery to a bona fide purchaser in the regular course of his business [.] and a person entitled to dealer registration under clause (5) or (6) may only use dealer's registration plates in direct connection with his repair business for demonstration service or towing purposes

"Department" The Department of Revenue of this Commonwealth

"Emergency Brake" The means of applying braking effort to at least two (2) wheels on a motor vehicle normally operated by the operator's hand Provided however That wherethere are two (2) brakes both designed to be operated by the foot the one (1) equipped with a ratchet or other device for holding the brake in the applied position shall be considered the "Emergency Brake" and the requirement shall be the same as herein set forth

"Essential Parts" All integral parts and body parts the removal alteration or substitution of which will tend to conceal the identity or substantially alter the appearance of the vehicle

"Explosives" Any chemical compound or mechanical mixture that is commonly used or intended for the purpose of producing an explosion that contains any oxidizing and combustible units or other ingredients in such proportions quantities or packing that any ignition by fire by friction by concussion by percussion or by detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructive effects on contiguous objects or of destroying life or limb

"Flammable Liquid" Any liquid which has a flash point of seventy degrees Fahrenheit or less as determined by a tabliabue or equivalent closed up test device

"Foreign Vehicles" Every motor vehicle trailer or semi-trailer which shall be brought into this Commonwealth otherwise than in the ordinary course of business by or through a manufacturer or dealer and which has not been registered in this Commonwealth

"Gross Weight" The combined weight of the vehicle or combination of vehicles and its or their load or loads exclusive of the operator

"Headlamp" A complete road illuminating device located upon the front of a motor vehicle the rays from which are projected forward other than a sidelight auxiliary driving lamp searchlight or spot lamp

"Highway" Every way or place of whatever nature open to the use of the public as a matter of right for pusposes of vehicular travel The term "highway" shall not be deemed to include a roadway or driveway upon grounds owned by private persons colleges universities or other institutions

"Intersection" The area embraced within the prolongation of the lateral curb lines or if none then the lateral boundary lines of two or more highways which join one another at an angle whether or not one such highway crosses the other

"Jobber" Any person firm corporation or association engaged in the purchase and sale of new motor vehicles trailers or semi-trailers and their sale directly to dealers

"Learner's Permit" A permit issued to any person to learn to operate a motor vehicle or tractor

"Local Authorities" Every county municipal and other local board or body having authority to adopt local police regulations under the Constitution and laws of this Commonwealth

"Magistrate" A mayor burgess magistrate alderman justice of the peace or other officer having the powers of a committing magistrate

"Manufacturer" Every person engaged in the business of manufacturing motor vehicles trailers semi-trailers motors or bodies of such vehicles

"Mechanical Signal" A movable device operated mechanically or by the driver and so constructed and arranged as to give a cautionary or direction signal to the front and rear

"Metal Tires" All tires the surface of which in contact with the highway is wholly or partly of metal or other hard non-resilient material

"Motor Bus" Shall include all motor vehicles operated for the carriage of passengers for hire by individuals associations copartnerships or corporations required under the laws of this Commonwealth to obtain certificate of public convenience from the Public Utility Commission of the Commonwealth of Pennsylvania before engaging in the carriage of passengers for hire or by individuals associations copartnerships or corporations who or which were engaged in the business of carrying passengers for hire as common carriers prior to the first day of January one thousand nine hundred and fourteen

"Motorcycle" Every motor vehicle having a saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground except any such vehicle as may be included within the term "tractor"

"Motor Omnibus" Shall include all motor vehicles operated for the carriage of passengers for hire by individuals associations copartnerships or corporations who or wich were not engaged in the carriage of passengers for hire as common carriers prior to the first day of January one thousand nine hundred and fourteen and who or which are not required under the laws of this Commonwealth to obtain from the Public Utility Commission of the Commonwealth of Pennsylvania certificate of public convenience for the carriage of passengers for hire or motor vehicle of the bus type not operated for the carriage of passengers for hire except as herein provided This definition shall not include or apply to any motor vehicle operated under contract with any school district of this Commonwealth for the transportation of school children such motor vehicles to come within the definitions of commercial motor vehicles or motor vehicles

"Motor Vehicles" Every vehicle as herein defined which is self-propelled except tractors power shovels road rollers agricultural machinery and vehicles which move upon or are guided by a track or travel through the air

"New Motor Vehicle" Every motor vehicle which is not defined as a reconstructed rebuilt or used motor vehicle

"Nonresident" Any person not a resident of this Commonwealth

"Obscured Registration Plate" Every registration plate the characters on which are not legible in daylight at a distance of fifty (50) feet from the front or rear of the motor vehicle on the line of the axis of the vehicle on an approximately level stretch of highway

"Operator" Every person who is in actual physical control of a motor vehicle or tractor upon a highway

"Operator's License" The license issued to any person to operate a motor vehicle or tractor

"Overtake" A vehicle or combination of vehicles shall be deemed to overtake another vehicle or combination of vehicles when all of the vehicle and its load or all of the combination of vehicles and their loads move so that any part of the vehicle or its load or any part of the combination of vehicles or their loads is opposite to or alongside of any other moving vehicle or its load or combination of vehicles or their loads being operated in the same direction as the overtaking vehicle or combination of vehicles

"Owner" A person or persons holding the legal title of a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof or other like agreement with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee then such conditional vendee or lessee shall be deemed the owner for the purpose of this act

"Parking" The standing of a vehicle except police or fire department vehicle or ambulance whether occupied or not upon a highway otherwise than temporarily for the purpose and while actually engaged in loading or unloading or in obedience to traffic regulations or traffic signs or signals

"Parking Lamp or Clearance Lamp" A lamp or lamps so arranged to show white green or amber to the front and red to the rear

"Pass" A vehicle or combination of vehicles shall be deemed to pass another vehicle or combination of vehicles when all of the vehicle and its load or all of the combination of vehicles and their loads moves by or in advance of any moving vehicle and its load or combination of vehicles and their loads being operated in the same direction as the passing vehicle or combination of vehicles

"Passenger Seat" Each sixteen (16) inches of seating capacity in any motor omnibus or motor bus

"Peace Officer" A sheriff deputy sheriff constable member of the Pennsylvania [Motor] State Police or other police officer vested with authority of arrest

"Pedestrian" Any person afoot

"Person" Every natural person firm copartnership association or corporation

"Pneumatic Tires" All tires inflated with compressed air

"Private Road or Driveway" Every road or drive not open to the use of the public for purposes of vehicular travel

"Railway Grade Crossing" Any set of tracks or rails of any steam gasoline or electric railway line which intersects or crosses any highway at the same level or grade of such highway except electric railway lines within cities boroughs or incorporated towns

"Rear Lamp" A lamp located upon the rear of a motor vehicle trailer or semi-trailer so arranged as to show red to the rear and illuminate the rear registration plate

"Rebuilt Motor Vehicle" Every motor vehicle which shall have been assembled by using new parts and used parts derived from other motor vehicles of the same make and rebuilt by the manufacturer thereof

"Reconstructed Motor Vehicle" Any motor vehicle which shall have been assembled or constructed largely by means of essential parts new or used derived from other motor vehicles or makes of motor vehicles of various names models and types or which if originally otherwise constructed shall have been materially altered by the removal of essential parts or by the addition or substitution of essential parts new or used derived from other motor vehicles or makes of motor vehicles

"Registration Card" Includes temporary registration card as well as other registration cards

"Registration Plates or Markers" Includes temporary registration plates or markers as well as other registration plates

"Residence District" The territory contiguous to a highway not comprising a business district when the frontage on such highway for a distance of three hundred (300) feet or more is closely built up with dwellings or by dwellings and buildings in use for business

"Resident" Any person who has a regular place of abode or business in the Commonwealth for a period of more than thirty (30) consecutive days in the year except as otherwise provided in sections four hundred nine and six hundred three

"Right of Way" The privilege of the immediate use of the highway

"Safety Zone" The area of space officially set aside within a highway for the exclusive use of pedestrians and which is so plainly marked or indicated by proper signs as to be plainly visible at all times while set apart as a safety zone

"Secretary "The Secretary of Revenue of this Commonwealth

"Semi-trailer" Every vehicle of the trailer type so designed and used in conjunction with a motor vehicle that some part of its own weight and that of its own load rests upon or its carried by another vehicle

"Service Brake" The means of applying braking effort to at least two (2) wheels on a motor vehicle normally operated by the operator's foot

"Sidelights" Any lights upon a motor vehicle other than the headlamp or auxiliary driving lamp or searchlight or spot lamp the rays of which project forward

"Sign" Any device mark marker board plate or other contrivance designed for the purpose of guiding traffic or informing of a traffic regulation

"Signal Lamp" A lamp located upon the side or rear of a motor vehicle so arranged to show red green or yellow to the rear as a cautionary signal

"Solid Rubber Tire" Every tire made of rubber other than a pneumatic tire or a cushion rubber tire

"Specially Constructed Vehicle" Any vehicle which shall not have been originally constructed under a distinctive name make model or type by a generally recognized manufacturer of vehicles

"Spot Lamp" An auxiliary illuminating device either fixed or movable intended to project a powerful concentrated beam of light

"State" A State territory organized or unorganized or district of the United States of America

"Street Car" Every device traveling exclusively upon rails when upon or crossing a highway other than railroad cars or trains

"Tractor" Every vehicle of the tractor type as defined in the Tractor Code

"Traffic" Pedestrians vehicles and street cars either singly or together while using any highway for purposes of travel

"Traffic Signal" Any device using words or colored lights or a combination thereof either manually or electrically controlled by which traffic is alternately directed to stop and go

"Trailer" Every vehicle without motive power designed to carry property or passengers wholly on its own structure and to be drawn by a motor vehicle

"Truck Tractor" Every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn

"Used Motor Vehicles" Every motor vehicle which has been sold bargained exchanged given away or title transferred from the person who first acquired it from the manufacturer or jobber or dealer and so used as to have become what is commonly known as "second-hand" within the ordinary meaning thereof

"Vehicle" Every device in upon or by which any person or property is or may be transported or drawn upon a public highway excepting tractors agricultural machinery devices moved by human power or used exclusively upon stationary rails or tracks Provided That for the purpose of Article X of this act a bicycle or a ridden animal or a tractor or any other device moving upon wheels on a public highway except a device moving upon wheels upon stationary rails or tracks on a public highway shall be deemed a vehicle

Section 2 Subsection (a) of Section five hundred and eleven of said act which was added thereto by the act approved the twenty-sixth day of April one thousand nine hundred and forty-three (P. L. 74) is hereby amended to read as follows

Section 511 Temporary Registration Plates or Markers

(a) The secretary may subject to the limitations and conditions hereinafter set forth deliver temporary registration plates or markers to [dealers] a person who has registered as a dealer under clause (1) or clause (2) of the definition "Dealer" when the application therefor is accompanied by the fee prescribed in this act Such application shall be made upon a form prescribed and furnished by the department dealers subject to the limitations and conditions hereinafter set forth may issue such temporary registration plates or markers to owners of vehicles provided that such owners shall comply with the pertinent provisions of this section

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—174.

Andrews,	Frost,	Loftus,	Reese, R. E.,
Baker,	Fullerton,	Longo,	Regan,
Barrett,	Gaffney,	Lopez,	Reidenbach,
Barton,	Gallagher,	Lovett,	Reilly,
Bentzel,	Gardner,	Lyons,	Reynolds,
Bonawitz,	Getchey,	Madden,	Riley,
Boney,	Gibson,	Madigan,	Robertson,
Boorse,	Goodling,	Mahany,	Royer,
Boory,	Gore,	Matthews,	Rudisill,
Bower,	Green,	McAtee,	Scanlon,
Brancato,	Greenwood,	McClester,	Serrill,
Breisch,	Greer,	McKinney,	Shaffer,
Brice,	Gyger,	McLanahan,	Shoemaker,
Brothers,	Haberlen,	McMillen,	Sloan,
Brown,	Hall,	McNair,	Smith,
Brunner, C. H.,	Hamilton,	McNally,	Snider,
Brunner, P. A.,	Hare,	Mikula,	Sollenberger,
Burns,	Haudenshield,	Miller,	Sorg,
Cadwalader,	Heatherington,	Milliken,	Stank,
Chudoff,	Helm,	Mills,	Stonier,
Cohen,	Hennihan,	Moore, C. E.,	Stuart,
Coleman,	Hersch,	Moore, W. J.,	Swope,
Cook,	Hewitt,	Moran,	Tate,
Cooper,	Hoffman,	Moser,	Tittle,
Corrigan,	Howells,	Munley,	Trent,
Costa,	Hunter,	Murray, M. L.,	Trout,
Coulson,	Huntley,	Murray, P. G.,	Turbett,
Coyle,	James,	Nagel,	Turner,
Cullen,	Jones,	Nelson,	Varallo,
Dague,	Kennedy,	O'Brien,	Wachhaus,
Dennison,	Kirley,	O'Connor,	Wagner,
Depuy,	Kline,	O'Dare,	Waterhouse,
Dix,	Kolankiewicz,	O'Donnell,	Watkins,
Dougherty,	Komorofski,	O'Neill,	Weiss,
Dye,	Krise,	Owens,	Welsh,
Elder,	Kurtz,	Pentrack,	Wescott,
Elish,	Lane,	Petrosky,	White,
Erb,	Laughner,	Pickens,	Wood, N.,
Ewing,	Lee,	Polaski,	Worley,
Flack,	Leisey,	Polen,	Wright,
Fleming,	Leonard,	Powers,	Yeakel,
Foor,	Levy,	Propert,	Yester,
Fox,	Lichtenwalter,	Reagan,	Fiss,
Freed,		Reese, D. P.,	Speaker.

NAYS—0.

NOT VOTING—27

Baumunk,	Grant,	Mihm,	Snyder,
Bentley,	Guthrie,	Mooney,	Stockham,
Boies,	Hering,	Readinger,	Tahl,
Dalrymple,	Herman,	Root,	Trachtman,
Dillon,	Hoggard,	Rose,	Verona,
Duffy,	Hoopes,	Schuster,	Wood, L. H.,
Finnerty,	McDowell,	Skale,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

The SPEAKER. The Chair has been informed that Members are answering for their colleagues who are absent from the House. A member can only answer for himself.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 230, as follows:

An Act to further amend the act approved the twelfth day of May one thousand eight hundred eighty-seven (P. L. 95) entitled "An act regulating the compensation of county auditors within this Commonwealth" by increasing the rate of compensation for county auditors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twelfth day of May one thousand eight hundred eighty-seven (P. L. 95) entitled "An act regulating the compensation of county auditors within this Commonwealth" as last amended by the act approved the nineteenth day of July one thousand nine hundred seventeen (P. L. 1115 No. 375) is hereby further amended to read as follows

Section 1 Be it enacted &c That from and after the passage of this act the auditors of each county shall be allowed out of the county funds the sum of [five] seven dollars each for each and every day necessarily employed in the discharge of their duties together with six cents per mile circular from and to their homes once for each and every week so employed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—173.

Andrews,	Frost,	Longo,	Regan,
Baker,	Fullerton,	Lopez,	Reidenbach,
Barrett,	Gaffney,	Lovett,	Reilly,
Barton,	Gallagher,	Lyons,	Reynolds,
Bentzel,	Gardner,	Madden,	Riley,
Bonawitz,	Getchey,	Madigan,	Robertson,
Boney,	Gibson,	Mahany,	Royer,
Boory,	Goodling,	Matthews,	Rudisill,
Boorse,	Gore,	McAtee,	Scanlon,
Bower,	Green,	McClester,	Serrill,
Brancato,	Greenwood,	McKinney,	Shaffer,
Breisch,	Greer,	McLanahan,	Shoemaker,
Brice,	Gyger,	McMillen,	Sloan,
Brothers,	Haberlen,	McNair,	Smith,
Brown,	Hall,	McNally,	Snider,
Brunner, C. H.,	Hamilton,	Mikula,	Sollenberger,
Brunner, P. A.,	Hare,	Miller,	Sorg,
Burns,	Haudenshield,	Milliken,	Stank,
Cadwalader,	Heatherington,	Mills,	Stonier,
Chudoff,	Helm,	Moore, C. E.,	Stuart,
Cohen,	Hennihan,	Moore, W. J.,	Swope,
Coleman,	Hersch,	Moran,	Tate,
Cook,	Hewitt,	Moser,	Tittle,
Cooper,	Hoffman,	Munley,	Trent,
Corrigan,	Howells,	Murray, M. L.,	Trout,
Costa,	Hunter,	Murray, P. G.,	Turbett,
Coulson,	Huntley,	Nagel,	Turner,

Coyle,	James,	Nelson,	Varallo,
Cullen,	Jones,	O'Brien,	Verona,
Dague,	Kennedy,	O'Connor,	Wachhaus,
Dalrymple,	Kirley,	O'Dare,	Wagner,
Dennison,	Kline,	O'Donnell,	Waterhouse,
Depuy,	Kolankiewicz,	O'Neill,	Watkins,
Dougherty,	Komorofski,	Owens,	Weiss,
Dye,	Krise,	Pentrack,	Welsh,
Elder,	Kurtz,	Petrosky,	Wescott,
Elish,	Lane,	Pickens,	White,
Erb,	Laughner,	Polaski,	Wood, N.,
Ewing,	Lee,	Polen,	Wright,
Flack,	Leisey,	Powers,	Yeakel,
Fleming,	Leonard,	Propert,	Yester,
Foor,	Levy,	Reese, D. P.,	Fiss,
Fox,	Lichtenwalter,	Reese, R. E.,	Speaker.
Freed,	Loftus,		

NAYS—3.

Dix,	Reagan,	Worley,

NOT VOTING—25

Baumunk,	Guthrie,	Mihm,	Skale,
Bentley,	Hering,	Mooney,	Snyder,
Boies,	Herman,	Readinger,	Stockham,
Dillon,	Hoggard,	Root,	Tahl,
Duffy,	Hoopes,	Rose,	Trachtman,
Finnerty,	McDowell,	Schuster,	Wood, L. H.,
Grant,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

(During the calling of the roll)

Mr. DIX. Mr. Speaker, I wish to vote "No" on this bill, and while I am here I would like to make a little statement.

The SPEAKER. There is nothing in order but announcing the result of the roll call.

The SPEAKER. If the gentleman wishes to file reasons for his vote he will file them with the clerk.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, March 14, 1945.

Whereas, By Resolution No. 2, Serial No. 4, Printer's No. 5, of the General Assembly, a Committee was created to study the matter of a new Executive Mansion, and inasmuch as the Committee has been unable to complete its work, therefore be it

Resolved (if the House of Representatives concur) that the time for reporting be extended to April 4, 1945.

Ordered, That the Clerk presented the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 332, as follows:

An Act to reenact and further amend the act approved the twelfth day of May one thousand nine hundred eleven (P. L. 301) entitled "An act to ascertain and appoint the fees to be received by the several prothonotaries of the courts of common pleas of the Commonwealth in counties having a population of over two hundred thousand and under one million and to provide the time of paying the same" extending the same to counties of the fifth sixth seventh and eighth class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and all of the sections of the act approved the twelfth day of May one thousand nine hundred eleven (P. L. 301) entitled "An act to asecrtain and appoint the fees to be received by the several prothonotaries of the courts of common pleas of the Commonwealth in counties having a population of over two hundred thousand and under one million and to provide the time of paying the same" as variously amended by the act approved the second day of April one thousand nine hundred thirteen (P. L. 37) the act approved the twenty-third day of May one thousand nine hundred thirteen (P. L. 315) and the act approved the twenty-second day of May one thousand nine hundred thirty-five (P. L. 243) are hereby reenacted and further amended to read as follows

An Act to ascertain and appoint the fees to be received by the several prothonotaries of the courts of common pleas of the Commonwealth in counties [having a population of over two hundred thousand and under one million] of the third fourth fifth sixth seventh and eighth class and to provide the time of paying same

Section 1 Be it enacted &c That the fees to be received by the several prothonotareis of the courts of common pleas of this Commonwealth in counties [having a population of over one hundred fifty thousand and under one million] of the third fourth fifth sixth seventh and eighth class shall be as follows

Issuing every writ of summons or capias docketing same and entering return of service but not more than three names one dollar and fifty cents

Issuing writ of summons in ejectment docketing same and entering return of service and indexing in ejectment index not more than three parties or more than one description three dollars

Entering and docketing amicable ejectment including entering judgment thereon and indexing in ejectment docket not more than three names or more than one description four dollars

Issuing writ of scire facias sur mortgage or mechanics' lien not more than three names or more than one description three dollars

Issuing and docketing writ of foreign attachment and entering return of service not more than three names two dollars and fifty cents

Issuing and docketing mandamus quo warranto and entering return of service not more than three names three dollars

Alias summons or capias one dollar and fifty cents

Alias summons in ejectment two dollars

Issuing and docketing attachment execution or mandamus execution or alias attachment execution or alias mandamus execution not more than three names two dollars

Entering amicable action filing papers and docket entries not more than three names three dollars

Issuing every writ of certiarari docketing same services at court and entering judgment thereon not more than three names three dollars

Issuing writ of replevin docketing entering return of service filing bond and declaration three dollars

Filing and docketing counter-bond in replevin and certificate to sheriff one dollar and twenty-five cents

Each additional name twenty-five cents

Each additional description fifty cents

Stationery fifty cents

Filing and docketing appearance statement declaration

affidavit of defense demurrer pleas or any other paper in an action pending twenty-five cents

Placing case upon issue list to be paid by the county each twenty-five cents

Issuing and docketing license to peddle to be paid by the county one dollar and fifty cents

Suggesting death of a party diminution record or amending record fifty cents

Framing an issue in any action one dollar

Entering motions twenty-five cents

Entering order of court in any action pending twenty-five cents

Filing praecipe for jury trial list twenty-five cents

Placing case upon the argument list twenty-five cents

All services during the trial of a cause including swearing of jury and witnesses two dollars

Issuing venire each case upon the jury trial list to be paid by the county seventy-five cents

Filing and entering agreement to refer to referee including entering judgment not more than three names one dollar and twenty-five cents

Each additional name twenty-five cents

Entering rule of reference appointment of arbitrators and service incident thereto two dollars

Filing and entering report of arbitrators including judgment docket entry not more than three names one dollar

Each additional name twenty-five cents

Filing and docketing appeal from award of arbitrators one dollar

Entering discontinuance of suit one dollar

Every suit ended before issue joined or before jury trial two dollars

Entering judgment on bond and warrant of attorney upon confession by defendant for want of an appearance plea or want of an affidavit of defense or sufficient affidavit of defense on verdict demurrer including judgment index entry not more than three names one dollar

Each additional name twenty-five cents

Entering satisfaction of judgment thirty cents

Entry of assignment or release of lien or judgment each property fifty cents

Attestation twenty-five cents

Reporting list of judgments assignments and satisfactions entered to be paid by the county each twenty-five cents

Filing and entering appointments made by the court to be paid by the county two dollars and fifty cents

Certificates of appointment to be paid by the county each fifty cents

Entry of motion and order of court for admission of attorney-at-law and certificate thereof two dollars and fifty cents

Adoption including decree certificate thereof and all docket entries two dollars and fifty cents

Filing and entering appeal from report of auditors two dollars and fifty cents

Filing and entering county controller's report to be paid by the county two dollars and fifty cents

Bail-piece one dollar and fifty cents

Filing corporate charter petition for change of corporate name or alteration or amendment of charter for merger co-partnership or dissolution of partnership two dollars and fifty cents

Certificate under seal fifty cents

Entering docketing and making return or certiorari to supreme or superior court filing bond and filing and docketing remittitur therefrom five dollars

Commission to take testimony entering return and notifying each party of return of commission one dollar and fifty cents

Citation and seal and motion therefor one dollar and fifty cents

Writ of habeas corpus and all proceedings to be paid by the county two dollars

Filing and docketing orders of the court to be paid by the county each two dollars and fifty cents

Petition for divorce order thereon and subpoena in divorce including docketing same four dollars

Receiving disbursing and accounting for deposit in divorce one dollar

Alias subpoena in divorce one dollar

Application for maintenance or alimony one dollar

Filing and docketing rule for final decree one dollar

Filing and docketing motions and rules and other pleadings in divorce each fifty cents

Entering decree in minute book docket and indexing in index docket one dollar

Certificate of divorce under seal two dollars

Filing and docketing municipal or tax liens each one dollar

Filing election returns and all proceedings thereon to be paid by the county each district three dollars

Entering indexing and docketing judgments against tax collectors to be paid by the county each one dollar and fifty cents

Entering and docketing exemplification of record not more than three names one dollar and fifty cents

Each additional name twenty-five cents

Exemplified record per hundred words twenty-five cents minimum fee two dollars

Entering and filing mechanics' lien one description and not more than three names two dollars and fifty cents

Entering and filing stipulation against liens two dollars

Entering and filing building agreement one description not more than three names two dollars and fifty cents

Each additional name twenty-five cents

Each additional description fifty cents

Transcribing same in full per one hundred words twenty-five cents

Drawing special jury striking same and copies for parties seventy-five cents

Certificate for pay for jurors each juror to be paid by the county fifty cents

Rule for interrogatories and entering return of service each garnishee one dollar

Reporting election of justices of the peace to the Secretary of the Commonwealth to be paid by the county each fifty cents

Notifying county officers auditors directors of the poor and election officers of their election to be paid by the county each fifty cents

Filing and docketing petition for the appointment of a commission dlunatico and for inquisition in rehabitual drunkard for the appointment of a committee in insolvency for the sale of unclaimed goods or other petitions in connection with any proceedings including order of court thereon each two dollars and fifty cents

Issuing commission in lunacy and entering return one dollar

Writ to sheriff in lunacy one dollar

Entering confirmation of inquisition and appointment of committee in lunacy one dollar

All services on sale of lunatic's habitual drunkard's estate including filing account of committee two dollars and fifty cents

Filing each subsequent account one dollar

Filing and docketing other documents in said proceedings each twenty-five cents

Preparing files and records for cases on trial or argument list to be paid by the county each case fifty cents

Issuing attachment for contempt and motion therefor to be paid by the county each one dollar

Certificate of notary public twenty-five cents

Administering oath other than on the trial of a case twenty-five cents

Filing and docketing petition to sell or mortgage real estate for the satisfaction of lost or ancient mortgage including order of court thereon one description and not more than three names five dollars

Each additional description fifty cents

Each additional name twenty-five cents

Filing power of attorney twenty-five cents

Reporting to Secretary of Commonwealth copies of

election returns for each person or party returned to be paid by the county fifty cents

Issuing every writ alias or pluries writ of fieri facias one dollar

Issuing every writ alias or pluries writ of venditioni exponas levari facias habere facias capias ad satisfaciendum one description one dollar

Each additional description fifty cents

Issuing writ of scire facias or alias scire facias on lien claim judgment to revive judgment sur bail in error sur recognizance sur certificate of the orphans' court to executors and administrators of deceased party to garnishee in foreign attachment or on bill of discovery two dollars

Entering revival of judgment by agreement two dollars

Entering testatum fi fa ca sa or vend ex one dollar

Issuing testatum fi fa sa or vend ex one dollar

Filing and docketing petition for a sheriff's interpleader including orders of court thereon two dollars and fifty cents

Entering transcript or judgment or appeal from justice of the peace or magistrate including docket entries one dollar and twenty-five cents

Entering satisfaction upon judgment and locality indexes each entry twenty-five cents

Entering appointments of guardian ad litem fifty cents

Docketing and filing bill to perpetuate testimony order of court thereon and recording same two dollars and fifty cents

Filing and docketing petition for the appointment of viewers filing report and confirmation five dollars

Proclamation one dollar and fifty cents

Registration of student-at-law physican veterinarian or dentist one dollar

Taxing bill of costs twenty-five cents

Filing exceptions and rule to re-tax bill of costs and filing report thereon fifty cents

Re-taxing bill of costs each hour one dollar

Taking testimony thereon per one hundred words twenty-five cents

Taking a recognizance twenty-five cents

Entering a rule to take depositions fifty cents

Issuing a subpoena under seal thirty cents

Registration of stallion one dollar

Statement twenty-five cents

Making search for liens in judgment docket index for five years last past one dollar

Making search in any other docket for five years last past each twenty-five cents

Each reference found ten cents

Each reference cited twenty cents

Acknowledgment of sheriff's or treasurer's deed including all docket entries incident thereto two dollars and fifty cents

Filing and docketing suggestions sur municipal lien one dollar

Services of each minute or court clerk during sessions of court to be paid by the county each day four dollars

Receiving and distributing money paid into court for each dollar under five hundred dollars two cents

For each dollar exceeding five hundred dollars one cent

Recording any document required by law to be recorded per one hundred words twenty-five cents

Drawing filing and docketing bond and justification thereon including seal and oath one dollar and twenty-five cents

Filing and docketing account or report of assignee auditors trustee committee sequestrator master or examiner two dollars and fifty cents

Transcribing report per one hundred words twenty-five cents

Filing docketing and all proceedings in assignment for the benefit of creditors up to and including bond and justification of assignee and surety five dollars

Filing and docketing appeal from award of road jury or railroad jury one dollar and twenty-five cents

Issuing and docketing order of sale in partition one dollar and fifty cents

Filing and docketing exemplification of judgment from another county one dollar and fifty cents

Indexing suit against a decedent's estate twenty-five cents

Filing and indexing sheriff's certificate of attachment upon real estate one dollar

Certificate to exemplification of record under act of Congress one dollar

Entering transcript from the orphans' court of amount due by executors administrators or guardians each entry two dollars

Entry of precept from the orphans' court two dollars and fifty cents

Each entry upon locality index twenty-five cents

Filing and docketing any petition not herein provided for two dollars and fifty cents

Filing and docketing bill in equity and rule to appear and answer not over four names two dollars and fifty cents each additional name twenty-five cents

Filing docketing bill in equity for injunction issuing injunction and order of court thereon not over three defendants three dollars and fifty cents

Each additional defendant fifty cents

Entering appearance filing answer demurrer replication twenty-five cents

Entering any order of court minimum fifty cents

Entering judgment one dollar

Entering serving and returning decree nisi three dollars

Filing any paper not above specified twenty-five cents

The fee for services not herein specially provided for shall be the same as for similar services and Provided That the fees hereinbefore enumerated shall be exclusive of any State tax now levied or that may hereafter be levied

Section 2 That the prothonotary shall not be required to issue any writ docket any order of court or enter any judgment thereon or perform any service whatsoever until the requisite fee is paid

[Section 3 That all acts or parts of acts inconsistent herewith are hereby repealed]

Section 2 The following acts or parts of acts and their amendments are hereby repealed

An act approved the seventeenth day of July one thousand nine hundred nineteen (P. L. 1001) entitled "An act fixing the fees of the prothonotary for attendance in court in counties having a population of less than seventy thousand and providing for the payment thereof by the several counties"

An act approved the second day of May one thousand nine hundred twenty-five (P. L. 504) entitled "An act to ascertain and appoint the fees to be received by the several prothonotaries of the courts of common pleas of the Commonwealth in counties having a population of less than one hundred fifty thousand and to provide the time for paying the same"

All other acts and parts of acts inconsistent with the provisions of this act are hereby repealed

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. DIX. Mr. Speaker, I would just like to call the attention of the Members of the House to the fact that there are five bills on the calendar today which affect seventh class counties and each one of those bills is a salary raiser or a fee raiser. In other words, the bill that we just passed raises the salary or the payment to the auditor from five dollars to seven dollars per day, which is a thirty-three percent increase. The next bill is also a salary raiser or a fee raiser.

PARLIAMENTARY INQUIRY

Mr. DIX. Mr. Speaker, I would like to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DIX. Can I speak on this bill, House Bill No. 340, and also House bills 607 and 608 at the present time?

The SPEAKER. That may only be done by unanimous consent of the House.

Mr. DIX. I would like to ask unanimous consent of the House, Mr. Speaker.

The SPEAKER. Will the House give its unanimous consent to the gentleman to speak on the related bills?

Is there objection?

The Chair hears none and consent is granted.

Mr. DIX. I do not wish to debate these bills, Mr. Speaker, I simply wish to call to the attention of the Members of the House that every one of these bills is a salary raiser or fee raiser, and some of them, as I said before, raise the fees or salaries thirty-three and one-third percent.

It seems to me that at the present time it is unfair to increase these salaries to such an extent. I know that I have no requests from my county from the Prothonotary, from the Clerk of Courts of the Auditor or anybody else for an increase in fees or compensation. The compensation of some of those officials in the court house is perfectly satisfactory to them, and I cannot understand why bills of this kind should be brought in at the present time. All I wish to do is call the attention of the Members of the House to these bills on the calendar, that they all affect seventh class counties, and each one increases fees or salaries.

Mr. BARTON. Mr. Speaker, House Bill 332 provides the same fees for Prothonotaries in the fifth, sixth and seventh class counties as they now receive in the fourth class counties. Now, I have seen the county officials, commissioners, sheriffs, district attorneys and a lot of other county officials have their salaries as much as doubled in the last several years while the Prothonotary has received no increase. I live in a seventh class county, and the Prothonotary scarcely makes enough to live on. He has received no increase, and this bill makes a very small increase for the Prothonotaries of these counties, and while it is a fee raiser, the fee is so small and the Prothonotaries are deserving of it, and I ask the Members of this House to go along and give the Prothonotaries a small increase, as they have done for most of the other county officers.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—174

Andrews,	Fullerton,	Longo,	Regan,
Baker,	Gaffney,	Lopez,	Reidenbach,
Barrett,	Gallagher,	Lovett	Reilly,
Barton,	Gardner,	Lyons,	Reynolds,
Bentzel,	Getchey,	Madden,	Riley,
Bonawitz,	Gibson,	Madigan,	Robertson,
Boney,	Goodling,	Mahany,	Royer,
Boorse,	Gore,	Matthews,	Rudisill,
Boory,	Green,	McAtee,	Scanlon,
Bower,	Greenwood,	McClester,	Serrill,
Brancato,	Greer,	McKinney,	Shaffer,
Breisch,	Gyger,	McLanahan,	Shoemaker,
Brice,	Haberlen,	McMillen,	Sloan,
Brothers,	Hall,	McNair,	Smith,
Brown,	Hamilton,	McNally,	Snider,
Brunner, C. H.,	Hare,	Mikula,	Sollenberger,
Brunner, P. A.,	Haudenshield,	Miller,	Sorg,
Burns,	Heatherington,	Milliken,	Stank,
Cadwalader,	Helm,	Mills,	Stonier,
Chudoff,	Hennihan,	Moore, C. E.,	Stuart,
Cohen,	Hersch,	Moore, W. J.,	Swope,
Coleman,	Hewitt,	Moran,	Tate,
Cook,	Hoffman,	Moser,	Tittle,
Cooper,	Howells,	Munley,	Trent,
Corrigan,	Hunter,	Murray, M. L.,	Trout,
Costa,	Huntley,	Murray, P. G.,	Turbett,
Coulson,	James,	Nagel,	Turner,
Coyle,	Jones,	Nelson,	Varallo,
Cullen,	Kennedy,	O'Brien,	Wachhaus,
Dague,	Kirley,	O'Connor,	Wagner,
Dennison,	Kline,	O'Dare,	Waterhouse,
Depuy,	Kolankiewicz,	O'Donnell,	Watkins,
Dougherty,	Komorofski,	O'Neill,	Weiss,
Dye,	Krise,	Owens,	Welsh,
Elder,	Kurtz,	Pentrack,	Wescott,
Elish,	Lane,	Petrosky,	White,
Erb,	Laughner,	Pickens,	Wood, N.,
Ewing,	Lee,	Polaski,	Worley,
Flack,	Leisey,	Polen,	Wright,
Fleming,	Leonard,	Powers,	Yeakel,
Foor,	Levy,	Propert,	Yester,
Fox,	Lichtenwalter,	Reese, D. P.,	Fiss,
Freed,	Loftus,	Reese, R. E.,	Speaker.
Frost,			

NAYS—2

Dix,	Reagan,

NOT VOTING—25

Baumunk,	Grant,	Mihm,	Snyder,
Bentley,	Guthrie,	Mooney,	Stockham,
Boies,	Hering,	Readinger,	Tahl,
Dalrymple,	Herman,	Root,	Trachtman,
Dillon,	Hoggard,	Rose,	Verona,
Duffy,	Hoopes,	Schuster,	Wood, L. H.,
Finnerty,	McDowell,	Skale,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 340, as follows:

An Act to reenact and amend the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 646) entitled "An act regulating and providing fees of the clerks of quarter sessions of counties of the fourth class" extending the same to counties of the fifth sixth seventh and eighth class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and all of the sections of the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 646) entitled "An act regulating and providing fees of the clerks of quarter sessions of counties of the fourth class" are hereby reenacted and amended to read as follows

An Act regulating and providing fees of the clerks of quarter sessions of counties of the fourth fifth sixth seventh and eighth class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The fees of the several clerks of quarter sessions of the several counties of the fourth fifth sixth seventh and eighth class of this Commonwealth shall hereafter be as follows

(1) Affidavits fifty cents ($0.50)

(2) Appeals from alderman and justice of the peace including recording and entering and all services pertaining thereto three dollars ($3.00)

(3) Appointment of special tax collector or auditor including filing petition order of court and filing and recording information six dollars ($6.00)

(4) Attachments including issuance delivery of motion and return one dollar ($1.00)
(5) Bail-piece one dollar ($1.00)
(6) Bail bond one dollar ($1.00)
(7) Bench warrants or any warrant of seizure and proceedings thereon one dollar ($1.00)
(8) Calling recognizance and entry of forfeiture fifty cents ($0.50)
(9) Certificate to Secretary of Revenue of conviction for violation of laws regulating use and operation of motor vehicles to be taxed as part of the costs of each case one dollar ($1.00)
(10) Certificates to pay for jurors one dollar ($1.00)
(1) Certificates for payment of road jurors one dollar ($1.00)
(12) Certificates for sheriff to draw petit or grand jurors or special venire one dollar ($1.00)
(13) Certificate when judge acts as magistrate affidavit warrant and service three dollars ($3.00)
(14) Certificate for ignored bill one dollar ($1.00)
(15) Certificate for reconsideration or modification of sentence one dollar ($1.00)
(16) Certificate to commissioners of tax collector's appointment one dollar ($1.00)
(17) Certificate Department of Highways of establishment of new township or borough three dollars and fifty cents ($3.50)
(18) Certified copy of rule or order of court one dollar ($1.00)
(19) Certified copy of record bill of indictment two dollars ($2.00)
(20) Certified copy of record docket entries two dollars ($2.00)
(21) Commission on lunacy swearing commission filing and recording two dollars and fifty cents ($2.50)
(22) Commitments to county prison one dollar ($1.00)
(23) Commitments to penitentiary work-house or reformatory one dollar ($1.00)
(24) Constable's bond filing and recording one dollar ($1.00)
(25) Criminal report to public charities ten dollars ($10.00)
(26) Detective license filing application for twenty-five dollars ($25.00)
(27) Elections filing and recording returns of borough and township elections each district to be paid by county three dollars ($3.00)
(28) Entering submission and judgment seventy-five cents ($0.75)
(29) Entering proceedings of Supreme or Superior Court one dollar and fifty cents ($1.50)
(30) Entering of nolle prosequi four dollars ($4.00)
(31) Entering information on petition for parole including order of court three dollars ($3.00)
(32) Estreating forfeited recognizance into county commissioners' office or prothonotary's office three dollars ($3.00)
(33) Exemplification of the record per page one dollar ($1.00)
(34) Filing and entering reasons for new trial or motion in arrest of judgment fifty cents ($0.50)
(35) Filing and entering bail bond or recognizance from magistrate or justice of the peace one dollar ($1.00)
(36) Filing indexing and recording information in quarter sessions docket including nonsupport and surety of peace cases three dollars ($3.00)
(37) Filing and recording information or petition in juvenile docket three dollars ($3.00)
(38) Filing any paper not relating to any suit pending or not herein provided for fifty cents ($0.50)
(39) Filing and recording each district in municipal election including special election or district three dollars ($3.00)
(40) Filing petition for parole fifty cents ($0.50)
(41) Filing and recording petition for appointment of election officer three dollars ($3.00)
(42) Filing and recording order of court for appointment of election officer including certified copy of appointment three dollars ($3.00)
(43) Ignoramus where bill is returned four dollars and fifty cents ($4.50)
(44) Issuing notice to defaulting jurors twenty-five cents ($0.25)
(45)) Jury trial five dollars and fifty cents ($5.50)
(46) Motion and rule other than elsewhere provided for fifty cents ($0.50)
(47) Order to view open or vacate road under sale one dollar and fifty cents ($1.50)
(48) Oyer and terminer all services performed in one prosecution fifteen dollars ($15.00)
(49) Petition for view and review of road or bridge and order thereon two dollars and fifty cents ($2.50)
(50) Pleas of guilty four dollars ($4.00)
(51) Process on indictment docket entry and return one dollar ($1.00)
(52) Quashing of information or indictment four dollars ($4.00)
(53) Recognizance calling and entering forfeiture fifty cents ($0.50)
(54) Recognizance forfeited respited or discharged and motion therefor fifty cents ($0.50)
(55) Recognizance taking each one dollar ($1.00)
(56) Recognizance in court each person one dollar ($1.00)
(57) Receiving and distributing money paid into court one per cent (1%)
(58) Recording return of viewers and confirmation per page two dollars and fifty cents ($2.50)
(59) Recording bill and verdict relating to one prosecution one dollar ($1.00)
(60) Recording bill and verdict where bill is returned ignored one dollar and fifty cents ($1.50)
(61) Recording proceedings in civil or miscellaneous docket per page single space four dollars ($4.00)
(62) Report of judicial criminal statistics to Department of Commerce U S A ten dollars ($10.00)
(63) Retaxing parties bill of costs and making report fifty cents ($0.50)
(64) Search of records where no other service is performed to which any fee is attached fifty cents ($0.50)
(65) Services for each clerk in court per diem or part of day four dollars ($4.00)
(66) Subpoena and seal fifty cents ($0.50)
(67) Subpoena each name after first ten cents ($0.10)
(68) Supreme Court or Superior Court recording and issuing appeal five dollars ($5.00)
(69) Swearing grand jury per juror fifty cents ($0.50)
(70) Swearing petit jury including witness relating to one prosecution and arraignment of defendant or defendants in one prosecution two dollars ($2.00)
(71) Tax collector's bond filing and recording one dollar ($1.00)
(72) Taxing a bill of costs other than clerk of the sessions fifty cents ($0.50)
(73) Trial without jury four dollars and fifty cents ($4.50)
(74) Venire for grand jury or petit jury or special jury one dollar ($1.00)

The fee for services not herein specifically provided for shall be the same as for similar services

Section 2 The act approved the eleventh day of May one thousand nine hundred twenty-five (P. L. 570) entitled "An act regulating and providing fees of the several clerks of quarter sessions of the several counties of this Commonwealth other than in counties of the first and second classes" in so far as it relates to fourth fifth sixth seventh and eighth class counties is hereby repealed

All other acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—174

Andrews,	Fullerton,	Longo,	Regan,
Baker,	Gaffney,	Lopez,	Reidenbach,
Barrett,	Gallagher,	Lovett,	Reilly,
Barton,	Gardner,	Lyons,	Reynolds,
Bentzel,	Getchey,	Madden,	Riley,
Bonawitz,	Gibson,	Madigan,	Robertson,
Boney,	Goodling,	Mahany,	Royer,
Boorse,	Gore,	Matthews,	Rudisill,
Boory,	Green,	McAtee,	Scanlon,
Bower,	Greenwood,	McClester,	Serrill,
Brancato,	Greer,	McKinney,	Shaffer,
Breisch,	Gyger,	McLanahan,	Shoemaker,
Brice,	Haberlen,	McMillen,	Sloan,
Brothers,	Hall,	McNair,	Smith,
Brown,	Hamilton,	McNally,	Snider,
Brunner, C. H.,	Hare,	Mikula,	Sollenberger,
Brunner, P. A.,	Haudenshield,	Miller,	Sorg,
Burns,	Heatherington,	Milliken,	Stank,
Cadwalader,	Helm,	Mills,	Stonier,
Chudoff,	Hennihan,	Moore, C. E.,	Stuart,
Cohen,	Hersch,	Moore, W. J.,	Swope,
Coleman,	Hewitt,	Moran,	Tate,
Cook,	Hoffman,	Moser,	Tittle,
Cooper,	Howells,	Munley,	Trent,
Corrigan,	Hunter,	Murray, M. L.,	Trout,
Costa,	Huntley,	Murray, P. G.,	Turbett,
Coulson,	James,	Nagel,	Turner,
Coyle,	Jones,	Nelson,	Varallo,
Cullen,	Kennedy,	O'Brien,	Wachhaus,
Dague,	Kirley,	O'Connor,	Wagner,
Dennison,	Kline,	O'Dare,	Waterhouse,
Depuy,	Kolankiewicz,	O'Donnell,	Watkins,
Dougherty,	Komorofski,	O'Neill,	Weiss,
Dye,	Krise,	Owens,	Welsh,
Elder,	Kurtz,	Pentrack,	Wescott,
Elish,	Lane,	Petrosky,	White,
Erb,	Laughner,	Pickens,	Worley,
Ewing,	Lee,	Polaski,	Wright,
Flack,	Leisey,	Polen,	Yeakel,
Fleming,	Leonard,	Powers,	Yester,
Foor,	Levy,	Propert,	Fiss, Speaker.
Fox,	Lichtenwalter,	Reese, D. P.,	
Freed,	Loftus,	Reese, R. E.,	
Frost			

NAYS—2

Dix,	Reagan,

NOT VOTING—25

Baumunk,	Grant,	Mihm,	Snyder,
Bentley,	Guthrie,	Mooney,	Stockham,
Boles,	Hering,	Readinger,	Tahl,
Dalrymple,	Herman,	Root,	Trachtman,
Dillon,	Hoggard,	Rose,	Verona,
Duffy,	Hoopes,	Schuster,	Wood, L. H.,
Finnerty,	McDowell,	Skale,	Wood, N.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 501, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" by further defining real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" as last amended by section two of the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2811) is hereby further amended to read as follows

Section 6 From and after January 1 1930 it shall be unlawful for any person copartnership association or corporation to engage in or carry on the business or act in the capacity of a real estate broker or a real estate salesman within this Commonwealth without first obtaining a license as a real estate broker or real estate salesman from the department

No person copartnership association or corporation may be licensed by the department as a real estate broker unless such person and all of the members of any such copartnership or association who are actively engaged in the real estate business and all of the officers of any such corporation who are actively engaged are of the age of twenty-one years and upwards are citizens of the United States and shall have served an apprenticeship as a duly licensed real estate salesman of not less than two years in the employ of a duly licensed real estate broker or brokers

Any person engaged in the real estate business for a period of two years or more prior to January 1 1930 may be admitted to an examination for a real estate broker's license provided that he or she shall meet all of the prerequisites of applicants for such licenses except that he or she shall not be required to have served in the employ of a duly licensed real estate broker or brokers as a duly licensed real estate salesmen for a period of two years

Section 2 Clause (c) of section seven of said act as last amended by section three of the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2811) is hereby further amended to read as follows

(c) Application for license as real estate salesman shall be made in writing to the department signed by the applicant setting forth the period of time during which he has been engaged in the business stating the name of the last employer and the name and place of business of the person firm copartnership association or corporation then employing him or into whose employ he is then about to enter All applications shall be made upon a blank provided for the purpose by the department and shall contain such information as to the applicant in addition to the above prescribed as the department shall require The application shall be accompanied by the recommendation of his employer or prospective employer certifying that the applicant is honest truthful and of good repute and recommending that such license be granted All such licenses shall expire December thirty-first of the year issued unless sooner revoked or suspended by the department or renewed annually as hereinafter described

No person may hereafter be licensed as a real estate salesman and no person copartnership association or corporation may hereafter be licensed as a real estate broker by the department unless such person and all of the members of any such copartnership or association and all of the officers of any such corporation intending to actually engage in or actually engaging in the real estate business as a real estate broker or salesman shall first submit to and pass an examination conducted by the department and prepared by the department Provided however That any person who has been licensed as a real estate salesman or real estate broker for a period of six (6) months next preceding the effective date of this act and is thus

engaged in this Commonwealth at the time this act goes into effect may secure the certificate of registration as a broker or a salesman without an examination provided such person shall make application to the department for registration within ninety (90) days after the effective date of this act The department shall hold examinations on the second Saturdays in January April July and October in the cities of Philadelphia Pittsburgh Harrisburg Wilkes-Barre and Erie at such hours and under such rules and regulations as the department shall prescribe The examination for a broker's license shall include questions on real estate practice real estate law the applicant's ability to read and write English his knowledge of mathematics and other common school branches The examination for salesman's license shall be limited to the common school branches Provided however That in event the license of any real estate broker or salesman shall be cancelled by the department subsequent to the enactment of this act no new license shall be issued to such person unless he complies with the provisions of this act Provided further however That the department may waive these requirements in the case of an application from a nonresident broker of those states having similar requirements under the laws of which similar recognition and courtesies are extended to licensed real estate brokers and real estate salesmen of this State

An individual may apply for and receive from the department a temporary permit to operate as a real estate salesman until the next regular examination but not more than two successive temporary permits shall be issued to any individual Any individual who fails to pass the examination at two successive examinations shall be ineligible for a similar examination until after the expiration of [two full years] six months from the time such individual took the last examination

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—175

Andrews,	Frost,	Lopez,	Regan,
Baker,	Fullerton,	Lovett,	Reidenbach,
Barrett,	Gaffney,	Lyons,	Reilly,
Barton,	Gallagher,	Madden,	Reynolds,
Bentzel,	Gardner,	Madigan,	Riley,
Bonawitz,	Getchey,	Mahany,	Robertson,
Boney,	Gibson,	Matthews,	Royer,
Boorse,	Goodling,	McAtee,	Rudisill,
Boory,	Gore,	McClester,	Scanlon,
Bower,	Green,	McKinney,	Serrill,
Brancato,	Greer,	McLanahan,	Shaffer,
Breisch,	Gyger,	McMillen,	Shoemaker,
Brice,	Haberlen,	McNair,	Sloan,
Brothers,	Hall,	McNally,	Smith,
Brown,	Hamilton,	Mikula,	Snider,
Brunner, C. H.,	Hare,	Miller,	Sollenberger,
Brunner, P. A.,	Haudenshield,	Milliken,	Sorg,
Burns,	Heatherington,	Mills,	Stank,
Cadwalader,	Helm,	Mooney,	Stonier,
Chudoff,	Hennihan,	Moore, C. E.,	Stuart,
Cohen,	Hersch,	Moore, W. J.,	Swope,
Coleman,	Hewitt,	Moran,	Tate,
Cook,	Hoffman,	Moser,	Tittle,
Cooper,	Howells,	Munley,	Trent,
Corrigan,	Hunter,	Murray, M. L.,	Trout,
Costa,	Huntley,	Murray, P. G.,	Turbett,
Coulson,	James,	Nagel,	Turner,
Coyle,	Jones,	Nelson,	Varallo,
Cullen,	Kennedy,	O'Brien,	Wachhaus,
Dague,	Kirley,	O'Connor,	Wagner,
Dennison,	Kline,	O'Dare,	Waterhouse,
Depuy,	Kolankiewicz,	O'Donnell,	Watkins,
Dix,	Komorofski,	O'Neill,	Weiss,
Dougherty,	Krise,	Owens,	Welsh,
Dye,	Kurtz,	Pentrack,	Wescott,
Elder,	Lane,	Petrosky,	White,
Elish,	Laughner,	Pickens,	Wood, N.,
Erb,	Lee,	Polaski,	Worley,
Ewing,	Leisey,	Polen,	Wright,
Flack,	Leonard,	Powers,	Yeakel,
Fleming,	Levy,	Propert,	Yester,
Foor,	Lichtenwalter,	Reagan,	Fiss,
Fox,	Loftus,	Reese, D. P.,	Speaker.
Freed,	Longo,	Reese, R. E.,	

NAYS—1

Greenwood,

NOT VOTING—25

Baumunk,	Grant,	Mihm,	Snyder,
Bentley,	Guthrie,	Readinger,	Stockham,
Boies,	Hering,	Root,	Tahl,
Dalrymple,	Herman,	Rose,	Trachtman,
Dillon,	Hoggard,	Schuster,	Verona,
Duffy,	Hoopes,	Skale,	Wood, L. H.,
Finnerty,	McDowell,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 524, as follows:

An Act to further amend section one hundred thirty-five of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by fixing the salary of the solicitor to the controller in counties of the fifth class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one hundred thirty-five of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as last amended by the act approved the twenty-third day of May one thousand nine hundred thirty-three (P. L. 948) is hereby further amended to read as follows

Section 135 Solicitor to the Controller The county controller may designate and appoint one person learned in the law to act as his solicitor Such solicitor shall advise upon all such legal matters as may be submitted to him and shall conduct any litigation desired by the county controller He shall hold office at the pleasure of the controller He shall receive such salary as may be fixed by the salary board [but in counties of the fifth class such salary shall not exceed the sum of nine hundred dollars ($900) per annum]

Section 2 The act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1042) entitled "An act authorizing county controllers in counties having a population of more than one hundred thousand and less than one hundred and fifty thousand inhabitants to appoint a solicitor prescribing the duties of said solicitor and fixing his salary" is hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—174

Andrews,	Fullerton,	Longo,	Reese, R. E.,
Baker,	Gaffney,	Lopez,	Regan,
Barrett,	Gallagher,	Lovett,	Reidenbach,
Barton,	Gardner,	Lyons,	Reilly,
Bentzel,	Getchey,	Madden,	Reynolds,
Bonawitz,	Gibson,	Madigan,	Riley,
Boney,	Goodling,	Mahany,	Robertson,
Boorse,	Gore,	Matthews,	Royer,
Boory,	Green,	McAtee,	Rudisill,
Bower,	Greenwood,	McClester,	Scanlon,
Brancato,	Greer,	McKinney,	Serrill,
Breisch,	Gyger,	McLanahan,	Shaffer,
Brice,	Haberlen,	McMillen,	Shoemaker,
Brothers,	Hall,	McNair,	Sloan,
Brown,	Hamilton,	McNally,	Smith,
Brunner, C. H.,	Hare,	Mikula,	Snider,
Brunner, P. A.,	Haudenshield,	Miller,	Sollenberger,
Burns,	Heatherington,	Milliken,	Sorg,
Cadwalader,	Helm,	Mills,	Stank,
Chudoff,	Hennihan,	Moore, C. E.,	Stonier,
Cohen,	Hersch,	Moore, W. J.,	Stuart,
Coleman,	Hewitt,	Moran,	Swope,
Cook	Hoffman,	Moser,	Tate,
Cooper,	Howells,	Munley,	Tittle,
Corrigan,	Hunter,	Murray, M. L.,	Trent,
Costa,	Huntley	Murray, P. G.,	Trout,
Coulson	James,	Nagel,	Turbett,
Coyle,	Jones,	Nelson,	Turner,
Cullen,	Kennedy,	O'Brien,	Varallo,
Dague,	Kirley,	O'Connor,	Wachhaus,
Dennison,	Kline,	O'Dare,	Wagner,
Depuy,	Kolankiewicz,	O'Donnell,	Waterhouse,
Dougherty,	Komorofski,	O'Neill,	Watkins,
Dye,	Krise,	Owens,	Weiss,
Elder,	Kurtz,	Pentrack,	Welsh,
Elish,	Lane,	Petrosky,	Wescott,
Erb,	Laughner,	Pickens,	White,
Ewing,	Lee,	Polaski,	Wood, N.,
Flack,	Leisey,	Polen,	Worley,
Fleming,	Leonard,	Powers,	Wright,
Foor,	Levy,	Propert,	Yeakel,
Fox	Lichtenwalter,	Readinger,	Yester,
Freed,	Loftus,	Reese, D. P.,	Fiss,
Frost,			Speaker.

NAYS—2

Dix,	Reagan,

NOT VOTING—25

Baumunk,	Grant,	Mihm,	Snyder,
Bentley,	Guthrie,	Mooney,	Stockham,
Boies,	Hering,	Root,	Tahl,
Dalrymple,	Herman,	Rose,	Trachtman,
Dillon,	Hoggard,	Schuster,	Verona,
Duffy,	Hoopes,	Skale,	Wood, L. H.,
Finnerty,	McDowell,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection House Bill No. 528, Printer's No. 232, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 542, as follows:

An Act to amend section one hundred forty-two of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" further defining eligibility to the office of county treasurer

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one hundred forty-two of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended to read as follows

Section 142 Eligibility No judge clerk or prothonotary of any court register of wills recorder of deeds county commissioner county controller or county auditor shall be eligible to serve as county treasurer during their continuance in office But any such officer may during his continuance in office be a candidate for election to the office of county treasurer for the next succeeding term No county treasurer shall be eligible for the term next succeeding the one for which he may be elected

Section 2 The provisions of this act shall become effectvie immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—174

Andrews,	Fullerton,	Longo,	Regan,
Baker,	Gaffney,	Lopez,	Reidenbach,
Barrett,	Gallagher,	Lovett,	Reilly,
Barton,	Gardner,	Lyons,	Reynolds,
Bentzel,	Getchey,	Madden,	Riley,
Bonawitz,	Gibson,	Madigan,	Robertson,
Boney,	Goodling,	Mahany,	Royer,
Boorse,	Gore,	Matthews,	Rudisill,
Boory,	Green,	McAtee,	Scanlon,
Bower,	Greenwood,	McClester,	Serrill,
Brancato,	Greer,	McKinney,	Shaffer,
Breisch,	Gyger,	McLanahan,	Shoemaker,
Brice,	Haberlen,	McMillen,	Sloan,
Brothers,	Hall,	McNair,	Smith,
Brown,	Hamilton,	McNally,	Snider,
Brunner, C. H.,	Hare,	Mikula,	Sollenberger,
Brunner, P. A.,	Haudenshield,	Miller,	Sorg,
Burns,	Heatherington,	Milliken,	Stank,
Cadwalader,	Helm,	Mills,	Stonier,
Chudoff,	Hennihan,	Moore, C. E.,	Stuart,
Cohen,	Hersch,	Moore, W. J.,	Swope,
Coleman,	Hewitt,	Moran,	Tate,
Cook	Hoffman,	Moser,	Tittle,
Cooper,	Howells,	Munley,	Trent,
Corrigan,	Hunter,	Murray, M. L.,	Trout,
Costa,	Huntley,	Murray, P. G.,	Turbett,
Coulson,	James,	Nagel,	Turner,
Coyle,	Jones,	Nelson,	Varallo,
Cullen,	Kennedy,	O'Brien,	Wachhaus,
Dague,	Kirley,	O'Connor,	Wagner,
Dennison,	Kline,	O'Dare,	Waterhouse,
Depuy,	Kolankiewicz,	O'Donnell,	Watkins,
Dougherty,	Komorofski,	O'Neill,	Weiss,
Dye,	Krise,	Owens,	Welsh,
Elder,	Kurtz,	Pentrack,	Wescott,
Elish,	Lane,	Petrosky,	White,
Erb,	Laughner,	Pickens,	Wood, N.,
Ewing,	Lee,	Polaski,	Worley,
Flack,	Leisey,	Polen,	Wright,
Fleming,	Leonard,	Powers,	Yeakel,
Foor,	Levy,	Propert,	Yester,
Fox,	Lichtenwalter,	Reese, D. P.,	Fiss,
Freed,	Loftus,	Reese, R. E.,	Speaker.
Frost,			

NAYS—2

Dix,	Reagan,

NOT VOTING—25

Baumunk,	Grant,	Mihm,	Snyder,
Bentley,	Guthrie,	Mooney,	Stockham,
Boies,	Hering,	Readinger,	Tahl,
Dalrymple,	Herman,	Root,	Trachtman,
Dillon,	Hoggard,	Rose,	Verona,
Duffy,	Hoopes,	Schuster,	Wood, L. H.,
Finnerty,	McDowell,	Skale,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 607, as follows:

An Act to amend section seven of the act approved the second day of April one thousand eight hundred sixty-eight (P. L. 3) entitled "An act to ascertain and appoint the fees to be received by the several officers of this Commonwealth" by changing the fees of Register of Wills

On the question,

Will the House agree to the bill on third reading?

Mr. ANDREWS. Mr. Speaker, I desire to interrogate the sponsor of this bill, or rather to have the sponsor of House Bill 607, Printer's No. 234, tell what changes are made in the present setup and why the changes are made and whether the changes that have been made are equitable and in line with themselves.

Mr. BRICE. Mr. Speaker, to the best of my knowledge I will. According to the information I received, this law of 1868 is outmoded very far. In the Clerk of Court's office and the Registrar of Wills and some of those places they have not been getting enough to keep them going. Now, in order to meet the requirements of today and the expenses of today it is our idea that this be changed and they be given an increase, and while some are increased and some are not increased, yet they claim they cannot keep their offices up to date if they do not get this increase.

Mr. ANDREWS. Mr. Speaker, I would like particularly to inquire what the significance is of the schedule on page 3 of the bill:

"Accounts Filing advertising and recording accounts of executors administrators guardians and trustees including transmission of same to orphans' court and confirmation:

First page, double space	$10.00
And for each additional page	.50
First page single space	10.00
And each additional page	1.00"

I would like to inquire what those charges involve, Mr. Speaker, what the difference is between the first page and the other pages, and the difference between single page and double page and who gets the $10.

Mr. BRICE. Mr. Speaker, that is a long question that the gentleman has put to me here, but it is the routine collection and has been the routine of collection, and inasmuch as I did not write this bill of course I wouldn't know exactly, but it has been the routine method of collection. I suppose it is the same, as I understand, but they want an increase in rates for collection. This double space and single space, that has been their routine, and that is all I know about it.

Mr. ANDREWS. Mr. Speaker, would the gentleman be averse to having the two bills go over until he has been more accurately informed as to their import.

Mr. BRICE. I will let it go over, Mr. Speaker, it is all right with me.

BILLS PASSED OVER

There being no objection House Bill No. 607, Printer's No. 234 was passed over at the request of Mr. BRICE.

There being no objection House Bill No. 608, Printer's No. 235, was passed over at the request of Mr. BRICE.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 642, as follows:

An Act authorizing in certain cases the issuance of motor vehicle operators' licenses to persons honorably discharged from the armed forces of the United States or from any women's organization officially connected therewith without a learner's permit and the temporary suspension of existing laws requiring the same

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Any person serving in the armed forces of the United States or in any women's organization officially connected therewith during any part of the war in which the United States is now engaged may have upon his or her honorable discharge from such service an operator's license without being required to secure a learner's permit if he or she shall satisfy the following requirements

(1) He or she shall have an honorable discharge from the service

(2) Application for the operator's license shall be made within sixty (60) days after the date of such honorable discharge

(3) He or she is not physically or mentally incapacitated at the time of the application for renewal

(4) He or she has a certificate showing that he or she has passed an army or navy test for the operation of motor vehicles

(5) He or she has knowledge of the provisions of the Pennsylvania Vehicle Code relating to the operation of motor vehicles within this State

(6) In the event that his or her certificate of honorable discharge reveals that injuries were sustained during service the application must be accompanied by the certificate of a licensed physician that the applicant is physically and mentally able to operate a motor vehicle

(7) He or she has not held an operator's license under the laws of this or any other State which has been revoked or suspended unless the period of suspension has expired

(8) Each application shall be sworn to before a magistrate alderman or justice of the peace who shall certify thereon that he has seen and examined the applicant's certificate of honorable discharge and that it is dated less than sixty (60) days before the application was made

Section 2 The Secretary of Revenue is hereby authorized to suspend all provisions of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines

forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" and all other acts and parts of acts in so far as they are inconsistent with the provisions of this act

Section 3 The provisions of this act shall become effective immediately upon its final enactment and shall continue in effect until one year after the termination of hostilities as determined by proclamation of the President of the United States or by a concurrent resolution of Congress

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken tand were as follows:

YEAS—177

Andrews,	Fullerton,	Longo,	Reese, R. E.,
Baker,	Gaffney	Lopez,	Regan,
Barrett,	Gallagher,	Lovett,	Reidenbach,
Barton,	Gardner,	Lyons,	Reilly,
Bonawitz,	Getchey,	Madden,	Reynolds,
Boney,	Gibson,	Madigan,	Riley,
Boorse,	Goodling,	Mahany,	Robertson,
Boory,	Gore,	Matthews,	Royer,
Bower,	Green,	McAtee,	Rudisill,
Brancato,	Greenwood,	McClester,	Scanlon,
Breisch,	Greer,	McKinney,	Serrill,
Brice,	Gyger,	McLanahan,	Shaffer,
Brothers,	Haberlen,	McMillen,	Shoemaker,
Brown,	Hall,	McNair,	Sloan,
Brunner, C. H.,	Hamilton,	McNally,	Smith,
Brunner, P. A.,	Hare,	Mikula,	Snider,
Burns,	Haudenshield,	Miller,	Sollenberger,
Cadwalader,	Heatherington,	Milliken,	Sorg,
Chudoff,	Helm,	Mills,	Stank,
Cohen,	Hennihan,	Moore, C. E.,	Stonier,
Coleman,	Hersch,	Moore, W. J.,	Stuart,
Cook,	Hewitt,	Moran,	Swope,
Cooper,	Hoffman,	Moser,	Tate,
Corrigan,	Howells,	Munley,	Tittle,
Costa,	Hunter,	Murray, M. L.,	Trent,
Coulson,	Huntley,	Murray, P. G.,	Trout,
Coyle,	James,	Nagel,	Turbett,
Cullen,	Jones,	Nelson,	Turner,
Dague,	Kennedy,	O'Brien,	Varallo,
Dennison,	Kirley,	O'Connor,	Wachhaus,
Depuy,	Kline,	O'Dare,	Wagner,
Dix,	Kolankiewicz,	O'Donnell,	Waterhouse,
Dougherty,	Komorofski,	O'Neill,	Watkins,
Dye,	Krise,	Owens,	Weiss,
Elder,	Kurtz,	Pentrack,	Welsh,
Elish,	Lane,	Petrosky,	Wescott,
Erb,	Laughner,	Pickens,	White,
Ewing,	Lee,	Polaski,	Wood, N.,
Flack,	Leisey,	Polen,	Worley,
Fleming,	Leonard,	Powers,	Wright,
Foor,	Levy,	Propert,	Yeakel,
Fox,	Lichtenwalter,	Reagan,	Yester,
Freed,	Loftus,	Reese, D. P.,	Fiss,
Frost,			Speaker.

NAYS—0

NOT VOTING—24

Baumunk,	Finnerty,	McDowell,	Skale,
Bentley,	Grant,	Mihm,	Snyder,
Bentzel,	Guthrie,	Mooney,	Stockham,
Boies,	Hering,	Readinger,	Tahl,
Dalrymple,	Herman,	Root,	Trachtman,
Dillon,	Hoggard,	Rose,	Verona,
Duffy,	Hoopes,	Schuster,	Wood, L. H.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Order, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 658, as follows:

An Act to further amend section eleven of the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 644) entitled "An act relating to and regulating the solicitation of monyes and property for charitable religious benevolent humane and patriotic purposes" by exempting federated women's clubs

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eleven of the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes" as amended by the act approved the third day of May one thousand nine hundred forty-three (P. L. 150) and the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 280) is hereby further amended to read as follows

Section 11 This act shall not apply to fraternal organizations incorporated under the laws of the Commonwealth religious organizations raising funds for religious purposes colleges schools universities or associations of alumni or alumnae thereof raising funds for fellowships or scholarships federated women's clubs labor unions municipalities or subdivisions thereof nor to charitable institutions or agencies required by the provisions of existing law to file reports with the Department of Welfare or with any other department or office of the Commonwealth nor to any war veterans' organization or any subordinate units thereof whenever the purpose for which it is soliciting funds has been approved by the Department of Military Affairs

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—176

Andrews,	Fullerton,	Lopez,	Regan,
Baker,	Gaffney,	Lovett,	Reidenbach,
Barrett,	Gallagher,	Lyons,	Reilly,
Barton,	Gardner,	Madden,	Reynolds,
Bentzel,	Getchey,	Madigan,	Riley,
Bonawitz,	Gibson,	Mahany,	Robertson,
Boney,	Goodling,	Matthews,	Royer,
Boorse,	Gore,	McAtee,	Rudisill,
Boory,	Green,	McClester,	Scanlon,
Bower,	Greenwood,	McKinney,	Serrill,
Brancato,	Greer,	McLanahan,	Shaffer,
Breisch,	Gyger,	McMillen,	Shoemaker,
Brice,	Haberlen,	McNair,	Sloan,
Brothers,	Hall,	McNally,	Smith,
Brown,	Hamilton,	Mikula,	Snider,
Brunner, C. H.,	Hare,	Miller,	Sollenberger,
Brunner, P. A.,	Haudenshield,	Milliken,	Sorg,
Burns,	Heatherington,	Mills,	Stank,
Cadwalader,	Helm,	Moore, C. E.,	Stonier,
Chudoff,	Hennihan,	Moore, W. J.,	Stuart,
Cohen,	Hersch,	Moran,	Swope,
Coleman,	Hewitt,	Moser,	Tate,
Cook,	Hoffman,	Munley,	Tittle,
Cooper,	Howells,	Murray, M. L.,	Trent,
Corrigan,	Hunter,	Murray, P. G.,	Trout,
Costa,	Huntley,	Nagel,	Turbett,
Coulson,	James,	Nelson,	Turner,
Coyle,	Jones,	O'Brien,	Varallo,
Dague,	Kennedy,	O'Connor,	Wachhaus,
Dennison,	Kirley,	O'Dare,	Wagner,
Depuy,	Kline,	O'Donnell,	Waterhouse,

Dix,	Kolankiewicz,	O'Neill,	Watkins,
Dougherty,	Komorofski,	Owens,	Weiss,
Dye,	Krise,	Pentrack,	Welsh,
Elder,	Kurtz,	Petrosky,	Wescott,
Elish,	Lane,	Pickens,	White,
Erb,	Laughner,	Polaski,	Wood, N.,
Ewing,	Lee,	Polen,	Worley,
Flack,	Leisey,	Powers,	Wright,
Fleming,	Leonard,	Propert,	Yeakel,
Foor,	Levy,	Reagan,	Yester,
Fox,	Lichtenwalter,	Reese, D. P.,	Fiss,
Freed,	Loftus,	Reese, R. E.,	Speaker.
Frost,	Longo,		

NAYS—1

Cullen,

NOT VOTING—24

Baumunk,	Grant,	Mihm,	Snyder,
Bentley,	Guthrie,	Mooney,	Stockham,
Boies,	Hering,	Readinger,	Tahl,
Dalrymple,	Herman,	Root,	Trachtman,
Dillon,	Hoggard,	Ross,	Verona,
Duffy,	Hoopes,	Schuster,	Wood, L. H.,
Finnerty,	McDowell,	Skale,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection House Bill No. 690, Printer's No. 223, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 866, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by providing for the use of "reflector type" flares as "danger and caution signals"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eight hundred twenty-four of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department o Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties boroughs incorporated towns township within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 824 Danger and Caution Signals

(a) Every motor bus and every motor omnibus for the carriage of passengers for hire except taxicabs and every commercial vehicle or combination of vehicles having a gross weight of eleven thousand (11,000) pounds or more and every trailer or semi-trailer designed for the living quarters or carriage of persons shall be equipped with at least three (3) red flags of dimensions not less than twelve by twelve (12x12) inches and a sufficient number of flares not less than three (3) or electric lanterns electric flashing signals or other signals capable of continuously producing three warning lights each visible from a distance of at least five hundred (500) feet for a period of at least eight (8) hours or three (3) reflector type flares Provided however that the provisions of this section shall not apply to vehicles within the confines of a municipality or within a business or residence district

Every such flare lantern electric flashing signal reflector type are or other signal shall be of a type approved by the secretary and he shall publish lists of those devices which he has approved as adequate for the purposes of this section

(b) Whenever any such vehicle and its lighting equipment are disabled during the period when lighted lamps must be displayed on vehicles and such vehicle cannot immediately be removed from the main traveled portion of a highway outside of a business or residence district or if the lighting equipment on any such vehicle is not disabled but due to its position upon the highway or by reason of contours or curves in such highway it may constitute a menace to other vehicular traffic the operator or other person in charge of such vehicle shall cause such flares lanterns flashing signals or other signals to be lighted and placed upon the highway or reflector type flares placed upon the highway One (1) at a distance of approximately one hundred (100) feet in advance of such vehicle one (1) at a distance of approximately one hundred (100) feet to the rear of the vehicle and the third upon the highway side of the vehicle except that if the vehicle is transporting flammables such vehicle shall be equipped with a sufficient number of electric flares or electric flashing signals or reflector type flares not less than three (3) Whenever any such vehicle is disabled during the period when lighted lamps are not required to be displayed on vehicles and such vehicle cannot immediately be removed from the main traveled portion of a highway outside of a business or residence district or whenever a vehicle is disabled upon the highway and by reason of contours or curves in such highway it may constitute a menace to other vehicular traffic the operator or other person in charge of such vehicle shall cause the red flags to be placed upon the highway One (1) at a distance of approximately one hundred (100) feet in advance of such vehicle and one (1) at a distance of approximately one hundred (100) feet to the rear of the vehicle and the third upon the highway side of the vehicle

(c) No person shall at any time operate a vehicle

transporting explosives as a cargo or part of a cargo upon a highway unless it carries electric lanterns or electric flashing signals or reflector type flares as herein required but such electric lanterns or electric flashing signals must be capable of producing a red light and such reflector type flares must be in good condition capable of reflecting light of an on-coming vehicle at least five hundred (500) feet and shall be displayed upon the highway when and as required in this section

Penalty Any owner or operator who shall fail to comply with any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five ($25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Andrews,	Frost,	Longo,	Regan,
Baker,	Fullerton	Lopez,	Reidenbach,
Barrett,	Gaffney,	Lovett,	Reilly,
Barton,	Gallagher,	Lyons,	Reynolds,
Bentzel,	Gardner,	Madden,	Riley,
Bonawitz,	Getchey,	Madigan,	Robertson,
Boney,	Gibson,	Mahany,	Royer,
Boorse,	Goodling,	Matthews,	Rudisill,
Boory,	Gore,	McAtee,	Scanlon,
Bower,	Green,	McClester,	Serrill,
Brancato,	Greenwood,	McKinney,	Shaffer,
Breisch,	Greer,	McLanahan,	Shoemaker,
Brice,	Gyger,	McMillen,	Sloan,
Brothers,	Haberlen,	McNair,	Smith,
Brown,	Hall,	McNally,	Snider,
Brunner, C. H.,	Hamilton,	Mikula,	Sollenberger,
Brunner, P. A.,	Hare,	Miller,	Sorg,
Burns,	Haudenshield,	Milliken,	Stank,
Cadwalader,	Heatherington,	Mills,	Stonier,
Chudoff,	Helm,	Moore, C. E.,	Stuart,
Cohen,	Hennihan,	Moore, W. J.,	Swope,
Coleman,	Hersch,	Moran,	Tate,
Cook,	Hewitt,	Moser,	Tittle,
Cooper,	Hoffman,	Munley,	Trent,
Corrigan,	Howells,	Murray, M. L.,	Trout,
Costa,	Hunter,	Murray, P. G.,	Turbett,
Coulson,	Huntley,	Nagel,	Turner,
Coyle,	James,	Nelson,	Varallo,
Cullen,	Jones,	O'Brien,	Wachhaus,
Dague,	Kennedy,	O'Connor,	Wagner,
Dennison,	Kirley,	O'Dare,	Waterhouse,
Depuy,	Kline,	O'Donnell,	Watkins,
Dix,	Kolankiewicz,	O'Neill,	Weiss,
Dougherty,	Komorofski,	Owens,	Welsh,
Dye,	Krise,	Pentrack,	Wescott,
Elder,	Kurtz,	Petrosky,	White,
Elish,	Lane,	Pickens,	Wood N.,
Erb,	Laughner,	Polaski,	Worley,
Ewing,	Lee,	Polen,	Wright,
Flack,	Leisey,	Powers,	Yeakel,
Fleming,	Leonard,	Propert,	Yester,
Foor,	Levy,	Reagan,	Fiss,
Fox,	Lichtenwalter,	Reese, D. P.,	Speaker.
Freed,	Loftus,	Reese, R. E.,	

NAYS—0

NOT VOTING—24

Baumunk,	Grant,	Mihm,	Snyder,
Bentley,	Guthrie,	Mooney,	Stockham,
Boles,	Hering,	Readinger,	Tahl,
Dalrymple,	Herman,	Root,	Trachtman,
Dillon,	Hoggard,	Rose,	Verona,
Duffy,	Hoopes,	Schuster,	Wood, L. H.,
Finnerty,	McDowell,	Skale,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 876, as follows:

An Act to amend section three of and to add section three point one to the act approved the twenty-fifth day of May one thousand nine hundred thirty-three (P. L. 1019) entitled as amended "An act relating to seated and unseated lands purchased by county commissioners at county treasurer's sales of such lands for collection of taxes authorizing the county commissioners to sell the same at private sale under the circumstances" by authorizing the county commissioners to advertise for private offers for such lands and providing for the distribution of the proceeds of such sales

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the twenty-fifth day of May one thousand nine hundred thirty-three (P. L. 1019) entitled as amended "An act relating to seated and unseated lands purchased by county commissioners at county treasurer's sales of such lands for collection of taxes authorized the county commissioners to sell the same at private sale under the circumstances" is hereby amended to read as follows

Section 3 Upon hearing being held if no valid objections are interposed to said sale and if it shall appear to the court that said sale should be made according to its terms the court shall order the county commissioners to make and deliver to the purchaser a commissioners' deed for the proper conveying of said lands and to collect the purchase price therefor and [to pay all costs of the proceeding from the said purchase price] the proceeds realized from said sale shall be distributed to the payment of first the costs of sale second all moneys expended by the county in the demolition removal or repair of any building or structure on such property after the same had been condemned as unsafe by the political subdivision in which the same is located third all moneys expended by the county on order of the Pennsylvania State Police or an assistant to the Pennsylvania State Police in removing or remedying any condition on such property that is found to be a fire menace or hazard and fourth taxes due the various taxing authorities in proportion to their respective interests

Section 2 The said act is hereby amended by adding immediately after section three a new section to read as follows

Section 3.1 The county commissioners may in their discretion insert once each year in one or more newspapers of general circulation published in the county wherein such lands are located an advertisement listing any or all of the said lands purchased at such county treasurer's sales and for which period of redemption has expired and informing the public that offers for the purchase at private sale of any of such lands will be given consideration

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Andrews,	Freed,	Loftus,	Reese, R. E.,
Baker,	Frost,	Longo,	Regan,

Barrett,	Fullerton,	Lopez,	Reidenbach,
Barton,	Gaffney,	Lovett,	Reilly,
Bentley,	Gallagher,	Lyons,	Reynolds,
Bonawitz,	Gardner,	Madden,	Riley,
Boney,	Getchey,	Madigan,	Robertson,
Boorse,	Gibson,	Mahany,	Royer,
Boory,	Goodling,	Matthews,	Rudisill,
Bower,	Gore,	McAtee,	Scanlon,
Brancato,	Green,	McClester,	Serrill,
Breisch,	Greenwood,	McKinney,	Shaffer,
Brice,	Greer,	McLanahan,	Shoemaker,
Brothers,	Gyger,	McMillen,	Sloan,
Brown,	Haberlen,	McNair,	Smith,
Brunner, C. H.,	Hall,	McNally,	Snider,
Brunner, P. A.,	Hamilton,	Mikula,	Sollenberger,
Burns,	Hare,	Miller,	Sorg,
Cadwalader,	Haudenshield,	Milliken,	Stank,
Chudoff,	Heatherington,	Mills,	Stonier,
Cohen,	Helm,	Moore, C. E.,	Stuart,
Coleman,	Hennihan,	Moore, W. J.,	Swope,
Cook,	Hersch,	Moran,	Tate,
Cooper,	Hewitt,	Moser,	Tittle,
Corrigan,	Hoffman,	Munley,	Trent,
Costa,	Howells,	Murray, M. L.,	Trout,
Coulson,	Huntley,	Murray, P. G.,	Turbett,
Coyle,	Hunter,	Nagel,	Turner,
Cullen,	James,	Nelson,	Varallo,
Dague,	Jones,	O'Brien,	Wachhaus,
Dennison,	Kennedy,	O'Connor,	Wagner,
Depuy,	Kirley,	O'Dare,	Waterhouse,
Dix,	Kline,	O'Donnell,	Watkins,
Dougherty,	Kolankiewicz,	O'Neill,	Weiss,
Dye,	Komorofski,	Owens,	Welsh,
Elder,	Krise,	Pentrack,	Wescott,
Elish,	Kurtz,	Petrosky,	White,
Erb,	Lane,	Pickens,	Wood, N.,
Ewing,	Laughner,	Polaski,	Worley,
Flack,	Lee,	Polen,	Wright,
Fleming,	Leisey,	Powers,	Yeakel,
Foor,	Leonard,	Propert,	Yester,
Fox,	Levy,	Reagan,	Fiss,
	Lichtenwalter,	Reese, D. P.,	Speaker.

NAYS—0

NOT VOTING—25

Baumunk,	Grant,	Mihm,	Snyder,
Bentzel,	Guthrie,	Mooney,	Stockham,
Boles,	Hering,	Readinger,	Tahl,
Dalrymple,	Herman,	Root,	Trachtman,
Dillon,	Hoggard,	Rose,	Verona,
Duffy,	Hoopes,	Schuster,	Wood, L. H.,
Finnerty,	McDowell,	Skale,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 877, as follows:

An Act to further amend sections sixteen and seventeen of the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpayment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" clarifying the provisions relating to the resale of such property purchased by the county commissioners at county treasurer's sales eliminating the right of redemption after such sales and further providing for the reimbursement to the county for moneys spent on such property in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section sixteen of the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpayment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" as last amended by the act approved the twentieth day of June one thousand nine hundred thirty-nine (P. L. 498) is hereby further amended to read as follows

Section 16 When the county commissioners shall purchase any real property at a county treasurer's sale they shall provide a book wherein shall be entered (a) the name of the person as whose land the same was sold (b) a brief description of the property together with any lot and block number (c) the amount of taxes interest and costs as it remains the property of the county be charged in the duplicate During the redemption period following such sale if the land remains unredeemed the commissioners shall in separate columns in the same book charge every such tract of land with like county city borough town township school and poor taxes as would have been chargeable against the land had the same not been purchased by the county commissioners The right of redemption of lands [heretofore] purchased by the county commissioners shall remain in the real owner of such lands or other persons interested [for five years after such sale to the county commissioners and of all lands hereafter purchased by the county commissioners such right shall remain] for two years after such sale and such redemption may be accomplished by a payment within such period to the county treasurer of first all taxes interest and costs due thereon at the time of sale and interest thereon and also second the taxes and interest which have been annually levied and charged thereon after the sale and interest thereon beginning on the first day of January in the year succeeding the year when the respective taxes were levied and also third all moneys expended by the county in the demolition and removal of any building or structure on such property or the repair thereof in order to make the same safe pursuant to an order by the authorities of the political subdivision in which the property is located after such building or structure had been condemned as unsafe and also forth all moneys expended by the county on order of the Pennsylvania State Police or an assistant to the Pennsylvania State Police in removing or remedying any condition on such property that is found to be a fire menace or hazard All redemptions of property purchased by the county commissioners shall be noted upon their records and the county treasurer shall forthwith cause an entry of redemption to be made on the records in like manner as if such property were purchased by other than county commissioners

Section 2 Section seventeen of said act as reenacted and amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 364) is hereby further amended to read as follows

Section 17 If the owner of any real property his heirs or legal representatives or lien creditor his heirs assigns or legal representatives or other person interested in property so purchased by the county commissioners shall not redeem the same within such period of redemption the county commissioners may after the expiration of such period sell such lands at public sale [or] as provided by this act or at private sale in the manner pro-

vided by law for such private sales for the best price or prices obtainable but they shall not be obliged to sell same Any such lands now owned by the county for which the redemption period has expired including property heretofore exposed to sale by the county commissioners and for which no bids have been received may be sold as herein provided at any time after the effective date of this act but shall not be required to be sold After any such sale or in the case of any redemption the property shall be charged by the assessor in the name of the last purchaser or redeemer and such lands shall again be liable for taxes as other lands

The county commissioners before making public sale of real property purchased by them at tax sales shall give at least thirty days' notice once a week for three consecutive weeks of such sales particularly designating the tracts that are to be sold This notice shall be inserted in at least two newspapers published in the county if so many are published in said county if there be only one then in such newspaper published in the county

Such advertisement shall set forth

(a) The purpose of such sale

(b) The time of such sale

(c) The place of such sale

(d) The terms of such sale

(e) A list of seated lands affected and their location and the owner or reputed owner of each

Where any such public sale has been advertised under the provisions of this section prior to this amendment and such sale not having been held the readvertisement of such sale need not be advertised three consecutive weeks nor include a list and description of the lands to be sold but need only be advertised by one insertion in one or two newspapers as aforesaid at least thirty days prior to the sale and include the purpose the time the place and the terms of such sale with a reference to the prior advertisement

The county commissioners may fix an upset price to be realized for any property exposed to sale by them as aforesaid sufficient to pay first all costs second all moneys expended by the county in the demolition removal or repair of any building or structure on such property after the same had been condemned as unsafe by the political subdivision in which the same is located third all moneys expended by the county on order of the Pennsylvania State Police or an assistant to the Pennsylvania State Police in removing or remedying any condition on such property that is found to be a fire menace or hazard and fourth all tax claims against the property including tax liens of the Commonwealth tax liens filed in the prothonotary's office of the proper county taxes returned to the county commissioners and entered upon the Tax Return Docket in their office and indexed in the tax lien index in their office fifth all accrued but unfiled taxes assessed and levied against the property and sixth the amount of the municipal claims against the property In case the upset price shall not be bid for the property the county commissioners may postpone the sale and file their petition in the court of common pleas of the proper county setting forth that the property was purchased by them at a county treasurer's sale for unpaid taxes that more than two years has elapsed since the property was sold to them by the county treasurer that neither the owner his heirs or legal representatives or any lien creditor his heirs assigns or legal representatives or other person interested has redeemed the property that they exposed the property to public sale that before exposing the property to public sale they fixed an upset price as above provided and that they were unable to obtain a bid sufficient to pay said upset price Upon the presentation of such petition accompanied with searches showing the state of the record and the ownership of the property and of all municipal claims mortgages and ground rents against the same which were not divested by the county treasurer's sale the court shall grant a rule upon all parties thus shown to be interested to appear and show cause why a decree should not be made that said property be sold freed and cleared of their respective mortgages municipal claims and ground rents If upon a hearing thereafter the court is satisfied that service has been made of said rule upon the parties respondent in the manner provided for the service of writs of scire facias to obtain judgments upon tax and municipal claims and that the facts stated in the petition are true it shall order and decree that said property be sold at a subsequent day to be fixed by the court without further advertisement clear of all mortgages municipal claims and ground rents to the highest bidder at such sale and the proceeds realized therefrom shall be distributed to payment first of the costs of sale second the tax liens of the Commonwealth if any third all moneys expended by the county in the demolition removal or repair of any building or structure on such property after the same had been condemned as unsafe by the political subdivision in which the same is located fourth all moneys expended by the county on order of the Pennsylvania State Police or an assistant to the Pennsylvania State Police in removing or remedying any condition on such property that is found to be a fire menace or hazard fifth taxes due the various taxing districts in propotion to their respective interests [fourth] sixth municipal claims due on such property and [fifth] seventh mortgage and other liens in order of their priority The purchaser at such sale [or any owner who redeems as hereinafter provided] shall take and forever thereafter have an absolute title to the property sold free and discharged of all tax and municipal claims liens mortgages charges and estates of whatsoever kind [Provided however That any owner of the property so sold may within ten days after the date of the said sale redeem the property so sold upon payment of the bid price and the costs of sale and a penalty of ten per centum (10%) of the bid price which penalty shall be distributed as a part of the proceeds of the sale]

After such sale the county commissioners shall make and deliver a deed being acknowledged before an officer authorized to acknowledge deeds Where the sale is made without securing an order of court as aforesaid such deed shall pass such title as the county commissioners have a right to convey but where the sale is made after securing an order as aforesaid such deed shall pass title free clear and discharged of all tax and municipal claims liens mortgages charges and estates of whatsoever kind

All public or private sales of any such lands heretofore made by any county commissioners shall be valid and binding on the county and all deeds and conveyances given by the county for any such lands are hereby ratified confirmed and validated and the purchasers thereof and their respective heirs successors and assigns shall hold and may convey such titles and estates indefeasibly as to any rights of the county therein notwithstanding the fact that the time within which such sales were by law required to be made had expired when such sales were made

Section 3 The provisions of this amendment shall become effective immediately upon final enactment and shall be effective as to properties heretofore or hereafter sold by any county providing distribution of the proceeds thereof has not been made and as to moneys heretofore or hereafter expended for the demolition removal and repair of structures on such properties

Section 4 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Andrews,	Frost,	Longo,	Regan,

Baker,	Fullerton,	Lopez,	Reidenbach,
Barrett,	Gaffney,	Lovett,	Reilly,
Barton,	Gallagher,	Lyons,	Reynolds,
Bentzel,	Gardner,	Madden,	Riley,
Bonawitz,	Getchey,	Madigan,	Robertson,
Boney,	Gibson,	Mahany,	Rudisill,
Boorse,	Goodling,	Matthews,	Royer,
Boory,	Gore,	McAtee,	Scanlon,
Bower,	Green,	McClester,	Serrill,
Brancato,	Greenwood,	McKinney,	Shaffer,
Breisch,	Greer,	McLanahan,	Shoemaker,
Brice,	Gyger,	McMillen,	Sloan,
Brothers,	Haberlen,	McNair,	Smith,
Brown,	Hall,	McNally,	Snider,
Brunner, C. H.,	Hamilton,	Mills,	Sollenberger,
Brunner, P. A.,	Hare,	Mikula,	Sorg,
Burns,	Haudenshield,	Miller,	Stank,
Cadwalader,	Heatherington,	Milliken,	Stonier,
Chudoff,	Helm,	Moore, C. E.,	Stuart,
Cohen,	Hennihan,	Moore, W. J.,	Swope,
Coleman,	Hersch,	Moran,	Tate,
Cook,	Hewitt,	Moser,	Tittle,
Cooper,	Hoffman,	Munley,	Trent,
Corrigan,	Howells,	Murray, M. L.,	Trout,
Costa,	Hunter,	Murray, P. G.,	Turbett,
Coulson,	Huntley,	Nagel,	Turner,
Coyle,	James,	Nelson,	Varallo,
Cullen,	Jones,	O'Brien,	Wachhaus,
Dague,	Kennedy,	O'Connor,	Wagner,
Dennison,	Kirley,	O'Dare,	Waterhouse,
Depuy,	Kline,	O'Donnell,	Watkins,
Dix,	Kolankiewicz,	O'Neill,	Weiss,
Dougherty,	Komorofski,	Owens,	Welsh,
Dye,	Krise,	Pentrack,	Wescott,
Elder,	Kurtz,	Petrosky,	White,
Elish,	Lane,	Pickens,	Wood, N.,
Erb,	Laughner,	Polaski,	Worley,
Ewing,	Lee,	Polen,	Wright,
Flack,	Leisey,	Powers,	Yeakel,
Fleming,	Leonard,	Propert,	Yester,
Foor,	Levy,	Reagan,	Fiss,
Fox,	Lichtenwalter,	Reese, D. P.,	Speaker.
Freed,	Loftus,	Reese, R. E.,	

NAYS—0

NOT VOTING—24

Baumunk,	Grant,	Mihm,	Snyder,
Bentley,	Guthrie,	Mooney,	Stockham,
Boies,	Hering,	Readinger,	Tahl,
Dalrymple,	Herman,	Root,	Trachtman,
Dillon,	Hoggard,	Rose,	Verona,
Duffy,	Hoopes,	Schuster,	Wood, L. H.,
Finnerty,	McDowell,	Skale,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 123, as follows:

An Act to repeal Section one thousand thirty-three (1033) of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibusses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the Act approved May twenty-first one thousand nine hundred forty-three (P. L. 559)

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That section one thousand thirty-three (1033) of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibusses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the Act approved May twenty-first one thousand nine hundred forty-three (P. L. 559) is hereby repealed

Section 2 That all acts or parts of acts inconsistent herewith are hereby repealed

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—173

Andrews,	Freed,	Loftus,	Regan,
Baker,	Frost,	Longo,	Reidenbach,
Barrett,	Fullerton,	Lopez,	Reilly,
Barton,	Gaffney,	Lovett,	Reynolds,
Bentzel,	Gallagher,	Lyons,	Riley,
Bonawitz,	Gardner,	Madden,	Robertson,
Boney,	Getchey,	Madigan,	Royer,
Boorse,	Gibson,	Mahany,	Rudisill,
Boory,	Goodling,	Matthews,	Scanlon,
Bower,	Gore,	McAtee,	Serrill,
Brancato,	Green,	McClester,	Shaffer,
Breisch,	Greenwood,	McKinney,	Shoemaker,
Brice,	Greer,	McLanahan,	Sloan,
Brothers,	Gyger,	McMillen,	Smith,
Brown,	Haberlen,	McNair,	Snider,
Brunner, C. H.,	Hall,	McNally,	Sollenberger,
Brunner, P. A.,	Hamilton,	Mikula,	Sorg,
Burns,	Hare,	Miller,	Stank,
Cadwalader,	Haudenshield,	Milliken,	Stonier,
Chudoff,	Helm,	Mills,	Stuart,
Cohen,	Hennihan,	Moore, C. E.,	Swope,
Coleman,	Hersch,	Moore, W. J.,	Tate,
Cook,	Hewitt,	Moser,	Tittle,
Cooper,	Hoffman,	Munley,	Trent,
Corrigan,	Howells,	Murray, M. L.,	Trout,
Costa,	Hunter,	Murray, P. G.,	Turbett,

Coulson,	Huntley,	Nelson,	Turner,
Coyle,	James,	O'Connor,	Varallo,
Cullen,	Jones,	O'Brien,	Wachhaus,
Dague,	Kennedy,	O'Dare,	Wagner,
Dennison,	Kirley,	O'Donnell,	Waterhouse,
Depuy,	Kline,	O'Neill,	Watkins,
Dix,	Kolanklewicz,	Owens,	Weiss,
Dougherty,	Komorofski,	Pentrack,	Welsh,
Dye,	Krise,	Petrosky,	Wescott,
Elder,	Kurtz,	Pickens,	White,
Elish,	Lane,	Polaski,	Wood, N.,
Erb,	Laughner,	Polen,	Worley,
Ewing,	Lee,	Powers,	Wright,
Flack,	Leisey,	Propert,	Yeakel,
Fleming,	Leonard,	Reagan,	Fiss,
Foor,	Levy,	Reese, D. P.,	Speaker.
Fox,	Lichtenwalter,	Reese, R. E.,	

NAYS—4

Heatherington,	Moran,	Nagel,	Yester,

NOT VOTING—24

Baumunk,	Grant,	Mihm,	Snyder,
Bentley,	Guthrie,	Mooney,	Stockham,
Boies,	Hering,	Readinger,	Tahl,
Dalrymple,	Herman,	Root,	Trachtman,
Dillon,	Hoggard,	Rose,	Verona,
Duffy,	Hoopes,	Schuster,	Wood, L. H.,
Finnerty,	McDowell,	Skale,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 138, as follows:

An Act to amend section four hundred thirty-six of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278 Number 447) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by extending authorization to counties to make appropriations for historical compliations and publications relating to their own counties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred thirty-six of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278 Number 447) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended to read as follows

Section 436 County [War] History The county commissioners of any county may either independently or in connection with any other municipality or municipalities within their respective county or any society or organization appropriate money for the compilation ana publication of a county war history or any general history or historical account related to the history records and government of the county and to provide for the publication and distribution of the same

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Andrews,	Frost,	Longo,	Reese, R. E.,
Baker,	Fullerton,	Lopez,	Regan,
Barrett,	Gaffney,	Lovett,	Reidenbach,
Barton,	Gallagher,	Lyons,	Reilly,
Bentzel,	Gardner,	Madden,	Reynolds,
Bonawitz,	Getchey,	Madigan,	Riley,
Boney,	Gibson,	Mahany,	Robertson,
Boorse,	Goodling,	Matthews,	Royer,
Boory,	Gore,	McAtee,	Rudisill,
Bower,	Green,	McClester,	Scanlon,
Brancato,	Greenwood,	McKinney,	Serrill,
Breisch,	Greer,	McLanahan,	Shaffer,
Brice,	Gyger,	McMillen,	Shoemaker,
Brothers,	Haberlen,	McNair,	Sloan,
Brown,	Hall,	McNally,	Smith,
Brunner, C. H.,	Hamilton,	Mikula,	Snider,
Brunner, P. A.,	Hare,	Miller,	Sollenberger,
Burns,	Haudenshield,	Milliken,	Sorg,
Cadwalader,	Heatherington,	Mills,	Stank,
Chudoff,	Helm,	Moore, C. E.,	Stonier,
Cohen,	Hennihan,	Moore, W. J.,	Stuart,
Coleman,	Hersch,	Moran,	Swope,
Cook,	Hewitt,	Moser,	Tate,
Cooper,	Hoffman,	Munley,	Tittle,
Corrigan,	Howells,	Murray, M. L.,	Trent,
Costa,	Hunter,	Murray, P. G.,	Trout,
Coulson,	Huntley,	Nagel,	Turbett,
Coyle,	James,	Nelson,	Turner,
Cullen,	Jones,	O'Brien,	Varallo,
Dague,	Kennedy,	O'Connor,	Wachhaus,
Dennison,	Kirley,	O'Dare,	Wagner,
Depuy,	Kline,	O'Donnell,	Waterhouse,
Dix,	Kolanklewicz,	O'Neill,	Watkins,
Dougherty,	Komorofski,	Owens,	Weiss,
Dye,	Krise,	Pentrack,	Welsh,
Elder,	Kurtz,	Petrosky,	Wescott,
Elish,	Lane,	Pickens,	White,
Erb,	Laughner,	Polaski,	Wood, N.,
Ewing,	Lee,	Polen,	Worley,
Flack,	Leisey,	Powers,	Wright,
Fleming,	Leonard,	Propert,	Yeakel,
Foor,	Levy,	Reagan,	Yester,
Fox,	Lichtenwalter,	Reese, D. P.,	Fiss,
Freed,	Loftus,		Speaker.

NAYS—0

NOT VOTING—24

Baumunk,	Grant,	Mihm,	Snyder,
Bentley,	Guthrie,	Mooney,	Stockham,
Boies,	Hering,	Readinger,	Tahl,
Dalrymple,	Herman,	Root,	Trachtman,
Dillon,	Hoggard,	Rose,	Verona,
Duffy,	Hoopes,	Schuster,	Wood, L. H.,
Finnerty,	McDowell,	Skale,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 145, as follows:

An Act to amend section three of the act approved the twentieth day of May one thousand nine hundred twenty-one (P. L. 938) entitled "An act to provide for the better preservation of the books and papers in the office of the prothonotaries in the counties of this Commonwealth by copying transcribing and certification of dilapidated faded or injured books or papers" by providing for instances in which originals of said books and papers may be destroyed

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the twentieth day of May one thousand nine hundred twenty-one

(P. L. 938) entitled "An act to provide for the better preservation of the books and papers in the office of the prothonotaries in the counties of this Commonwealth by copying transcribing and certification of dilapidated faded or injured books or papers" is hereby amended to read as follows

Section 3 The original books or papers so transcribed or copied shall not be destroyed but shall be preserved by the prothonotary with a certificate attached thereto by him certifying that said books and papers have been replaced with a copy as provided by this statute Provided however That where said original books and papers are copied or transcribed by photostatic photographic or other mechanical means as provided for by section one of the act approved May twentieth one thousand nine hundred thirty-seven (P. L. 739) entitled "An act authorizing the recording and copying of documents plats papers and instruments of writing by photostatic photographic or other mechanical process and relating to the effect and use of such copies and records" the originals of said books or papers may be destroyed under court order upon petition to the Court of Common Pleas

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Andrews,	Frost,	Longo,	Reese, R. E.,
Baker	Fullerton,	Lopez,	Regan,
Barrett,	Gaffney,	Lovett,	Reidenbach,
Barton,	Gallagher,	Lyons,	Reilly,
Bentzel,	Gardner,	Madden,	Reynolds,
Bonawitz,	Getchey,	Madigan,	Riley,
Boney,	Gibson,	Mahany,	Robertson,
Boorse,	Goodling,	Matthews,	Royer,
Boory,	Gore,	McAtee,	Rudisill,
Bower,	Green,	McClester,	Scanlon,
Brancato,	Greenwood,	McKinney,	Serrill,
Breisch,	Greer,	McLanahan,	Shaffer,
Brice,	Gyger,	McMillen,	Shoemaker,
Brothers,	Haberlen,	McNair,	Sloan,
Brown,	Hall,	McNally,	Smith,
Brunner, C. H.,	Hamilton,	Mikula,	Snider,
Brunner, P. A.,	Hare,	Miller,	Sollenberger,
Burns,	Haudenshield,	Milliken,	Sorg,
Cadwalader,	Heatherington,	Mills,	Stank,
Chudoff,	Helm,	Moore, C. E.,	Stonier,
Cohen,	Hennihan,	Moore, W. J.,	Stuart,
Coleman,	Hersch,	Moran,	Swope,
Cook,	Hewitt,	Moser,	Tate,
Cooper,	Hoffman,	Munley,	Tittle,
Corrigan,	Howells,	Murray, M. L.,	Trent,
Costa,	Hunter,	Murray, P. G.,	Trout,
Coulson,	Huntley,	Nagel,	Turbett,
Coyle,	James,	Nelson,	Turner,
Cullen,	Jones,	O'Brien,	Varallo,
Dague,	Kennedy,	O'Connor,	Wachhaus,
Dennison,	Kirley,	O'Dare,	Wagner,
Depuy,	Kline,	O'Donnell,	Waterhouse,
Dix,	Kolankiewicz,	Owens,	Watkins,
Dougherty,	Komorofski,	O'Neill,	Weiss,
Dye,	Krise,	Pentrack,	Welsh,
Elder,	Kurtz,	Petrosky,	Wescott,
Elish,	Lane,	Pickens,	White,
Erb,	Laughner,	Polaski,	Wood, N.,
Ewing,	Lee,	Polen,	Worley,
Flack,	Leisey,	Powers,	Wright,
Fleming,	Leonard,	Propert,	Yeakel,
Foor,	Levy,	Reagan,	Yester,
Fox,	Lichtenwalter,	Reese, D. P.,	Fiss,
Freed,	Loftus,		Speaker.

NAYS—0

NOT VOTING—24

Baumunk,	Grant,	Mihm,	Snyder,
Bentley,	Guthrie,	Mooney,	Stockham,
Boies,	Hering,	Readinger,	Tahl,
Dalrymple,	Herman,	Root,	Trachtman,
Dillon,	Hoggard,	Rose,	Verona,
Duffy,	Hoopes,	Schuster,	Wood, L. H.,
Finnerty,	McDowell,	Skale,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 182, as follows:

A Joint Resolution proposing an amendment to section one of article fourteen of the Constitution of the Commonwealth of Pennsylvania by making sheriffs eligible to succeed themselves

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows

Section 1 The following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the provisions of the eighteenth article thereof

That section one of article fourteen of the Constitution of Pennsylvania be amended to read as follows

Section 1 County officers shall consist of sheriffs coroners prothonotaries register of wills recorder of deeds commissioners treasurers surveyors auditors or controllers clerks of the courts district attorneys and such other as may from time to time be established by law and no treasurer shall be eligible for the term next succeeding the one for which he may be elected

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Andrews,	Frost,	Longo,	Reese, R. E.,
Baker,	Fullerton,	Lopez,	Regan,
Barrett,	Gaffney,	Lovett,	Reidenbach,
Barton,	Gallagher,	Lyons,	Reilly,
Bentzel,	Gardner,	Madden,	Reynolds,
Bonawitz,	Getchey,	Madigan,	Robertson,
Boney,	Gibson,	Mahany,	Royer,
Boorse,	Goodling,	Matthews,	Rudisill,
Boory,	Gore,	McAtee,	Scanlon,
Bower,	Green,	McClester,	Serrill,
Brancato,	Greenwood,	McKinney,	Shaffer,
Breisch,	Greer,	McLanahan,	Shoemaker,
Brice,	Gyger,	McMillen,	Sloan,
Brothers,	Haberlen,	McNair,	Smith,
Brown,	Hall,	McNally,	Snider,
Brunner, C. H.,	Hamilton,	Mikula,	Sollenberger,
Brunner, P. A.,	Hare,	Miller,	Sorg,
Burns,	Haudenshield,	Milliken,	Stank,
Cadwalader,	Heatherington,	Mills,	Stonier,
Chudoff,	Helm,	Moore, C. E.,	Stuart,
Cohen,	Hennihan,	Moore, W. J.,	Swope,
Coleman,	Hersch,	Moran,	Tate,
Cook,	Hewitt,	Moser,	Tittle,
Cooper,	Hoffman,	Munley,	Trachtman,
Corrigan,	Howells,	Murray, M. L.,	Trent,
Costa,	Hunter,	Murray, P. G.,	Trout,
Coulson,	Huntley,	Nagel,	Turbett,
Coyle,	James,	Nelson,	Turner,
Cullen,	Jones,	O'Brien,	Varallo,
Dague,	Kennedy,	O'Connor,	Wachhaus,
Dennison,	Kirley,	O'Dare,	Wagner,
Depuy,	Kline,	O'Donnell,	Waterhouse,
Dix,	Kolankiewicz,	Owens,	Watkins,

Dougherty,	Komorofski,	O'Neill,	Weiss,
Dye,	Krise,	Pentrack,	Welsh,
Elder,	Kurtz,	Petrosky,	Wescott,
Elish,	Lane,	Pickens,	White,
Erb,	Laughner,	Polaski,	Wood, N.,
Ewing,	Lee,	Polen,	Worley,
Flack,	Leisey,	Powers,	Wright,
Fleming,	Leonard,	Propert,	Yeakel,
Foor,	Levy,	Reagan,	Yester,
Fox,	Lichtenwalter,	Reese, D. P.,	Fiss,
Freed,	Loftus,		Speaker.

NAYS—0

NOT VOTING—24

Baumunk,	Grant,	Mihm,	Skale,
Bentley,	Guthrie,	Mooney,	Snyder,
Boies,	Hering,	Readinger,	Stockham,
Dalrymple,	Herman,	Riley,	Tahl,
Dillon,	Hoggard,	Root,	Verona,
Duffy,	Hoopes,	Rose,	Wood, L. H.,
Finnerty,	McDowell,	Schuster,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 333, as follows:

An Act to further amend part of section four hundred thirty-nine of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by changing the name of the veterans' grave registrar appointed by the county commissioners to the director of veterans affairs

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The last two paragraphs of section four hundred thirty-nine of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as last amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 286) is hereby further amended to read as follows

Section 439 Compilation of War Records

* * * * *

For the purpose of locating the burial places of persons who have served in the military or naval service or other branches of the combative forces of the United States during any war in which the United States was engaged the Grand Army of the Republic the United Spanish War Veterans the Veterans of Foreign Wars of the United States the American Legion and the Disabled American Veterans through their local camps posts and branches in this State are authorized without expense to the county to collect the required data and prepare and file with the county commissioners certificate embodying the information provided for in this section For the purpose of carrying into effect the provisions of this section the county commissioners shall appoint a [veterans' grave registrar] director of veterans affairs who shall receive such compensation as the salary board may fix in counties where such boards exist otherwise by the county commissioners

It shall also be the duty of the [veterans' grave registrar] director of veterans affairs to

(1) Assist the county commissioners in administering the provisions of this act relating to the burial of deceased service persons and their widows and to furnishing markers and placing headstones on their graves

(2) Assist war veterans and their families in securing their rights as such in matters relating to their personal property and care of family under any of the laws of this Commonwealth and of the United States and for such services the [grave registrar] director of veterans affairs shall be entitled to his expenses incurred therein and additional compensation and both expenses and compensation shall be subject to the approval of the salary board or county commissioners as the case may be

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Andrews,	Frost,	Longo,	Reese, R. E.,
Baker,	Fullerton,	Lopez,	Regan,
Barrett,	Gaffney,	Lovett,	Reidenbach,
Barton,	Gallagher,	Lyons,	Reilly,
Bentzel,	Gardner,	Madden,	Reynolds,
Bonawitz,	Getchey,	Madigan,	Riley,
Boney,	Gibson,	Mahany,	Robertson,
Boorse,	Goodling,	Matthews,	Royer,
Boory,	Gore,	McAtee,	Rudisill,
Bower,	Green,	McClester,	Scanlon,
Brancato,	Greenwood,	McKinney,	Serrill,
Breisch,	Greer,	McLanahan,	Shaffer,
Brice,	Gyger,	McMillen,	Shoemaker,
Brothers,	Haberlen,	McNair,	Sloan,
Brown,	Hall,	McNally,	Smith,
Brunner, C. H.,	Hamilton,	Mikula,	Snider,
Brunner, P. A.,	Hare,	Miller,	Sollenberger,
Burns,	Haudenshield,	Milliken,	Sorg,
Cadwalader,	Heatherington,	Mills,	Stank,
Chudoff,	Helm,	Moore, C. E.,	Stonier,
Cohen,	Hennihan,	Moore, W. J.,	Stuart,
Coleman,	Hersch,	Moran,	Swope,
Cook,	Hewitt,	Moser,	Tate,
Cooper,	Hoffman,	Munley,	Tittle,
Corrigan,	Howells,	Murray, M. L.,	Trent,
Costa,	Hunter,	Murray, P. G.,	Trout,
Coulson,	Huntley,	Nagel,	Turbett,
Coyle,	James,	Nelson,	Turner,
Cullen,	Jones,	O'Brien,	Varallo,
Dague,	Kennedy,	O'Connor,	Wachhaus,
Dennison,	Kirley,	O'Dare,	Wagner,
Depuy,	Kline,	O'Donnell,	Waterhouse,
Dix,	Kolankiewicz,	O'Neill,	Watkins,
Dougherty,	Komorofski,	Owens,	Weiss,
Dye,	Krise,	Pentrack,	Welsh,
Elder,	Kurtz,	Petrosky,	Wescott,
Elish,	Lane,	Pickens,	White,
Erb,	Laughner,	Polaski,	Wood, N.,
Ewing,	Lee,	Polen,	Worley,
Flack,	Leisey,	Powers,	Wright,
Fleming,	Leonard,	Propert,	Yeakel,
Foor,	Levy,	Reagan,	Yester,
Fox,	Lichtenwalter,	Reese, D. P.,	Fiss,
Freed,	Loftus,		Speaker.

NAYS—0

NOT VOTING—24

Baumunk,	Grant,	Mihm,	Snyder,
Bentley,	Guthrie,	Mooney,	Stockham,
Boies,	Hering,	Readinger,	Tahl,
Dalrymple,	Herman,	Root,	Trachtman,
Dillon,	Hoggard,	Rose,	Verona,
Duffy,	Hoopes,	Schuster,	Wood, L. H.,
Finnerty,	McDowell,	Skale,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate

with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 317, as follows:

An Act providing that all fines and penalties collected in summary proceedings shall be turned over quarterly to the Commonwealth of Pennsylvania for the use of the appropriate state department the county treasurer for the use of the county or the political or municipal subdivision entitled to the payment of said fine penalty or forfeiture and providing a penalty for neglect to comply therewith

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All fines penalties and forfeitures collected by magistrates aldermen and justices of the peace in summary proceedings under the provisions of any general local or special law unless disposition thereof is therein otherwise specifically provided for shall be turned over quarterly to the Commonwealth of Pennsylvania for the use of the appropriate state department the county treasurer for the use of the county or the political or municipal subdivision entitled to the payment of said fine penalty or forfeiture accompanied by an affidavit giving the names addresses offenses charged amounts collected and the dates of the offenses

If the magistrates aldermen and justices of the peace fail or neglect to comply with the above requirements and provisions a penalty of six per cent interest is hereby imposed on the amount of money in the possession of said magistrates aldermen and justices of the peace until such time as payment is made

Section 2 All acts general local or special inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Andrews,	Frost,	Longo,	Regan,
Baker,	Fullerton,	Lopez,	Reidenbach,
Barrett,	Gaffney,	Lovett,	Reilly,
Barton,	Gallagher,	Lyons,	Reynolds,
Bentzel,	Gardner,	Madden,	Riley,
Bonawitz,	Getchey,	Madigan,	Robertson,
Boney,	Gibson,	Mahany,	Royer,
Boorse,	Goodling,	Matthews,	Rudisill,
Boory,	Gore,	McAtee,	Scanlon,
Bower,	Green,	McClester,	Serrill,
Brancato,	Greenwood,	McKinney,	Shaffer,
Breisch,	Greer,	McLanahan,	Shoemaker,
Brice,	Gyger,	McMillen,	Sloan,
Brothers,	Haberlen,	McNally,	Smith,
Brown,	Hall,	McNair,	Snider,
Brunner, C. H.,	Hamilton,	Mikula,	Sollenberger,
Brunner, P. A.,	Hare,	Miller,	Sorg,
Burns,	Haudenshield,	Milliken,	Stank,
Cadwalader,	Heatherington,	Mills,	Stonier,
Chudoff,	Helm,	Moore, C. E.,	Stuart,
Cohen,	Hennihan,	Moore, W. J.,	Swope,
Coleman,	Hersch,	Moran,	Tate,
Cook,	Hewitt,	Moser,	Tittle,
Cooper,	Hoffman,	Munley,	Trent,
Corrigan,	Howells,	Murray, M. L.,	Trout,
Costa,	Hunter,	Murray, P. G.,	Turbett,
Coulson,	Huntley,	Nagel,	Turner,
Coyle,	James,	Nelson,	Varallo,
Cullen,	Jones,	O'Brien,	Wachhaus,
Dague,	Kennedy,	O'Connor,	Wagner,
Dennison,	Kirley,	O'Dare,	Waterhouse,
Depuy,	Kline,	O'Donnell,	Watkins,
Dix,	Kolankiewicz,	O'Neill,	Weiss,
Dougherty,	Komorofski,	Owens,	Welsh,
Dye,	Krise,	Pentrack,	Wescott,
Elder,	Kurtz,	Petrosky,	White,
Elish,	Lane,	Pickens,	Wood, N.,
Erb,	Laughner,	Polaski,	Worley,
Ewing,	Lee,	Polen,	Wright,
Flack,	Leisey,	Powers,	Yeakel,
Fleming,	Leonard,	Propert,	Yester,
Foor,	Levy,	Reagan,	Fiss,
Fox,	Lichtenwalter,	Reese, R. E.,	Speaker.
Freed,	Loftus,	Reese, D. P.,	

NAYS—0

NOT VOTING—24

Baumunk,	Grant,	Mihm,	Snyder,
Bentley,	Guthrie,	Mooney,	Stockham,
Boles,	Hering,	Readinger,	Tahl,
Dalrymple,	Herman,	Root,	Trachtman,
Dillon,	Hoggard,	Rose,	Verona,
Duffy,	Hoopes,	Schuster,	Wood, L. H.,
Finnerty,	McDowell,	Skale,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 860, as follows:

An Act authorizing the treasurer in counties of the fifth class to appoint a solicitor prescribing the duties and qualifications of such solicitor fixing his term and providing for the fixing of his salary and the payment thereof by the county

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In all counties of the fifth class the treasurer may appoint one person as his solicitor

Section 2 Said solicitor shall be a person learned in the law who has been qualified for admission to practice as an attorney in the Superem or Superior Court of this Commonwealth

Section 3 Said solicitor shall advise the treasurer upon all legal matters that may be submitted to him and conduct all litigation connected with the treasurer's office when requested so to do by the treasurer The solicitor shall hold office for the term for which the treasurer was elected His salary shall be fixed by the salary board and shall be paid by the county in the same manner as the salaries of other county employes are paid

Section 4 The provisions of this act shall become effective immediately upon final enactment

Section 5 All parts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—175

Andrews,	Fullerton,	Longo,	Regan,
Baker,	Gaffney,	Lopez,	Reidenbach,
Barrett,	Gallagher,	Lovett,	Reilly,
Barton,	Gardner,	Lyons,	Reynolds,
Bentzel,	Getchey,	Madden,	Riley,
Bonawitz,	Gibson,	Madigan,	Robertson,
Boney,	Goodling,	Mahany,	Royer

Boorse,	Gore,	Matthews,	Rudisill,
Boory,	Green,	McAtee,	Scanlon,
Bower,	Greenwood,	McClester,	Serrill,
Brancato,	Greer,	McKinney,	Shaffer,
Breisch,	Gyger,	McLanahan	Shoemaker,
Brice,	Haberlen,	McMillen,	Sloan,
Brothers,	Hall,	McNair,	Smith,
Brown,	Hamilton,	McNally,	Snider,
Brunner, C. H.,	Hare,	Mikula,	Sollenberger,
Brunner, P. A.,	Haudenshield,	Miller,	Sorg,
Burns,	Heatherington,	Milliken,	Stank,
Cadwalader,	Helm,	Mills,	Stonier,
Chudoff,	Hennihan,	Moore, C. E.,	Stuart,
Cohen,	Hersch,	Moore, W. J.,	Swope,
Coleman,	Hewitt,	Moran,	Tate,
Cook,	Hoffman,	Moser,	Tittle,
Cooper,	Howells,	Munley,	Trent,
Corrigan,	Hunter,	Murray, M. L.,	Trout,
Costa,	Huntley,	Murray, P. G.,	Turbett,
Coulson,	James,	Nagel,	Turner,
Coyle,	Jones,	Nelson,	Varallo,
Cullen,	Kennedy,	O'Brien,	Wachhaus,
Dague,	Kirley,	O'Connor,	Wagner,
Dennison,	Kline,	O'Dare,	Waterhouse,
Depuy,	Kolanklewicz,	O'Donnell,	Watkins,
Dougherty,	Komorofski,	O'Neill,	Weiss,
Dye,	Krise,	Owens,	Welsh,
Elder,	Kurtz,	Pentrack,	Wescott,
Elish,	Lane,	Petrosky,	White,
Erb,	Laughner,	Pickens,	Wood, N.,
Ewing,	Lee,	Polaski,	Worley,
Flack,	Leisey,	Polen,	Wright,
Fleming,	Levy,	Powers,	Yeakel,
Foor,	Leonard,	Propert,	Yester,
Fox,	Lichtenwalter,	Reese, D. P.,	Fiss,
Freed,	Loftus,	Reese, R. E.,	Speaker.
Frost,			

NAYS—0

Dix,	Reagan,

NOT VOTING—24

Baumunk,	Grant,	Mihm,	Snyder,
Bentley,	Guthrie,	Mooney,	Stockham,
Boies,	Hering,	Readinger,	Tahl,
Dalrymple,	Herman,	Root,	Trachtman,
Dillon,	Hoggard,	Rose,	Verona,
Duffy,	Hoopes,	Schuster,	Wood, L. H.,
Finnerty,	McDowell,	Skale,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 112, as follows:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section eighteen

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That article nine of the Constitution be amended by adding thereto section eighteen to read as follows

Section 18 All proceeds from gasoline and other motor fuel excise taxes motor vehicle registration fees and license taxes operators' license fees and other excise taxes imposed on products used in motor transportation after providing therefrom for (a) cost of administration and collection (b) payment of obligations incurred in the construction and reconstruction of public highways and bridges shall be appropriated by the General Assembly to agencies of the State or political subdivisions thereof and used solely for construction reconstruction maintenance and repair of and safety on public highways and bridges and air navigation facilities and costs and expenses incident thereto and for the payment of obligations incurred for such purposes and shall not be diverted by transfer or otherwise to any other purpose except that loans mad be made by the State from the proceeds of such taxes and fees for a single period not exceeding eight months but no such loan shall be made within the period of one year from any preceding loan and every loan made in any fiscal year shall be repayable within one month after the beginning of the next fiscal year

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Andrews,	Freed,	Loftus,	Reese, R. E.,
Baker,	Frost,	Longo,	Regan,
Barrett,	Fullerton,	Lopez,	Reidenbach,
Barton,	Gaffney,	Lovett,	Reilly,
Bentzel,	Gallagher,	Lyons,	Reynolds,
Bonawitz,	Gardner,	Madden,	Riley,
Boney,	Getchey,	Madigan,	Robertson,
Boorse,	Gibson,	Mahany,	Royer,
Boory,	Goodling,	Matthews,	Rudisill,
Bower,	Gore,	McAtee,	Scanlon,
Brancato,	Green,	McClester,	Serrill,
Breisch,	Greenwood,	McKinney,	Shaffer,
Brice,	Greer,	McLanahan,	Shoemaker,
Brothers,	Gyger,	McMillen,	Sloan,
Brown,	Haberlen,	McNair,	Smith,
Brunner, C. H.,	Hall,	McNally,	Snider,
Brunner, P. A.,	Hamilton,	Mikula,	Sollenberger,
Burns,	Hare,	Miller,	Sorg,
Cadwalader,	Haudenshield,	Milliken,	Stank,
Chudoff,	Heatherington,	Mills,	Stonier,
Cohen,	Helm,	Moore, C. E.,	Stuart,
Coleman,	Hennihan,	Moore, W. J.,	Swope,
Cook,	Hersch,	Moran,	Tate,
Cooper,	Hewitt,	Moser,	Tittle,
Corrigan,	Hoffman,	Munley,	Trent,
Costa,	Howells,	Murray, M. L.,	Trout,
Coulson,	Hunter,	Murray, P. G.,	Turbett,
Coyle,	Huntley,	Nagel,	Turner,
Cullen,	James,	Nelson,	Varallo,
Dague,	Jones,	O'Brien,	Wachhaus,
Dennison,	Kennedy,	O'Connor,	Wagner,
Depuy,	Kirley,	O'Dare,	Waterhouse,
Dix,	Kline,	O'Donnell,	Watkins,
Dougherty,	Kolanklewicz,	O'Neill,	Weiss,
Dye,	Komorofski,	Owens,	Welsh,
Elder,	Krise,	Pentrack,	Wescott,
Elish,	Kurtz,	Petrosky,	White,
Erb,	Lane,	Pickens,	Wood, N.,
Ewing,	Laughner,	Polen,	Worley,
Finnerty,	Lee,	Powers,	Wright,
Flack,	Leisey,	Propert,	Yeakel,
Fleming,	Leonard,	Reagan,	Yester,
Foor,	Levy,	Reese, D. P.,	Fiss,
Fox,	Lichtenwalter,		Speaker.

NAYS—0

NOT VOTING—24

Baumunk,	Guthrie,	Mooney,	Snyder,
Bentley,	Hering,	Polaski,	Stockham,
Boies,	Herman,	Readinger,	Tahl,
Dalrymple,	Hoggard,	Root,	Trachtman,
Dillon,	Hoopes,	Rose,	Verona,
Duffy,	McDowell,	Schuster,	Wood, L. H.,
Grant,	Mihm,	Skale,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

BILL PASSED OVER

There being no objection House Bill No. 782, Printer's No. 239, was passed over at the request of the SPEAKER.

SENATE MESSAGES

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 322.

An Act to further amend section one of the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 984) entitled "An act relating to transactions between a person acting on his own behalf and the same person acting jointly with others, and to make uniform the law relating thereto" by authorizing conveyances from husband and wife as tenants by the entireties to their husband or wife alone

HOUSE BILL No. 352.

An Act to amend the title and sections four and six of the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1944) entitled "An act providing for the erection construction and equipment of a new Pennsylvania Industrial School to take the place of the present Pennsylvania Industrial School at Huntingdon designating the manner of acquiring or setting aside of land for the erection and construction of the new school by The General State Authority authorizing the Commonwealth to lease the new school and its grounds from The General State Authority upon its completion and the Department of Welfare to manage and operate the same providing that the cost of maintaining inmates therein be borne by the Commonwealth and the counties to the extent and in the manner provided by law in the case of inmates maintained in the Pennsylvania Industrial School at Huntingdon and conferring powers and imposing duties upon certain State departments boards commissions and officers" by changing the provisions of the act authorizing the Department of Welfare to manage and operate the same creating the Board of Trustees of the new Pennsylvania Industrial School; and defining its powers and duties

With the information that the Senate has passed the same without amendment.

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 230.

An Act to amend the title and the act approved the thirtieth day of April, one thousand nine hundred and forty-three (P. L. 145), entitled "An act providing for and regulating the accumulation, investment and expenditures by counties, cities, boroughs, incorporated towns and townships of funds for post war projects," extending the provisions of said act to school districts; and defining the term "post war period."

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 336.

An Act to amend clause IV section seven hundred and two of the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" designating the purposes for which appropriations may be made to fire companies and requiring annual reports by such fire companies of expenditures of appropriated moneys

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clark read the amendments as follows:

Amend Section 1, page 2, line 21, by striking out after the word "be" the word "first" and inserting in lieu thereof the word "first."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Andrews,	Freed,	Lichtenwalter,	Reese, R. E.,
Baker,	Frost,	Loftus,	Regan,
Barrett,	Fullerton,	Longo,	Reidenbach,
Barton,	Gaffney,	Lopez,	Reilly,
Bentzel,	Gallagher,	Lovett,	Reynolds,
Bonawitz,	Gardner,	Lyons,	Riley,
Boney,	Getchey,	Madden,	Robertson,
Boorse,	Gibson,	Madigan,	Royer,
Boory,	Goodling,	Mahany,	Rudisill,
Bower,	Gore,	Matthews,	Scanlon,
Brancato,	Green,	McAtee,	Serrill,
Breisch,	Greenwood,	McClester,	Shaffer,
Brice,	Greer,	McKinney,	Shoemaker,
Brothers,	Gyger,	McLanahan,	Sloan,
Brown,	Haberlen,	McMillen,	Smith,
Brunner, C. H.,	Hall,	McNair,	Snider,
Brunner, P. A.,	Hamilton,	McNally,	Sollenberger,
Burns,	Hare,	Mikula,	Sorg,
Cadwalader,	Haudenshield,	Miller,	Stank,
Chudoff,	Heatherington,	Milliken,	Stonier,
Cohen,	Helm,	Mills,	Stuart,
Coleman,	Hennihan,	Moore, C. E.,	Swope,
Cook	Hersch,	Moore, W. J.,	Tate,
Cooper,	Hewitt,	Moran,	Tittle,
Corrigan,	Hoffman,	Moser,	Trent,
Costa,	Howells,	Munley,	Trout,
Coulson,	Hunter,	Murray, M. L.,	Turbett,
Coyle,	Huntley,	Murray, P. G.,	Turner,
Cullen,	James,	Nagel,	Varallo,
Dague,	Jones,	Nelson,	Wachhaus,
Dennison,	Kennedy,	O'Brien,	Wagner,
Depuy,	Kirley,	O'Connor,	Waterhouse,
Dix,	Kline,	O'Dare,	Watkins,
Dougherty,	Kolankiewicz,	O'Donnell,	Weiss,
Dye,	Komorofski,	O'Neill,	Welsh,
Elder,	Krise,	Owens,	Wescott,
Elish,	Kurtz,	Pentrack,	White,
Erb,	Lane,	Petrosky,	Wood, N.,
Ewing,	Laughner,	Pickens,	Worley,
Finnerty,	Lee,	Polen,	Wright,
Flack,	Leisey,	Powers,	Yeakel,
Fleming,	Leonard,	Propert,	Yester,
Foor,	Levy,	Reagan,	Fiss,
Fox,		Reese, D. P.,	Speaker.

NAYS—0

NOT VOTING—24

Baumunk,	Guthrie,	Mooney,	Snyder,
Bentley,	Hering,	Polaski,	Stockham,
Boles,	Herman,	Readinger,	Tahl,
Dalrymple,	Hoggard,	Root,	Trachtman,
Dillon,	Hoopes,	Rose,	Verona,
Duffy,	McDowell,	Schuster,	Wood, L. H.,
Grant,	Mihm,	Skale,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 348.

An Act to further amend part of section two hundred two of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of Trustees of State Normal Schools or Teachers Colleges; abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers; fixing the salaries of the Governor, Lieutenant-Governor and certain other executive and administrative officers; providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined," by providing for a board of trustees of the new Pennsylvania Industrial School at Camp Hill, Cumberland County, Pennsylvania.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, line 1, by striking out after the word "amend" the words "part of section two hundred two of"; also on page 2, by inserting at the end of the title after the word "Pennsylvania" the following: "in the Department of Welfare defining its powers and duties and transferring the management and control of said institution from the Department of Welfare to said board."

Amend Section 1, page 2, line 1, by striking out after the figure "1" the word "Part" and inserting in lieu thereof as follows: "As much as applied to the Department of Welfare; also on page 3, line 25, by striking out after the word "the" the word "new."

Amend bill page 4, by inserting after the word "Epileptics" in line 25, the following new sections:

* * * *

Section 2 Section four hundred one of said act as last amended by the act approved the second day of July one thousand nine hundred forty-one (P. L. 224) is hereby further amended to read as follows

Section 401 Boards of Trustees of State Institutions The boards of trustees of each of the State institutions hereinafter mentioned shall consist of nine members and the head of the department having supervision over the institution ex officio

The terms of the members of each such board shall be four years and until their successors are qualified

Five members of any such board shall constitute a quorum

Each such board shall annually elect a president and vice-president from among its members and a secretary and treasurer who need not be members of the board The secretary and treasurer may be the same person

This section shall apply to

Board of Trustees of Thaddeus Stevens Industrial School
Board of Trustees of Pennsylvania State Oral School for the Deaf
Board of Trustees of Pennsylvania Soldiers' Orphan School
Board of Trustees of West Chester State Teachers' College
Board of Trustees of Millersville State Teachers' College
Board of Trustees of Kutztown State Teachers' College
Board of Trustees of East Stroudsburg State Teachers' College
Board of Trustees of Mansfield State Teachers' College
Board of Trustees of Bloomsburg State Teachers' College
Board of Trustees of Shippensburg State Teachers' College
Board of Trustees of Lock Haven State Teachers' College
Board of Trustees of Indiana State Teachers' College
Board of Trustees of California State Teachers' College
Board of Trustees of Slippery Rock State Teachers' College
Board of Trustees of Edinboro State Teachers' College
Board of Trustees of Clarion State Teachers' College
Board of Trustees of Cheyney Training School for Teachers
Board of Trustees of Pennsylvania Soldiers' and Sailors' Home
Board of Trustees of Eastern State Penitentiary
Board of Trustees of Western State Penitentiary
Board of Trustees of Pennsylvania Industrial School which upon the completion of the present Pennsylvania Industrial School at Huntingdon for the reception care maintenance detention employment and training of defective delinquents shall thereafter be known as the Board of Trustees of Pennsylvania Institution for Defective Delinquents
Board of Trustees of the Pennsylvania Industrial School at Camp Hill Cumberland County Pennsylvania
Board of Trustees of State Industrial Home for Women
Board of Trustees of Pennsylvania Training School
Board of Trustees of Allentown State Hospital
Board of Trustees of Danville State Hospital
Board of Trustees of Farview State Hospital
Board of Trustees of Harrisburg State Hospital
Board of Trustees of Norristown State Hospital
Board of Trustees of Warren State Hospital
Board of Trustees of Wernersville State Hospital
Board of Trustees of Torrance State Hospital
Board of Trustees of Ashland State Hospital
Board of Trustees of Blossburg State Hospital
Board of Trustees of Coaldale State Hospital
Board of Trustees of Connellsville State Hospital
Board of Trustees of Hazleton State Hospital
Board of Trustees of Locust Mountain State Hospital
Board of Trustees of Nanticoke State Hospital
Board of Trustees of Philipsburg State Hospital
Board of Trustees of Scranton State Hospital
Board of Trustees of Shamokin State Hospital

Board of Trustees of Laurelton State Village
Board of Trustees of Pennhurst State School
Board of Trustees of Polk State School
Board of Trustees of Selinsgrove State Colony for Epileptics
Boards of Trustees of such institutions as are acquired by the Commonwealth from any county city or institution district and are used as State mental hospitals under the provisions of act number twenty-one approved the twenty-ninth day of September one thousand nine hundred thirty-eight

Provided That from and after the third Tuesday of January one thousand nine hundred and forty-three the terms of the first three members to be appointed by the Governor to each of the following boards of trustees shall expire on the third Tuesday of January one thousand nine hundred and forty-five and the terms of the next three members to be appointed shall expire on the third Tuesday of January one thousand nine hundred and forty-seven and the terms of the next three members shall expire on the third Tuesday of January one thousand nine hundred and forty-nine the successors to each of the above mentioned members shall be appointed for terms of six years and all appointments thereafter shall be for terms of six years except those to fill vacancies created prior to the end of any term which shall be only for the duration of the unexpired term

Board of Trustees of Thaddeus Stevens Industrial School
Board of Trustees of Pennsylvania State Oral School for the Deaf
Board of Trustees of Pennsylvania Soldiers' Orphan School
Board of Trustees of West Chester State Teachers' College
Board of Trustees of Millersville State Teachers' College
Board of Trustees of Kutztown State Teachers' College
Board of Trustees of East Stroudsburg State Teachers' College
Board of Trustees of Mansfield State Teachers' College
Board of Trustees of Bloomsburg State Teachers' College
Board of Trustees of Shippensburg State Teachers' College
Board of Trustees of Lock Haven State Teachers' College
Board of Trustees of Indiana State Teachers' College
Board of Trustees of California State Teachers' College
Board of Trustees of Slippery Rock State Teachers' College
Board of Trustees of Edinboro State Teachers' College
Board of Trustees of Clarion State Teachers' College
Board of Trustees of Cheyney Training School for Teachers

Section 3 Section two thousand three hundred eighteen of said act as last amended by the act approved the twenty-ninth day of November one thousand nine hundred thirty-eight Special Session (P. L. 92) is hereby further amended to read as follows

Section 2318 Boards of Trustees of State Institutions The board of trustees of each State institution within the Department of Welfare shall have general direction and control of the property and management of such institution It shall have the power and its duty shall be

(a) Subject to the approval of the Governor to elect a superintendent or warden of the institution who shall subject to the authority of the board administer the institution in all its departments

(b) On nomination by the superintendent or warden from time to time to appoint such officers and employes as may be necessary

(c) To fix the salaries of its employes in conformity with the standards established by the Executive Board

(d) Subject to the approval of the Secretary of Welfare to make such by-laws rules and regulations for the management of the institution as it may deem wise

The boards of trustees of the several State institutions shall exercise the foregoing powers in the management of the following institutions

Board of Trustees of Eastern State Penitentiary of Eastern State Penitentiary at Philadelphia
Board of Trustees of Western State Penitentiary of Western State Penitentiary at Pittsburgh and of the State Penitentiary at Rockview
Board of Trustees of Pennsylvania Industrial School of Pennsylvania Industrial Reformatory to be known as Pennsylvania Industrial School at Huntingdon until its completion as an institution for the reception care maintenance detention employment and training of defective delinquents and thereafter to be known as the Pennsylvania Institution for Defective Delinquents
Board of Trustees of the Pennsylvania Industrial School at Camp Hill Cumberland County Pennsylvania
Board of Trustees of State Industrial Home for Women of State Industrial Home for Women at Muncy
Board of Trustees of Pennsylvania Training School of Pennsylvania Training School at Morganza
Board of Trustees of Allentown State Hospital of Homeopathic State Hospital for the Insane at Allentown
Board of Trustees of Danville State Hospital of State Hospital for the Insane at Danville Pennsylvania
Board of Trustees of Farview State Hospital of State Hospital for the Criminal Insane at Farview
Board of Trustees of Harrisburg State Hospital of Harrisburg State Hospital at Harrisbrug
Board of Trustees of Norristown State Hospital of State Hospital for the Insane of the Southeastern District of Pennsylvania at Norristown
Board of Trustees of Warren State Hospital of State Hospital for the Insane at Warren Pennsylvania
Board of Trustees of Wernersville State Hospital of State Asylum for the Chronic Insane of Pennsylvania at South Mountain
Board of Trustees of Torrance State Hospital of Western State Hospital for the Insane Torrance
Board of Trustees of Ashland State Hospital of State Hospital for Injured Persons of the Anthracite Coal Regions of Pennsylvania at Ashland
Board of Trustees of Blossburg State Hospital at Cottage State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania at Blossburg
Board of Trustees of Coaldale State Hospital of State Hospital of Coaldale Schuylkill County
Board of Trustees of Connellsville State Hospital of Cottage State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania at Connellsville
Board of Trustees of Hazleton State Hospital of State Hospital of the Middle Coal Field of Pennsylvania at Hazleton
Board of Trustees of Nanticoke State Hospital of State Hospital of Luzerne County at Nanticoke
Board of Trustees of Philipsburg State Hospital of Cottage State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania at Philipsburg
Board of Trustees of Scranton State Hospital of State Hospital of the Northern Anthracite Coal Region of Pennsylvania at Scranton
Board of Trustees of Shamokin State Hospital of State Hospital of the Trevorton Shamokin and Mount Carmel Coal Fields of Pennsylvania at Shamokin
Board of Trustees of Locust Mountain State Hospital of Locust Mountain State Hospital at Shenandoah
Board of Trustees of Laurelton State Village of Pennsylvania Village for Feeble-Minded Women at Laurelton
Board of Trustees of Pennhurst State School of State Institution for the Feeble-Minded and Epileptic of Eastern Pennsylvania at Pennhurst

Board of Trustees of Polk State School of State Institution for the Feeble-Minded of Western Pennsylvania at Polk

Board of Trustees of Selinsgrove State Colony for Epileptics of the State Colony for Epileptics at Selinsgrove

The foregoing powers shall also be exercised by the respective boards of trustees of institutions acquired by the Commonwealth from any county city or institution district for use as State mental hospitals under the provisions of act number twenty-one approved the twenty-ninth day of September one thousand nine hundred thirty-eight

Section 4 Section two thousand three hundred nineteen of said act as amended by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1865) is hereby further amended to read as follows

Section 2319 [New Pennsylvania Industrial School Maximum Security State Prison and] Western State Psychiatric Hospital Upon the erection construction and completion of [the new Pennsylvania Industrial School the Maximum Security State Prison and] the Western Psychiatric Hospital pursuant to law the Department of Welfare shall manage and control the same and shall have such powers and duties with respect thereto as are provided by law

Amend Section 2, page 4, line 27, by striking out after the word "Section" the figure "2" and inserting in lieu thereof the figure "5."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

Andrews,	Freed,	Loftus,	Reese, R. E.,
Baker,	Frost,	Longo,	Regan,
Barrett,	Fullerton,	Lopez,	Reidenbach,
Barton,	Gaffney,	Lovett,	Reilly,
Bentzel,	Gallagher,	Lyons,	Reynolds,
Bonawitz,	Gardner,	Madden,	Riley,
Boney,	Getchey,	Madigan,	Robertson,
Boorse,	Gibson,	Mahany,	Royer,
Boory,	Goodling,	Matthews,	Rudisill,
Bower,	Gore,	McAtee,	Scanlon,
Brancato,	Green,	McClester,	Serrill,
Breisch,	Greenwood,	McKinney,	Shaffer,
Brice,	Greer,	McLanahan,	Shoemaker,
Brothers,	Gyger,	McMillen,	Sloan,
Brown,	Haberlen,	McNair,	Smith,
Brunner, C. H.,	Hall,	McNally,	Snider,
Brunner, P. A.,	Hamilton,	Mikula,	Sollenberger,
Burns,	Hare,	Miller,	Sorg,
Cadwalader,	Haudenshield,	Milliken,	Stank,
Chudoff,	Heatherington,	Mills,	Stonier,
Cohen,	Helm,	Moore, C. E.,	Stuart,
Coleman,	Hennihan,	Moore, W. J.,	Swope,
Cook,	Hersch,	Moran,	Tate,
Cooper,	Hewitt,	Moser,	Tittle,
Corrigan,	Hoffman,	Munley,	Trent,
Costa,	Howells,	Murray, M. L.,	Trout,
Coulson,	Hunter,	Murray, P. G.,	Turbett,
Coyle,	Huntley,	Nagel,	Turner,
Cullen,	James,	Nelson,	Varallo,
Dague,	Jones,	O'Brien,	Wachhaus,
Dennison,	Kennedy,	O'Connor,	Wagner,
Depuy,	Kirley,	O'Dare,	Waterhouse,
Dix,	Kline,	O'Donnell,	Watkins,
Dougherty,	Kolankiewicz,	O'Neill,	Weiss,
Dye,	Komorofski,	Owens,	Welsh,
Elder,	Krise,	Pickens,	Wescott,
Elish,	Kurtz,	Polaski,	White,
Erb,	Lane,	Polen,	Wood, N.,
Ewing,	Laughner,	Powers,	Worley,
Finnerty,	Lee,	Propert,	Wright,
Flack,	Leisey,	Reagan,	Yeakel,
Fleming,	Leonard,		Yester,
Foor,	Levy,	Reese, D. P.,	Fiss,
Fox,	Lichtenwalter,		Speaker.

NAYS—0

NOT VOTING—24

Baumunk,	Guthrie,	Mooney,	Skale,
Bentley,	Hering,	Pentrack,	Snyder,
Boies,	Herman,	Petrosky,	Stockham,
Dalrymple,	Hoggard,	Readinger,	Tahl,
Dillon,	Hoopes,	Root,	Trachtman,
Duffy,	McDowell,	Rose,	Verona,
Grant,	Mihm,	Schuster,	Wood, L. H.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 322.

An Act to further amend section one of the act, approved the thirteenth day of May, one thousand nine hundred twenty-seven (P. L. 984), entitled "An act relating to transactions between a person acting on his own behalf and the same person acting jointly with others, and to make uniform the law relating thereto," by authorizing conveyances from husband and wife as tenants by the entireties to either husband or wife alone.

HOUSE BILL No. 336.

An Act to amend clause IV, section seven hundred and two of the act, approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "The Second Class Township Law," designating the purposes for which appropriations may be made to fire companies; and requiring annual report by such fire companies of expenditures of appropriated moneys.

HOUSE BILL No. 348.

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain department boards and commissions shall be determined" by providing for a board of trustees of the new Pennsylvania Industrial School at Camp Hill, Cumberland County Pennsylvania in the Department of Welfare; defining its powers and duties; and transferring the management and control of said institution from the Department of Welfare to said board.

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HOUSE BILL No. 352.

An Act to amend the title and sections four and six of the act approved the twenty-first day of June, one thousand nine hundred thirty-seven (P. L. 1944), entitled "An act providing for the erection construction and equipment of a new Pennsylvania Industrial School to take the place of the present Pennsylvania Industrial School at Huntingdon; designating the manner of acquiring or setting aside of land for the erection and construction of the new school by The General State Authority; authorizing the Commonwealth to lease the new school and its grounds from The General State Authority upon its completion and the Department of Welfare to manage and operate the same; providing that the cost of maintaining inmates therein be borne by the Commonwealth and the counties to the extent and in the manner provided by law in the case of inmates maintained in the Pennsylvania Industrial School at Huntingdon; and conferring powers and imposing duties upon certain State departments boards commissions and officers," by changing the provisions of the act authorizing the Department of Welfare to manage and operate the same; creating the Board of Trustees of the new Pennsylvania Industrial School; and defining its powers and duties.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

REPORT OF ST. PATRICK'S DAY COMMITTEE

Mr. JAMES. Mr. Speaker, because we are inclined to measure the passage of time here in the House by weeks rather than days, I thought I would like to remind the Members of the House before they overlook the 17th of March that that date marks the anniversary on which many, many, of our people celebrate joyously and in pleasant ways.

The 17th day of March is the day on which our people traditionally plant the first peas, and so a committee has been formed in the House to properly celebrate the date on which we traditionally plant the first peas in Pennsylvania.

A great banquet will be held on the 20th of March to celebrate this traditional festival because we will not be here on the 17th. We expect to have entertainers of note to make it very well worth your while to cough up the six bucks that will be necessary to be in attendance on that occasion, but I am sure, knowing what the committee has planned, that you will never, never regret the loss or the giving away of that six dollars. Tickets are available in the House; many Members are on the committee,—you probably know them. I want to advise you to get your tickets early because they are running out.

Mr. Speaker, I forgot to mention also that the 17th of March is St. Patrick's birthday.

CONGRATULATORY RESOLUTION

Mr. BAKER offered a resolution which was read, considered and unanimously adopted as follows:

In the House of Representatives, March 14, 1945.

On March 14, 1901 a great Arab was added to the population of good old Basin Alley in the Hill District of Pittsburgh, Pennsylvania.

There was a lot of excitement that day, the Irish, Italians, Syrians and Jews all ran to help Mrs. Sarraf give birth to a baby boy whom she named George.

George later grew, as most children do, and graduated from the Fifth Avenue High School in the city of Pittsburg. He later attended the University of Pittsburgh as a pre-medical student and graduated from the same University eight years later with a degree of Doctor of Medicine.

The now Dr. Sarraf, worked his way through college as a cab driver in Pittsburgh, and as an all-round athlete at the University where he starred in all sports.

He entered the first World War as a buck private and is now a Captain in the Medical Corps of a United States Infantry Division stationed at Camp Hood, Texas; therefore be it,

Resolved, By this House of Representatives of the General Assembly of the Commonwealth of Pennsylvania that as a tribute to one of our esteemed colleagues on his birthday, the Chief Clerk of this House is directed to forward a copy of this resolution to Captain Sarraf, at Camp Hood, Texas.

PERMISSION TO ADDRESS HOUSE

Mr. TURNER asked and obtained unanimous consent to address the House.

Mr. Speaker, I am reminded by this resolution that I am derelict in a duty. I received a letter from Doctor Sarraf during the past week from down in Texas in which he asked me to be remembered to all the Members of the House. It was a very interesting letter in reference to the medical work that was going on, and I am sorry that I do not have it at hand to read it to the Members. I do feel that Doc charged me with the duty of remembering him to the House, and I take this occasion to do so.

PERMISSION TO ADDRESS HOUSE

Mr. COHEN asked and obtained unanimous consent to address the House.

Mr. Speaker, I hesitate to offend a rule or rather a custom we have been following to ask for immediate consideration of resolutions which are not in the privileged class, but I ask it in this case for two reasons: one is that it has to do with service men and I believe the other night we passed a resolution according immediate consideration to a resolution referring to service men.

Second, the Senate today by unanimous action approved an identical resolution.

I, therefore, offer the following resolution and ask that it be read for the information of the House, and ask for unanimous consent to have it considered at this time.

The SPEAKER. Will the House give its unanimous consent for the resolution to be read and for immediate consideration? Is there objection?

Mr. LICHTENWALTER. Mr. Speaker, the gentleman from Philadelphia spoke to me about the resolution and said it was a nonprivileged resolution. I requested at that time that it be filed in the usual way. Therefore, I object.

The SPEAKER. The Chair hears objection and consent is not granted.

The resolution will lie filed with the Clerk.

PARLIAMENTARY INQUIRY

Mr. COHEN. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. COHEN. Did I understand, Mr. Speaker, that the objection to the consideration of the resolution carries with it objection to having it read for the information of the members?

The SPEAKER. The Chair understood the objection was to having it read as well as to its consideration.

Mr. LICHTENWALTER. That is correct, Mr. Speaker.

RESOLUTIONS

Mr. GOODLING offered a resolution which was filed with the Clerk.

ADJOURNMENT

Mr. WACHHAUS. Mr. Speaker, I move that this House do now adjourn until Monday, March 19, 1945, at 9 p. m.

The motion was agreed to, and (at 1:19 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1945. 136th of the General Assembly.

Vol. 29. HARRISBURG, PA., MONDAY, MARCH 19, 1945. No. 30.

SENATE

MONDAY, March 19, 1945.

The Senate met at 4:00 o'clock, p. m., Eastern War Time.

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the Chair.

PRAYER

The Chaplain, Rev. EDWIN S. WALLACE, D. D., offered the following prayer:

Our Heavenly Father, in conformity with the hallowed customs of the fathers of our state, we begin the week's Session of the Senate with prayer to Thee, the God of nations, under whose sustaining grace and guidance our nation has been led, preserved and prospered. May we who have entered into a national inheritance greater than the fathers dreamed of, be as faithful in honoring and praising Thee for all Thy favors to us. No less than they do we need divine guidance and help.

Through a war for freedom and human rights the founding fathers sought and received the help of God. At a similar crisis we must have similar help. May we have the faith that will warrant Thy help.

Be with us now—all of us—but specially with those who are suffering and dying that our nation may continue to live free and independent. Bring to those whose hearts are burdened with anxiety over danger to loved ones, and to those who mourn loved ones who will not return, the comfort of Thy presence.

By our acts today may we honor Thee and do good to many. In Jesus' Name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HEYBURN and Mr. SCARLETT, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. Wade asked and obtained leave of absence for Mr. WALKER, temporarily.

INTRODUCTION TO MEMBERS OF THE SENATE

The PRESIDENT. The Chair now has the pleasure and privilege of presenting to the Senate the boys of two of our distinguished Senators, Lieutenant George Leader and Private First-Class Michael McCreesh.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

MEMBERS OF THE BOARD OF TRUSTEES OF LAURELTON STATE VILLAGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 19, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Board of Trustees of Laurelton State Village:

Harold T. Garard, Lewisburg, Union County, for the term of four years and until his successor is qualified. (Reappointment)

Fred W. Maue, Shamokin, Northumberland County, for the term of four years and until his successor is qualified. (Reappointment)

Ralph Witmer, Selinsgrove, Snyder County, for the term of four years and until his successor is qualified. (Reappointment)

C. Vincent Michener, Allenwood, Union County, for the term of four years and until his successor is qualified. (Reappointment)

O. W. H. Glover, Laurelton, Union County, for the term of four years and until his successor is qualified, vice Roy R. Finkle, Mifflinburg, whose term expired.

Mrs. Charlotte L. Smith, Winfield, Union County, for the term of four years and until her successor is qualified, vice Mrs. Anna M. R. Horlacher, New Berlin, whose term expired.

Ira Smith, Beaver Springs, Snyder County, for the term of four years and until his successor is qualified, vice Harry C. Seebold, Sunbury, whose term expired.

E. A. Phillips, Milton, Northumberland County, for the term of four years and until his successor is qualified, vice Mrs. Martha Shuman, Northumberland, whose term expired.

EDWARD MARTIN.

MEMBERS OF THE BOARD OF TRUSTEES OF STATE INDUSTRIAL HOME FOR WOMEN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 19, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Board of Trustees of State Industrial Home for Women:

Paul J. Abraham, Bank and Trust Building, Greensburg,

Westmoreland County, for the term of four years and until his successor is qualified. (Reappointment)

Mrs. Florine Koegler, Court House, Pittsburgh, Allegheny County, for the term of four years and until her successor is qualified. (Reappointment)

Mrs. Margaret Hays Lamade, 423 Grampian Boulevard, Williamsport, Lycoming County, for the term of four years and until her successor is qualified. (Reappointment)

Mrs. Mabel F. Schooley, Watsontown, Northumberland County, for the term of four years and until her successor is qualified. (Reappointment)

George B. Wolf, 38 West Fourth Street, Williamsport, Lycoming County, for the term of four years and until his successor is qualified. (Reappointment)

Mrs. Martha P. Shuman, 254 Orange Street, Northumberland, Northumberland County, for the term of four years and until her successor is qualified, vice Mrs. Lucille Ward, Bellefonte, resigned.

Howard Opp, Muncy, Lycoming County, for the term of four years and until his successor is qualified, to fill a vacancy.

EDWARD MARTIN.

MEMBERS OF THE PENNSYLVANIA GAME COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 19, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Members of the Pennsylvania Game Commission:

Nicholas Biddle, Springhead, Jenkintown, Montgomery County, until the third Tuesday of January, 1953, and until his successor shall have been appointed and qualified.

Harold Moltz, 931 West 4th Street, Williamsport, Lycoming County, until the third Tuesday of January, 1953, and until his successor shall have been appointed and qualified.

EDWARD MARTIN.

JUSTICE OF THE PEACE, WARWICK TOWNSHIP, LANCASTER COUNTY ALDERMAN, SIXTH WARD, CITY OF JOHNSTOWN, CAMBRIA COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 19, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

Mrs. Anna Mae Hess, Rothsville, Lancaster County, for appointment as Justice of the Peace in and for the Township of Warwick, Lancaster County, until the first Monday in January, 1946, vice Charles S. Hess, deceased.

Charles W. Wilson, 749 Grant Street, Johnstown, Cambria County, for appointment as Alderman in and for the Sixth Ward of the City of Johnstown, Cambria County, until the first Monday in January, 1946, vice William J. Cole, deceased.

EDWARD MARTIN.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 146, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "Vehicle Code," changing the definition of "dealer" and limiting the delivery and issuance of temporary registration plates or markers.

Which was committed to the Committee on Highways.

House Bill No. 230, entitled:

An Act to further amend the act approved the twelfth day of May one thousand eight hundred eighty-seven (P. L. 95) entitled "An act regulating the compensation of county auditors within this Commonwealth" by increasing the rate of compensation for county auditors

Which was committed to the Committee on County Government.

House Bill No. 332, entitled:

An Act to reenact and further amend the act, approved the twelfth day of May, one thousand nine hundred eleven (P. L. 301), entitled "An act to ascertain and appoint the fees to be received by the several prothonotaries of the courts of common pleas of the Commonwealth, in counties having a population of over two hundred thousand and under one million, and to provide the time of paying the same," extending the same to counties of the fifth, sixth, seventh and eighth class.

Which was committed to the Committee on County Government.

House Bill No. 340, entitled:

An Act to reenact and amend the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 646) entitled "An act regulating and providing fees of the clerks of quarter sessions of counties of the fourth class" extending the same to counties of the fifth sixth seventh and eighth class

Which was committed to the Committee on County Government.

House Bill No. 501, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1216), entitled "Real Estate Brokers License Act of 1929," by further defining real estate brokers and real estate salesmen; and further providing for the licensing, regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business.

Which was committed to the Committee on Judiciary Special.

House Bill No. 524, entitled:

An Act to further amend section one hundred thirty-five of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," by fixing the salary of the solicitor to the controller in counties of the fifth class.

Which was committed to the Committee on County Government.

House Bill No. 542, entitled:

An Act to amend section one hundred forty-two of the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," further defining eligibility to the office of county treasurer.

Which was committed to the Committee on County Government.

House Bill No. 642, entitled:

An Act authorizing in certain cases the issuance of motor vehicle operators' licenses to persons honorably discharged from the armed forces of the United States or from any women's organization officially connected therewith without a learner's permit and the temporary suspension of existing laws requiring the same.

Which was committed to the Committee on Highways.

House Bill No. 658, entitled:

An Act to further amend section eleven of the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes" by exempting federated women's clubs.

Which was committed to the Committee on Welfare, Public Assistance and Pensions.

House Bill No. 860, entitled:

An Act authorizing the treasurer in counties of the fifth class to appoint a solicitor, prescribing the duties and qualifications of such solicitor, fixing his term, and providing for the fixing of his salary, and the payment thereof by the county.

Which was committed to the Committee on County Government.

House Bill No. 866, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "Vehicle Code," by providing for the use of "reflector type" flares as "danger and caution signals."

Which was committed to the Committee on Highways.

House Bill No. 876, entitled:

An Act to amend section three of and to add section three point one to the act approved the twenty-fifth day of May one thousand nine hundred thirty-three (P. L. 1019) entitled as amended "An act relating to seated and unseated lands purchased by county commissioners at county treasurers sales of such lands for collection of taxes authorizing the county commissioners to sell the same at private sale under the circumstances" by authorizing the county commissioners to advertise for private offers for such lands and providing for the distribution of the proceeds of such sales

Which was committed to the Committee on County Government.

House Bill No. 877, entitled:

An Act to further amend sections sixteen and seventeen of the act, approved the twenty-ninth day of May, one thousand nine hundred thirty-one (P. L. 280), entitled "Delinquent Tax Sales Act of 1931," clarifying the provisions relating to the resale of such property purchased by the county commissioners at county treasurer's sales, eliminating the right of redemption after such sales, and further providing for the reimbursement to the county for moneys spent on such property in certain cases.

Which was committed to the Committee on County Government.

SENATE BILL No. 112 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 112, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania, by adding thereto section eighteen.

DISPOSITION OF GASOLINE TAXES, ETC.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

RULE 21 SUSPENDED

Mr. HEYBURN. Mr. President, I move that Rule 21, which requires amended bills to be noted on the Calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. TALLMAN. Mr. President, I second the motion.

The motion was agreed to.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 112, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania, by adding thereto section eighteen.

DISPOSITION OF GASOLINE TAXES, ETC.

which was returned from the House of Representatives with amendments.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend the title, page 1, line 1, by striking out the following: "An Act" and inserting in lieu thereof the following: A Joint Resolution.

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN HOUSE AMENDMENTS TO SENATE BILL No. 112

Mr. TALLMAN. Mr. President, I move that the Senate concur in the amendments made by the House to Senate Bill No. 112.

Mr. SNOWDEN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Kephart,	Stevenson,
Becker,	Ealy,	Klein,	Stiefel,
Berger,	Edmonds,	Leader,	Tallman,
Blass,	Farrell,	Letzler,	Taylor,
Bowers,	Geltz,	Mallery,	Thomas,
Carr,	Gourley,	Margie,	Troutman,
Chapman,	Haluska,	McCreesh,	Tyler,
Coleman,	Heyburn,	McGinnis,	Wade,
Cox,	Holland,	Rosenfeld,	Wagner,
Crider,	Homsher,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Woodring,
Dent,	Jones,	Snowden,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 336

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 336, entitled:

An Act to amend clause IV, section seven hundred and two of the act, approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "The Second Class Township Law," designating the purposes for which appropriations may be made to fire companies; and requiring annual report by such fire companies of expenditures of appropriated moneys.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 348

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 348, entitled:

An Act to further amend section two hundred two of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by providing for a board of trustees of the new Pennsylvania Industrial School at Camp Hill, Cumberland County, Pennsylvania.

HOUSE CONCURS IN SENATE BILL No. 123

He also returned to the Senate, Senate Bill No. 123, entitled:

An Act to repeal section one thousand thirty-three (1033) of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the Act approved May twenty-first one thousand nine hundred forty-three (P. L. 559)

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 138

He also returned to the Senate, Senate Bill No. 138, entitled:

An Act to amend section four hundred thirty-six of the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278, No. 447), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by extending authorization to counties to make appropriations for historical compliations and publications relating to their own counties

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 145

He also returned to the Senate, Senate Bill No. 145, entitled:

An Act to amend section three of the act approved the twentieth day of May one thousand nine hundred twenty-one (P. L. 938) entitled "An act to provide for the better preservation of the books and papers in the office of the prothonotaries in the counties of this Commonwealth by copying transcribing and certification of dilapidated faded or injured books or papers" by providing for instances in which originals of said books and papers may be destroyed

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 182

He also returned to the Senate, Senate Bill No. 182, entitled:

A Joint Resolution proposing an amendment to section one of article fourteen of the Constitution of the Commonwealth of Pennsylvania by making sheriffs eligible to succeed themselves.

MAKING SHERIFFS ELIGIBLE TO SUCCEED THEMSELVES

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 317

He also returned to the Senate, Senate Bill No. 317, entitled:

An Act providing that all fines and penalties collected in summary proceedings shall be turned over quarterly to the Commonwealth of Pennsylvania for the use of the appropriate state department the county treasurer for the use of the county or the political or municipal subdivision entitled to the payment of said fine penalty or forfeiture and providing a penalty for neglect to comply therewith

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 333

He also returned to the Senate, Senate Bill No. 333, entitled:

An Act to further amend part of section four hundred thirty-nine of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by changing the name of the veterans' grave registrar appointed by the county commissioners to the director of veterans affairs

with the information that the House has passed the same without amendments.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) announced that the Acting Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 25, entitled:

An Act to amend the first paragraph of section one of the act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521), entitled as amended "An act to further amend the title to reenact and further amend paragraph (e) of section one and to further amend section thirty-nine of the act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended 'An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent, until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal' by defining as a transfer and taxing the right of survivorship in property as to which such right exists and providing for the extension of the Commonwealth's lien on real property for a further period of time" by exempting military pay due deceased service persons and veterans from the taxes herein imposed.

Senate Bill No. 77, entitled:

An Act regulating the issuance of execution on judgments confessed on written instruments, and providing that when such judgments are entered in one county, defenses may be made to the same by petitions to open, filed in any other county, where execution thereon is issued or made.

Senate Bill No. 112, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania, by adding thereto section eighteen.

DISPOSITION OF GASOLINE TAXES, ETC.

Senate Bill No. 129, entitled:

An Act to add subsection C to section two hundred twenty-one of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," exempting for the duration of the present war, persons in the armed forces from the payment of a fee to the Commonwealth for non-resident fishing licenses.

Senate Bill No. 169 entitled:

An Act to further amend subsection (f) of section forty-nine of the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 447), entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survey of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of non-resident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," by increasing the amount of wages due a deceased employe which may be paid to certain persons by the employer without the necessity for the issuance of letters testamentary or letters of administration.

Senate Bill No. 182, entitled:

A Joint Resolution proposing an amendment to section one of article fourteen of the Constitution of the Commonwealth of Pennsylvania, by making sheriffs eligible to succeed themselves.

MAKING SHERIFFS ELIGIBLE TO SUCCEED THEMSELVES

Senate Bill No. 230, entitled:

An Act to amend the title and the act approved the thirtieth day of April one thousand nine hundred and forty-three (P. L. 145) entitled "An act providing for and regulating the accumulation investment and expenditure by counties cities boroughs incorporated towns and townships of funds for post war projects" extending the provisions of said act to school districts and defining the term "post war period"

Senate Bill No. 255, entitled:

An Act to reenact and amend clause two of section seven hundred and two, and to further amend clause three of section nine hundred and five of the act approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by providing for the furnishing of street lighting by contract with lighting companies, and upon petition of property owners in villages, and for the assessment and collection of the costs and maintenance thereof upon property benefited thereby, and for the levy of an annual township tax for street lighting without petition of property owners; and validating petitions of property owners, contracts entered into between townships and lighting companies, taxes levied to pay the costs and maintenance of lighting service and the collection, receipt and payment out of the revenues therefrom notwithstanding such petitions were filed, contracts entered into and taxes levied, collected and paid out under unconstitutional laws; validating agreements and understandings between township supervisors and lighting companies to continue lighting service pending the enactment of valid laws; regulating and providing for the expenditure of moneys arising from special light-

ing taxes; and authorizing the payment of the costs and expenses of maintaining lighting service until valid laws are enacted to collect charges from property owners benefited thereby, out of the road tax fund, and the creation and transfer of moneys to a special account for such purposes at any time notwithstanding the prior adoption of the budget; and authorizing any light and power company to apply the net rate and to waive the gross rate or to grant discounts and to waive penalties in the same manner as if payments had been made by the township within the time required by the contract and the company's schedules or tariffs

House Bill No. 322, entitled:

An Act to further amend section one of the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 984) entitled "An act relating to transactions between a person acting on his own behalf and the same person acting jointly with others, and to make uniform the law relating thereto" by authorizing conveyances from husband and wife as tenants by the entireties to either husband or wife alone

House Bill No. 336, entitled:

An Act to amend clause IV, section seven hundred and two of the act, approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "The Second Class Township Law," designating the purpases for which appropriations may be made to fire companies; and requiring annual report by such fire companies of expenditures of appropriated moneys.

House Bill No. 348, entitled:

An Act to further amend section two hundred two of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by providing for a board of trustees of the new Pennsylvania Industrial School at Camp Hill, Cumberland County, Pennsylvania.

House Bill No. 352, entitled:

An Act to amend the title and sections four and six of the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1644) entitled "An act providing for the erection construction and equipment of a new Pennsylvania Industrial School to take the place of the present Pennsylvania Industrial School at Huntingdon designating the manner of acquiring or setting aside of land for the erection and construction of the new school by The General State Authority authorizing the Commonwealth to lease the new school and its grounds from The General State Authority upon its completion and the Department of Welfare to manage and operate the same providing that the cost of maintaining inmates therein be borne by the Commonwealth and the counties to the extent and in the manner provided by law in the case of inmates maintained in the Pennsylvania Industrial School at Huntingdon and conferring powers and imposing duties upon certain State departments boards commissions and officers" by changing the provisions of the act authorizing the Department of Welfare to manage and operate the same creating the Board of Trustees of the new Pennsylvania Industrial School; and defining its powers and duties.

Whereupon,

The PRESIDENT (Lieutenant-Governor, John C. Bell, Jr.) in the presence of the Senate signed the same.

PERMISSION TO ADDRESS SENATE

Mr. HOLLAND asked and obtained unanimous consent to address the Senate.

Mr. HOLLAND. Mr. President, I would like to interrogate the Chairman of the Committee on Forests and Waters, Game and Fish.

The PRESIDENT. Will the gentleman from Monroe permit himself to be interrogated.

Mr. CROWE. I will, Mr. President.

Mr. HOLLAND. Mr. President, I have been requested by different organizations in western Pennsylvania, which are interested in Pymatuning Lake, especially in opposition to allowing putt-putt boats to destroy the peace and quiet of Lake Pymatuning, as well as killing fish in the lake, to ascertain: is it the intention of the Chairman of the Committee on Forests and Waters, Game and Fish to hold a public hearing on this bill.

Mr. CROWE. Mr. President, we have set March 27 as the date to hold a public hearing, in the Senate Caucus room, at 10 a. m., or the public hearing will be held here in the Senate Chamber if the crowd is too large to be accommodated in the Senate Caucus room.

Mr. HOLLAND. I desire to further interrogate the gentleman from Monroe.

The PRESIDENT. Will the gentleman from Monroe permit himself to be further interrogated.

Mr. CROWE. I will, Mr. President.

Mr. HOLLAND. We all realize that in these times all of us have been obliged to do as little travelling on trains as possible. To have the hearing that you suggest will necessitate the transporting of hundreds of people from western Pennsylvania into Harrisburg in order to attend such a hearing. In view of that fact, people who are interested, both pro and con, in this bill from western Pennsylvania have requested that I ask that this hearing be held in the city of Pittsburgh, instead, which would make it easy for them to attend and also not necessitate the travelling which we all feel we should not do in this time of war. I think all of us who travel on trains realize that the trains today are very much crowded and to bring two or three hundred people here would inconvenience hundreds and perhaps thousands of soldiers going back and forth to and from their camps.

Would the gentleman from Monroe, Mr. Crowe, kindly consent to have this meeting held in the city of Pittsburgh, or any place in western Pennsylvania, which would not necessitate this undue travelling.

Mr. CROWE. In answer to the interrogation of the gentleman from Allegheny, Senator Holland, Harrisburg is the Capital of Pennsylvania and the Committee on Forests and Waters, Game and Fish has committee rooms here at Harrisburg. I think, if the gentleman from Allegheny wants to save transportation, each of these factions in western Pennsylvania should appoint personal representatives and consolidate their evidence and come down here and have three or four people testify on each side, and they will be able to accomplish much more, rather than have a mob come down here—I am never in favor of mobs—and on the other hand we would like to stay here in Harrisburg and finish up the business of this session so that we can get back to our businesses.

Mr. HOLLAND. Mr. President, I think it is fine that the gentleman hopes to end the affairs of the Session and I am awfully glad to know that we are getting worried about our do nothing attitude in this Session.

Mr. President, there are hundreds of organizations interested in this bill and each organization should be

represented by at least one person. I think the place to hold the hearing is a place that would be accessible to the people who are interested. This is of vital concern to the people of western Pennsylvania. They, of course, would like to attend a public hearing and be heard, and we can not take those people even from the organizations away from their work and I would therefore suggest that the public hearing be held in the city of Pittsburgh so that men would not be taken away from work in order to appear before the committee.

I believe it is foolish for the Senate, if the Senate is really sincere, to even consider the desecration of this great wild life paradise—and I really wonder why we should have a meeting—but since we must have a meeting, let us take it some place where all the people can appear before the committee and have a hearing which can be complete, in Pittsburgh, and then the members of the committee, after hearing the different witnesses, can come back and report to the Senate. I think that is economically sound and in time of war it should be done.

Mr. CROWE. Mr. President, I want to say to the gentleman from Allegheny that I think this whole problem is much ado about nothing. Up in the Poconos we have Lake Wallenpaupak, which is comparable to Pymatuning Lake, and we have had motor boats on Lake Wallenpaupak for years and I have seen no ill effects on the different fishes or wild life of any kind up there. In fact, you can pick up "Pennsylvania Angler," almost every issue, and see a picture of a string of fish someone caught in Lake Wallenpaupak.

Mr. HOLLAND. Will the gentleman from Monroe agree on Mr. John Phillips being the father of conservation of wild life in Pennsylvania?

Mr. CROWE. I do, Mr. President.

Mr. HOLLAND. Will the gentleman from Monroe say Mr. Phillips is an authority?

Mr. CROWE. I would say he ought to be.

Mr. HOLLAND. Does the gentleman from Monroe think that ex-Governor Tener and ex-Governor Fisher of Pennsylvania would be considered as authorities on Pymatuning Lake?

Mr. CROWE. They ought to be.

Mr. HOLLAND. Mr. President, all three of those gentlemen are unanimous in saying that putt-putt boats should not be put on Pymatuning Lake.

Therefore, Mr. President, I hope the gentleman from Monroe will agree with me that this is a question that should be studied and that the bill should be held in committee. I would like to have him agree on that.

Mr. CROWE. Mr. President, that is the purpose of holding a public hearing, to decide on the merits of the bill, whether it should be brought out from committee or held there.

Mr. HOLLAND. Mr. President, which does the gentleman from Monroe think would be better, to take ten members of the Committee on Forests and Waters, Game and Fish into Allegheny county or to bring a few hundred people from western Pennsylvania to Harrisburg? Which would be the most economical and the wisest thing to do today?

Mr. CROWE. Mr. President, I still do not think it is necessary to bring a few hundred people here, or any large number. I suggest that a small delegation be appointed to represent each side and let them come here and say their piece.

Mr. HOLLAND. Mr. President, the Chairman of the Committee on Forests and Waters, Game and Fish will not agree that the hearing be held in Pittsburgh?

Mr. CROWE. Mr. President, we have set March 27, at ten a. m., in the Senate Caucus Room, as the time and place for a public hearing.

Mr. HOLLAND. Mr. President, the gentleman will not agree that the meeting be transferred to Pittsburgh?

Mr. CROWE. I will not agree that the meeting be transferred to Pittsburgh.

Mr. HOLLAND. Will the Chairman of the Committee take it up with the members of the committee and see if the meeting can not be transferred to Pittsburgh?

Mr. CROWE. I will be glad to do so, Mr. President.

Mr. HEYBURN. Mr. President, the gentleman from Allegheny, Senator Holland, stated former Governor Fisher was opposed to putt-putt boats on Pymatuning Lake. I am sorry to have to state that I attended the funeral of former Governor Fisher six or seven years ago. Former Governor Fisher is no longer alive.

Mr. HOLLAND. Mr. President, I may add that if he were alive, he would be against it, because he was a great fighter against putt-putt boats and in sacredness to his memory we should not destroy the things he fought for.

BILLS INTRODUCED AND REFERRED

Mr. KEPHART read in his place and presented to the Chair Senate Bill No. 530, entitled:

An Act authorizing the Department of Justice to prescribe rules of practice for administrative departments, departmental admininstrative boards and commissions, independent administrative boards and commissions, officers and other agencies of the Commonwealth; authorizing such agencies to adopt rules; providing for the appointment of an Administrative Rules Committee and fixing its powers and duties; and imposing certain duties upon State officers and agencies.

Which was committed to the Committee on Judiciary Special.

Mr. GELTZ read in his place and presented to the Chair Senate Bill No. 531, entitled:

An Act to further amend section five hundred two and section five hundred four of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto." requiring submission of all plans for public improvements to the County Planning Commission for approval and prohibiting the recording of plans and sales of lots before their approval under penalties.

Which was committed to the Committee on County Government.

He also read in his place and presented to the Chair Senate Bill No. 532, entitled:

An Act to amend section two of the act approved the thirtieth day of April one thousand nine hundred and twenty-nine (P. L. 903) entitled "An act relating to corporations providing methods of determining what stockholders shall be entitled to vote at meetings or to

receive dividends or allotments of rights or to exercise rights and the effect thereon of transfers of stock within sixty days of any election or meeting" by making further provision for such determination in lieu of closing the stock transfer books.

Which was committed to the Committee on Corporations.

He also read in his place and presented to the Chair Senate Bill No. 533, entitled:

An Act concerning liens of factors on merchandise and on accounts receivable or other proceeds arising from the sales of such merchandise; and defining "factor".

Which was committed to the Committee on Judiciary General.

Mr. HOLLAND read in his place and presented to the Chair Senate Bill No. 534, entitled:

An Act declaring the existence of a state of emergency with respect to housing accommodations for occupancy by tenants; authorizing and empowering certain courts to grant stays of eviction in proper cases for periods not exceeding one year.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 535, entitled:

An Act to further amend clause (c) of section three of the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts; providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employes to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties," including the Commonwealth or any political subdivision thereof in the definition of "employer".

Which was committed to the Committee on Labor and Industry.

Mr. MALLERY read in his place and presented to the Chair Senate Bill No. 536, entitled:

An Act authorizing the Department of Forests and Waters, with the approval of the Governor to acquire a certain tract of land for the use of said department, and making an appropriation therefor.

Which was committed to the Committee on Forests and Waters, Game and Fish.

Messrs. MALLERY and STEVENSON read in place and presented to the Chair Senate Bill No. 537, entitled:

An Act to amend section twenty-eight and to repeal section twenty-nine of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 414), entitled "An act relating to vital statistics and to make uniform the law with reference thereto," providing for payment of the compensation of local registrars by the Commonwealth, and relieving counties from such payments.

Which was committed to the Committee on State Government.

Mr. HOMSHER read in his place and presented to the Chair Senate Bill No. 538, entitled:

An Act to amend section eight of the act, approved the eighth day of May, one thousand nine hundred forty-four (Act No. 2), entitled "A supplement to the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled 'An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections,'" by further regulating the disposition of military files.

Which was committed to the Committee on Elections.

He also read in his place and presented to the Chair Senate Bill No. 539, entitled:

An Act to amend Section nine of the Act approved the fifth day of May, one thousand nine hundred forty-four (Act No. 1) entitled, "A Supplement to the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled 'An act concerning elections, including general municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners, imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections,'" further regulating the disposition of military files.

Which was committed to the Committee on Elections.

Mr. CROWE read in his place and presented to the Chair Senate Bill No. 540, entitled:

An Act fixing the salaries of certain county officers in counties of the third, fourth, fifth, sixth, seventh and eighth class; and requiring the payment of all fees and extra emoluments received by said officers into the county treasury for the use of the county.

Which was committed to the Committee on County Government.

Mr. FAR[illegible]LL read in his place and presented to the Chair Senate Bill No. 541, entitled:

An Act making an appropriation to St. Luke's and Children's Medical Center, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. BERGER (by request) read in his place and presented to the Chair Senate Bill No. 542, entitled:

An Act to further amend the act, approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating special funds in the custody of the State Treasurer and prescribing penalties" by redefining "compensated employe" and by providing under certain conditions for the payment of compensation to unemployed minors who enroll in an approved public school for further education and training.

Which was committed to the Committee on Labor and Industry.

Mr. HEYBURN read in his place and presented to the Chair Senate Bill No. 543, entitled:

An Act relating to, establishing and regulating the Port of Chester; creating the commission for the Port of Chester as a departmental administrative commission in the Department of Forests and Waters, and prescribing its powers and duties; regulating the acquisition, transfer, construction and use of navigation facilities; providing for regulating services and fixing minimum rates for wharfage, cranage and dockage; authorizing acquisition and construction of facilities by the Commonwealth, and the exercise of the right of eminent domain; providing for the use and leasing of such facilities; authorizing the abatement of nuisances and the correcting of improper conditions, and collecting the cost thereof from the owner or occupant of harbor structures; prescribing penalties; and making an appropriation.

Which was committed to the Committee on Forests and Waters, Game and Fish.

PERMISSION TO ADDRESS THE SENATE

Mr. DiSILVESTRO asked and obtained unanimous consent to address the Senate.

Mr. DiSILVESTRO. Mr. President, in presenting this bill, I have in mind to establish control over penicillin similar to that which we now have over the sulfa drugs and benzedrine.

BILL INTRODUCED AND REFERRED

Mr. DiSILVESTRO read in his place and presented to the Chair Senate Bill No. 544, entitled:

An Act to regulate the sale and possession of penicillium (penicillin) and its derivatives, preparations and compounds in the interest of public health.

Which was committed to the Committee on Public Health.

PERMISSION TO ADDRESS THE SENATE

Mr. BARR asked and obtained unanimous consent to address the Senate.

Mr. BARR. Mr. President, I would like to call to the attention of the Chairman of the Aeronautics Committee that in order for the state government to derive any benefit of a bill passed by Congress for areonautics and for post-war projects, and so on, it is necessary that the state have an areonautics fund, and this bill sets up an areonautics fund.

BILLS INTRODUCED AND REFERRED

Mr. BARR read in his place and presented to the Chair Senate Bill No. 545, entitled:

An Act to further amend sections six and ten of the act, approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149) entitled "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," requiring distributors to keep separate record of liquid fuels sold for aeronautical purposes; to make reports thereof and appropriating the tax collected therefrom to a special fund to be used only for aeronautical purposes.

Which was committed to the Committee on Aeronautics.

He also read in his place and presented to the Chair Senate Bill No. 546, entitled:

An Act empowering cities of the second class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced.

Which was committed to the Committee on Municipal Government.

Mr. BARR on behalf of Mr. DENT read in his place and presented to the Chair Senate Bill No. 547, entitled:

An Act to amend section nine of the act, approved the second day of April, one thousand eight hundred sixty-eight (P. L. 3), entitled "An act to ascertain and appoint the fees to be received by the several officers of this Commonwealth," by increasing the fees which the attorneys-at-law of the several courts of this Commonwealth shall be entitled to receive.

Which was committed to the Committee on Judiciary General

PERMISSION TO ADDRESS SENATE

Mr. GOURLEY asked and obtained unanimous consent to address the Senate.

Mr. GOURLEY. Mr. President, we all realize that every person in the Commonwealth at one time or another, as a result of circumstances arising over which they have no control, such as sickness, death, financial reverses or other unexpected events, have had occasion to borrow money in order to tide them through or over the situa-

tion which might exist. We also realize that if a person has real estate or has government bonds or gilt edge securities, they can very easily go to a bank or to a lending agency and secure what money they might need. We are also aware of the fact that if that individual does not have any of the securities that I have enumerated, or is not the owner of real estate, the bank or the lending agencies generally turn their backs on the individual who needs the loan or the money.

We have on our statute books an act which I believe has passed this Senate this session, which states in substance that the State Banking Department will cooperate in every way whatsoever with the federal government, in connection with G. I. Bill, in order to make money or funds available for the men and women who are discharged from the military service, and that will be very well and good where the individual is going to enter business or is going to enter a profession, where he has something that he can give as collateral security for his loan, but in most instances when that individual goes to a bank he will not have any collateral which he can give as security for his loan.

We also have on our statute books legislation which permits steel companies, steamboat companies, granaries and farmers to mortgage their personal property or their equipment or their stock or their crops, in order to borrow money.

We also have on our statute books an Act of 1936, which gives individuals or corporate interests the right to borrow money from the Reconstruction Finance Corporation or any other similar governmental agency.

But, Mr. President, the average man in the average walk of life has no place to turn in order to secure those funds that he needs, unless he has security or unless he goes to a finance company and pays forty-two per cent interest, three and one half per cent a month.

I have introduced two previous chattel mortgage bills this session—I was somewhat blazing the trail. I have conferred with many men who I believe are well informed as to the lending of money; I have conferred with bankers in my own county, and on the basis of the conferences which I have had, and through the aid of their legal counsel, I have prepared a chattel mortgage bill which I believe will extend and afford the relief that I have in mind; it is therefore a pleasure for me to read in place and to present to the Chair a chattel mortgage bill which will apply equally to any person or corporation in the Commonwealth, regardless of the nature or form of the personal property they may have to give as collateral security for a loan.

BILLS INTRODUCED AND REFERRED

Mr. GOURLEY read in his place and presented to the Chair Senate Bill No. 548, entitled:

An Act relating to chattel mortgages on any chattel or chattels of any kind or description, including among other things livestock, poultry, farm machinery, farm equipment and crops grown, growing or to be grown; designating the operation and effect of the lien of such mortgage; providing for the filing, indexing and docketing of such mortgages and related instruments in prothonotaries' offices, and prescribing prothonotaries' fees; providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states; regulating the assignment, release, satisfaction and extension of the lien of such mortages; prescribing methods of foreclosure; defining defaults and violations; and fixing penalties.

Which was committed to the Committee on Judiciary General.

Mr. LEADER read in his place and presented to the Chair Senate Bill No. 549, entitled:

An Act making an appropriation to the York Hospital, York, Pennsylvania.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 550, entitled:

An Act making an appropriation to the Hanover General Hospital, Hanover, Pennsylvania.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 551, entitled:

An Act making an appropriation to the Children's Home, York, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. ROSENFELD read in this place and presented to the Chair Senate Bill No. 552, entitled:

An Act relating to the regulation and control of rents, rental agreements and certain other landlord-tenant relationships with respect to lands and buildings used for commercial purposes, establishing a maximum rent ceiling for such buildings and lands; providing for appeals to the county commissioners in certain cases and imposing penalties.

Which was committed to the Committee on Judiciary General.

Mr. WOODRING read in his place and presented to the Chair Senate Bill No. 553, entitled:

An Act to further amend the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by permitting certain employes to contribute on the basis of salary previously received, and requiring the Commonwealth to contribute on the same basis in such cases.

Which was committed to the Committee on Education.

REPORT FROM COMMITTEE

Mr. CROWE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CROWE, from the Committee on Forests and Waters, Game and Fish, reported as committed, House Bill No. 552, entitled:

An Act to further amend section two hundred twenty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" authorizing the use of eel chutes in the Delaware River above Easton.

PERMISSION TO ADDRESS SENATE

Mr. BARR asked and obtained unanimous consent to address the Senate.

Mr. BARR. Mr. President and membes of the Senate, I would like first to quote from a statement by the Republican State Chairman, as appearing in the Pittsburgh Post Gazette, with a Harrisburg date line of March 9, which is headed "GOP Slush Fund Charge Denied." The article is as follows:

"GOP SLUSH FUND CHARGE DENIED

"Harrisburg, March 9.—(AP)—Republican Chairman M. Harvey Taylor today termed 'ridiculous' a charge of United States Senator Joseph F. Guffey that the Pennsylvania GOP had accumulated a slush fund of $875,000 and is 'Preparing to buy or steal the election in 1946.'

"'I wish it were true that we had $875,000,' said Taylor. 'I don't know anything about it. He must be getting jittery already about his candidacy.'"

Now, Mr. President, I have here figures of the Secretary of the Commonwealth, Mr. Charles Morrison—I think everybody in this Senate knows that Mr. Charles Morrison in a staunch Republican and a great friend of the Republican State Chairman. His figures are these:

The Republican State Committee as of December 8 had on hand $137,082.79.

The Republican Finance Committee of the state of Pennsylvania had on hand, when they filed with the Secretary of the Commonwealth, thirty days after the last election, on December 8, $313,648.16.

Mr. President, I do not think the Secretary of the Commonwealth is doing his duty because eight of the Republican county committees have not yet filed—but for the 59 that did file according to the election code, they showed a balance of $147,574.46.

Then there are various state organizations which collected money and had balances on hand as of December 8, and their balances were $277,403.23.

Mr. President, those four figures total $875,708.64. That is one reason why we see some of these special bills, I think, going through the mill here in the legislature.

These state organizations, and I think it might be well to make a record of who they are, some of their names I will say are misleading, I do not know who they are or their names are not on file as treasurers of these committees over in the office of the Secretary of the Commonwealth.

There is the Republican Central Campaign Committee, and in round figures they had a balance of $23,528.39.

The Harold V. Hughes Committee of Allegheny County only had a balance of $403.63.

The Allegheny County Republican Congressional Committee had a balance left of $1,058.96.

The Republican Finance Committee of Allegheny—where those names were missing so mysteriously for several months but somehow after my resolution was introduced in the Senate they have shown up in the office of the Secretary of the Commonwealth—and their account shows a balance of $242,855.82. That is not the Allegheny County Republican Committee, it is another committee The Allegheny County Republican Committee also has a balance.

Then the Oakmont Republican Committee, Senator Walker's home town, he succeeded in spending most of their money, but they have a balance of $87.51.

The Bellevue Republican Committee had a balance of $847.74, that is Mr. Geltz's district. That is a small borough.

The Republican Committee of Mt. Lebanon Township, the citadel of Republicanism in Allegheny County, had a balance of $315.27.

The Republican Finance Committee of Lebanon County—I do not mean the Lebanon County Republican Committee, that is another committee—they had a balance of $4,379.10.

The Republican City Committee of Johnstown had a balance of $400.40.

The Republican Finance Committee and Thomas E. Dewey Campaign—I do not know what kind of committee that one was or what it is—but they had a balance of $4,482.74.

The Political League for Small Business—I do not think a small business could have given much to the Republican campaign the last time, because they have a balance only of $95.68.

Mr. President, I am not going to take the time to read all of these figures to the members of the Senate, I am going to ask to have this list inserted into the Legislative Journal—but I do want to call attention to a rather singular thing.

I notice that the political bosses of the Republican Party, M. Harvey Taylor and the Chairman of the Republican Caucus, Senator Tallman, the man who runs the Governor's office, Mr. Bloom, I would just like to call to your attention the balances they have in those counties, which are not very large counties, yet they have more money than it takes to run the usual campaign in those counties.

Dauphin County has a balance of $26,914.27. That is in addition to the Central Campaign Committee, the State Finance Committee and the various other committees I have mentioned.

In Lehigh County, which is not a very large county, they had a balance of $13,440.57. In little Tioga County, where I do not think there were over 7,000 votes for Tom Dewey, they had a balance of $3,223.57.

Then there is Washington County, where they spent a terriffic amount of money and still lost that county by 22,000 and they still have a balance in little Washington County of $18,177.29.

Now, Mr. President, my reason for making this statement is that I do not think the Chairman of the Repub-

lican Party should make a quotation in a newspaper that he wished it were true that they had a balance of $875,000 and that the charges are ridiculous. These are the figures from the office of the Secretary of the Commonwealth. I hereby charge now that the figures are true and correct because each one is sworn to by the treasurer of that particular Republican committee.

I also think some legislation should be put in here in the state of Pennsylvania wherein only a certain amount of money should be allowed to be spent for elections. I saw last week where the Green committee in the Senate at Washington had recommended some 23 changes. I think we in Pennsylvania, if we want to have honest, true elections, we ought to do something about these terriffic political expenditures.

As I told you last week or the week before last, in the state of Pennsylvania there was $3,274,000 collected by the Republican Party in this state. I claim that is not a healthy condition. If you come up to my county, as I say, the Republicans raised $505,000 in one committee and I think $198,000 in another committee, and still we carried the election by eighty-nine thousand nine hundred and some votes, but there are only a certain percentage of the votes that can be bought.

The only reason the Republicans got these terriffic campaign contributions was for the special privilege of too many to sit in this Chamber and serve.

I would like to present one copy of this memoranda to the Republican State Chairman so that he will know where the $875,000 is.

(The following statement is printed at the request of the Senator from Allegheny, Mr. Barr.)

Republican State Committee ...	$137,082.79	
Republican Finance Committee of the State	313,648.16	
Various County Committees ...	147,574.46	
Various State Organizations ...	277,403.23	$875,708.64
Republican Central Campaign Committee ..		22,528.39
Harold V. Hughes Committee of Allegheny County		403.62
Allegheny County Republican Congressional Committee		1,058.96
Republican Finance Committee of Allegheny County		242,855.82
Oakmont Republican Committee		87.51
Bellevue Republican Committee		847.74
Republican Committee of Mt. Lebanon Township		315.27
Republican Finance Committee of Lebanon County		4,379.10
Republican City Committee of Johnstown, Penna.		400.40
Republican Finance Committee and Thomas E. Dewey Campaign		4,482.74
Political League for Small Business		95.68
County Balances		$147,544.46

Allegheny	$ 1,968.94	Lebanon	1,435.25
Beaver	1,475.76	Lehigh	13,440.57
Berks	6,599.86	Luzerne	4,826.64
Blair	270.18	Lycoming	4,712.13
Bradford	3,056.20	Mercer	3,648.76
Bucks	691.93	Monroe	1,512.41
Butler	2,393.61	Montgomery ...	608.29
Cambria	1,833.41	Montour	2,023.72
Carbon	54.03	Northampton ...	4,223.95
Centre	338.40	Philadelphia ...	1,035.18
Clarion	697.25	Pike	27.65
Clearfield	3,165.27	Potter	640.36
Clinton	2,935.48	Snyder	466.62
Columbia	1,999.03	Somerset	586.99
Crawford	1,102.18	Sullivan	74.15
Dauphin	26,914.27	Susquehanna ...	1,317.82
Delaware	6,497.22	Tioga	3,223.57
Elk	318.76	Union	114.75
Erie	3,548.02	Venango	5,039.92
Fayette	160.61	Warren	1,062.10
Fulton	360.08	Washington	18,177.29
Greene	537.92	Wayne	197.79
Huntingdon	323.49	Westmoreland ..	2,927.31
Jefferson	76.49	Wyoming	13.50
Juniata	737.61	York	3,656.85
Lawrence	3,945.41		

PERMISSION TO ADDRESS SENATE

Mr. WALKER asked and obtained unanimous consent to address the Senate.

Mr. WALKER. Mr. President, I think that an explanation of this is in order simply because the fair name of Oakmont has been run up and down these legislative halls and the gentleman from Allegheny, Mr. Barr, pointed out that we only had $87.51 in the Republican treasury in Oakmont and he intimated by his threshold remarks and in his concluding remarks that the State Chairman of the Republican Party of the Commonwealth of Pennsylvania controlled that $87.

I want to say, Mr. President, directly to the gentleman from Allegheny, Senator Barr, and indirectly to our distinguished State Chairman, that the Republican Borough Committee of Oakmont Borough controls that $87 and neither Senator Guffey or M. Harvey Taylor controls it or can spend it.

When the distinguished State Chairman of the Republican Party said that the statements of Senator Guffey were ridiculous, I think the gentleman from Allegheny, Senator Barr, has just proved that what the State Chairman said is absolutely true.

Senator Guffey said we are prepared to buy or steal the election in 1946. Mr. President, if we figured on buying an election we would have tried it out in 1944 and would not have all these balances.

I want to congratulate the Chairman of Lehigh County on having a balance like that; that shows practical, thrifty politics. I think what hurts the gentleman from Allegheny, Senator Barr, just a little, he has something to do in an indirect way with the Democratic Headquarters in Allegheny county and perhaps he would like to get up and discuss the balances that they wish they had in their various treasuries.

We tried back a long time ago to spend a lot of money to win elections and we found out, Senator Barr, you can not buy elections, no matter how much you advertise or how many parades you hold or how many brass bands you hire, and therefore there is no attempt on the part of all these independent groups who have small campaign funds laid away to buy or steal an election, which is the red herring that Senator Guffey drags across the newspaper releases.

To the groups in Allegheny County that he pointed out very carefully have balances, the story becomes doubly amusing when you realize that he read off a list of balances held by practically every Republican faction that ever existed or does exist in Allegheny County. Surely the Senator from Allegheny, Mr. Barr, is not going to

suggest that M. Harvey Taylor has the power of life or death over all the funds controlled by the various factions of the Republican Party in Allegheny County. Senator Taylor said that the statements were ridiculous, and with that I agree.

The Republican Party does not need to buy or steal elections in Pennsylvania. The Republican Party does not always win elections in Pennsylvania but the Republican Party up to this time has always been willing to meet their common enemy on the issues that are framed, and we know they know they can not buy votes away from us, and we know that they can not scare away or intimidate the people that believe in the Republican philosophy of government and so, when Mr. Guffey says that we are prepared to buy or steal an election, I want to say that I think his alibi is just a little premature.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President and members of the Senate, I do not like to get into this quarrel about campaign expenditures, because I get confused when I get over $5,000, because up until a few years ago that represented as much money as I ever knew was in the world, but when you get into the figures announced by the gentleman from Allegheny, Mr. Barr, and when you stop to consider that we are supposed to have free elections in the Commonwealth of Pennsylvania, no amount of ridicule from the gentleman from Oakmont can take away from the seriousness of the situation as we find it.

For the information of the gentleman from Oakmont, he stated that the Republican Party does not have to buy or steal elections. We know that the courts decide whether elections are stolen, and we know, most of us, being practical politicians, or we would not be here, we know full well there is a little bit of buying going on; because if there was not a little buying going on you would not need to spend in the Commonwealth of Pennsylvania last year $2.397,000 to carry on the state-wide campaign; you would not have had to spend approximately two dollars for every vote as compared to thirty cents for every vote spent by the so-called Minority Party, which carried Pennsylvania last year.

We know, gentlemen, when the issues are clearly defined, because they stand out in the minds of the people, such as in a year when they are electing the leader of the federal government, the President of the United States, that the people have demonstrated that they vote for the best person, but I say, without reservation, that in the off-year elections, too many citizens who ought to make it a part of their duty to go to the polls and vote, stay home and are disinterested in the results of the election, that that year is a ripe year for the big money bags to be opened up in order that those who do take part in a political campaign for financial return can best sell their wares.

I say that without hesitation, and I say it very kindly to the gentlemen on the other side; I say to you that there are other methods of stealing elections besides stealing them at the election polls.

A perfect demonstration of that, gentlemen, was in 1943 when this group passed a Congressional reapportionment bill that gave to the Republican Party three seats in Congress in Allegheny County and two seats to the Democratic Party, and yet the Democratic Party carried that county by 90,000 votes. And I say that right now the gentleman from Oakmont and the gentleman from Philadelphia, Senator Farrell—whose last elections, if not so questionable were too uncomfortably close for the gentlemen's comfort—have a bill now in the Senate of Pennsylvania, in Committee, that provides another steal, one that will not be taken to court because it is not within the jurisdiction of the court to pass upon this bill, and that is a steal in order to gerrymander districts in order to elect Senators into the Senate of Pennsylvania, or members into the House of Representatives, simply because you have enough to vote to gerrymander a district and place your men into seats of elected representatives, only by the simple action of passing a bill in the Legislature.

I asked the gentleman from Philadelphia whether he was serious in this steal that he is trying to perpetuate, and in all probability will, and he said, "Why certainly, we have the votes, why should we not pass this bill."

Well, I can give you many reasons why you should not pass a bill like that. You should not pass a bill like that because you are destroying the very things the boys are fighting for, you are destroying representative government, as intended by a majority of the people of this Commonwealth who are entitled to representation.

If this legislative body was not gerrymandering in the early days, when it was completely controlled by the Republican Party, the legislature in this state today would represent the now minority party, because the minority party as it is represented here is the majority party in the nation and it is the party that carried the Commonwealth of Pennsylvania and yet failed to carry the legislative branches in the Commonwealth of Pennsylvania.

I ask you if that is representative government. I ask you are you responsible to the people to carry out the policies of the leader of the nation No, you are not responsible, because your opinions and your philosophies of government are diametrically opposed to the philosophies of government that the people voted for, and so you do it by two methods; you do it by raising so much money that you should hang your heads in shame to say that you spent $2,300,000 and did not carry the Commonwealth of Pennsylvania, but you did spend the money to some good advantage, and that is represented in the legislation that we have upon the books here today and have had during this session and during the past three legislative sessions under Republican governors.

The Democratic Party can not raise money to that extent; it can not because it does not play up to persons who have that kind of money. There is an old saying "you get nothing for nothing; you must give something to get something." I say that $3,274,000 raised by the Republican Party last year for campaign purposes is something, and something has to be delivered for that money. That is a simple equasion. You do things because they helped you raise the money that keeps you back in power. I say to you that it is not worth it. I would forever, as long as I live, rather be defeated as a member of the minority party and do the things I know to be right for the majority of the people, than sell my

American heritage to those few who would by the use of money and by the use of gerrymandering legislation remain in control of the government they do not control by the largest vote.

PERMISSION TO ADDRESS SENATE

Mr. TALLMAN asked and obtained unanimous consent to address the Senate.

Mr. TALLMAN. Mr. President, I must confess that all of the oratory of the gentleman from Westmoreland leaves me a little bit cold. I remember very distinctly that in 1937, when the now minority party was in control, they were not averse to passing bills to gerrymander the Senate of this Commonwealth. They did pass one, but they were not very careful about how they did it. They were just as anxious to elect Democratic members to the Senate of Pennsylvania as it is now charged the Republicans are interested, and they very neatly and not too coyly eliminated my senatorial district and joined it with that of Bucks County. It happened, as they will well remember on the other side, that that bill was declared unconstitutional by the courts.

I have a great deal, too, of coldness about the charge that is being made with regard to money, and it seems to me that the gentleman from Allegheny, Mr. Barr, if he wanted to be fair about the situation, if he wanted to give a picture of the true state of affairs, he would not hurl charges at the Republican Party because some people have been sensible enough to spend their money carefully in the counties, but he would give the picture in its true light and that is not to make charges on the basis of what has been saved but by presenting the picture on the basis of what has been spent.

I want to suggest to the gentleman, now that he brings my county into the picture, if he were to examine the record and find out what we have spent and how we have spent it, I will be glad to have his most careful scrutiny on that subject.

I have to remined him too, that the state chairman of the Republican Party has no more control over those funds than I have control over the funds of the state committee, and so far as we are concerned in Lehigh County we propose to spend that money as we see fit and how we see fit.

I suggest to the gentleman what he has said in his remarks about some of the rural districts in Lehigh County he will find true generally, that is, that the rural districts raise their own money and they spend their own money for the most part. I think he will find, if he scrutinizes the record carefully, that those moneys have been expended with care and with decency.

I want to suggest to the gentleman, too, that if he can find a method by which either the Democratic Party or the Republican Party can buy an election in Lehigh County, I would like to have him put it on the record now, and I would like to know about it, and I suggest that while there may be a lot of skullduggery that he does not like, and while there may be some things which are severally critical in some places, the blanket charges he has hurled at some of the people in this Commonwealth are unwarranted, particularly to those of us in the rural districts of this state, on both sides, not only on the Republican side but on the Democratic side as well, who are trying to do conscientiously a proper job in dealing with politics, and certainly he ought to be careful of the charges that he hurls.

I suggest to him that it is untimely and I suggest to him that his remarks are completely unwarranted.

PERMISSION TO ADDRESS SENATE

Mr. WALKER asked and obtained unanimous consent to address the Senate.

Mr. WALKER. Mr. President, the gentleman from Westmoreland brought out a very unhappy chapter in my political life when he talked about close elections. Of course I have had some close elections. When I came into this Senate, I was a champion, I won by 161 votes, and he pointed the finger of suspicion at my election. I want to say that when the ballot boxes were closed and they counted the votes, by an unofficial newspaper tally, I was 151 votes ahead; when the official count was over I was 154 votes ahead; they opened 25 ballot boxes in my Senatorial District—I mean my opponent, helped and aided by the local democratic chieftains, and when they got through recounting the votes cast in those 25 ballot boxes, I was 161 votes ahead. Four years later, Mr. President, I doubled by plurality, and that is a record to shoot at.

PERMISSION TO ADDRESS THE SENATE

Mr. BARR asked and obtained unanimous consent to address the Senate.

Mr. BARR. Mr. President, I am probably not as naive as the gentleman from Lehigh, Senator Tallman, because I can read between his statements, and I want to refresh his mind, as to Article II, Section 18, of the Constitution of Pennsylvania, which calls for reapportionment of senatorial districts.

In Allegheny County, Mr. Tallman, give us reapportionment where we get seven Senators, according to Article II, Section 18, of the Constitution, where we are allowed one for every 200,000 population, and where we have 1,500,000 persons residing in that county.

The gentleman from Lehigh said I only stated the balances on hand in the various Republican Committees, and I want to say I have in my office all the moneys that were contributed by the counties and I will gladly put that in the record, if the gentleman from Lehigh thinks the way I have done this, by just showing balances, is not a real and true statement.

Furthermore, Mr. President, I am not so naive as to think Mr. Tallman, Mr. Walker, and some of the other Republican members of the Senate are so far away from Mr. Taylor that he has nothing to say about county committees in the various counties, because I have been in state and county politics.

The question I want to have answered, Mr. President, is why did it cost the Republicans about two dollars a vote to lose Pennsylvania and the Democrats only thirty cents a vote to win it.

PERMISSION TO ADDRESS THE SENATE

Mr EALY asked and obtained unanimous consent to address the Senate.

Mr. EALY. Mr. President, I am not a politician and I have had nothing to do with the disbursement of money. However, it comes with bad grace from the Democratic side to charge the Republican Party with the spending of so many millions of dollars, when it is a matter of knowledge to everyone who is interested that the Democratic Party used the whole treasury of the United States to secure their election.

The election of 1936 was an election which was purchased, completely and thoroughly, from one end of the country to the other. We all recall such things as the Florida ship canal and the Pasmaquoddy dam, boondoggling of all kinds, money sent to farmers for killing sheep, hogs and cattle, and a thousand and one things as disreputable, and it cannot be denied that the treasury of the United States has been used since 1936 to purchase the elections for the Democratic Party.

PERMISSION TO ADDRESS THE SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President, I would like to say to the gentleman from Somerset that I am not a politician, in the same sense he is not a politician, and I just want to say to him that it has been openly charged many times upon the floor of this Senate—I remember one memorable night when the young lad from Schuylkill County, ex-Senator Watkins, protested then that the United States treasury had been opened and the President of the United States had used that money for political purposes.

I will tell you gentlemen now why the treasury of the United States was opened and the money was spent; it was spent to save starving Americans, after the policy of the Republican Party had thrown thousands upon the streets without jobs, without incomes, without any means of support; we opened up the treasury of the United States to fight a war, the same as we have opened it up now. We fought a war against an internal enemy, one that was destroying the foundation of American independence—American democracy. We are now fighting a war to establish all over the world, if you please, a system of free government, where everybody will have an equal chance and equal opportunity to succeed.

We spent the treasury's money, yes, we spent it, and I will repeat as long as I live that it was probably the best money ever spent. We could have kept the money and lost American souls, very easily, and perhaps it would have pleased the gentleman from Somerset to have had it that way, but deep in my own heart I know he knows that public charity had broken down in those days and that it was no longer possible for neighbor to take care of neighbor; the old system of aiding their neighbor could no longer take care of the problem; the state and the various subdivisions of the state government did not have the money to feed their peoples, and we had to reach into the federal treasury.

Yes, we made blunders with the WPA; we built a lot bridges and we built dams and we paved a lot of streets that no one in this room can say would be better unpaved. Maybe we did waste effort, but no more so than there is in many industrial plants. I have worked in industry. I started out to work in industry; I have worked in the mines and I have seen loafers on industrial jobs and mining jobs; you can not make everybody work, because we are not all constituted that way. Even as members of this Senate many of you would not earn as much as some people think you should; it is a matter of conjecture or opinion.

When you charge that the Democratic Party spent United States treasury money for elections, that is not a true statement. The people were grateful to the man then in power, for accepting them as human beings and part of this government, for seeing to it that their bodies and souls were held together and that their children were no longer undernourished, that schools were opened up that had been closed, when banks were being closed and homes were being broken up in America.

If you take the acts of the New Deal which you so loudly condemn, and which saved so many of your industries and which saved so many of your businesses, if you call that spending money out of the United States Treasury for political purposes, then thank God for somebody having the courage to use it that way. But I say to you that it must not have been so bad, because a majority of the people of this nation have not only once but four times accepted the leadership of our federal leader of today.

PERMISSION TO ADDRESS THE SENATE

Mr. BARR asked and obtained unanimous consent to address the Senate.

Mr. BARR. Mr. President, in answer to the statement made by the gentleman from Somerset, Senator Ealy, I just want to remind him that Mr. Roosevelt is now in his thirteenth year as president, and there has not been a scandal in a Roosevelt administration and I recall to him the Teapot Dome scandal, which came in a Republican administration.

Furthermore, I want to call to his attention the fact that the gentleman who is now vice-president of the United States, Senator Truman, in February of 1944, the editorials in every paper in this country were booming Truman as being the greatest man in Washington because he was investigating many of those contracts held by those donors who donated money to the Republican Party, when it was claimed that he would save the government millions of dollars and then, several months later at Chicago, when Mr. Truman's name came up as vice-president on the Democratic ticket, and I have never seen editorial policy change so quickly—he became a villian instead of a hero.

PERMISSION TO ADDRESS THE SENATE

Mr. WOODWARD asked and obtained unanimous consent to address the Senate.

Mr. WOODWARD. Mr. President, I am only going to take about two minutes. I have listened so long and so often to Senator Barr and Senator Cox—on Monday, Barr, on Tuesday, Cox—I am beginning to wish I lived in Allegheny County, it is so exciting.

I could not help remembering, when they were talking about shuffling districts around, gerrymandering, I can remember distinctly that the most dramatic gerrymandering ever performed was perfomed in Allegheny county,

there was quite a bit of oasis in the desert—that is where there are no Democrats—it was called Sewickley and there were no Democrats, a very intelligent community—and when the Democrats gerrymandered Allegheny county they ran up against Sewickley and so they cut out Sewickley entirely, so that no one in Sewickley would have a vote at all.

PERMISSION TO ADDRESS THE SENATE

Mr. CARR asked and obtained unanimous consent to address the Senate.

Mr. CARR. Mr. President, I would like to say, in reply to the statement made by the gentleman from Allegheny, Mr. Barr, that there has never been a scandal in connection with the Democratic Administration, that he had better wait until history has finally revealed everything going on in this administration before asserting there will not be any scandal.

When the facts are known about what has been going on down there in Washington for the last thirteen years, perhaps the story will be just a little bit different than it is now, when everything possible has been done to conceal the workings of the present administration from the public.

PERMISSION TO ADDRESS THE SENATE

Mr. JASPAN asked and obtained unanimous consent to address the Senate.

Mr. JASPAN. I charge that the rate-payers in Pennsylvania are being overcharged $50,000,000 annually by the private utilities.

I charge that the rates in Pennsylvania are practically the highest in United States, notwithstanding the natural facilities afforded the private utilities in the States and the populous centers.

I charge that the said milking of the utility-user is rendered possible by connivance between the private utilities and a majority of the members of the Public Utility Commission.

I charge that some utilities have deliberately juggled their accounts, withheld valuable information in proceedings, issued stocks that are highly watered, and have in fact resorted to every trick, artifice, and stratagem to deceive the public, the Public Utility Commission and governmental agencies.

I charge that some utilities particularly the Penn-Power and Light Co., have been deliberately blocking the Rural Electrification Program in the State of Pennsylvania, and have recently been called to task by Federal Agencies for their misconduct. For the information of the Senate the Penn-Power and Light Co. recently has erected spite lines to prevent the further growth of electrification among the farmers, and has increased the electric rates without permission of governmental agencies.

I further state that the many utilities throughout the State have been requested by the Federal Power Commission and the Securities & Exchange Commission to put their houses in order, but as was to be expected the private utilities have been stalling, using the old Waiting and Delaying game, hoping for a change in Administration at Washington.

I maintain that the present Public Utility Commission has blinded itself to the needs and wants of the rate-payers, notwithstanding numerous complaints by patrons as to poor, inadequate service and exorbitant rates. On the contrary, the majority of the present Commission have rubber-stamped the actions of the utilities. Recently a ruling by the Public Utility Commission in favor of the Penn Power and Light Co. has been denounced as a utility steal, and its decision on rates called brutal politics. Throughout the breadth of our land, this decision and the conduct of the Public Utility Commission in this case have been the target of criticism.

Under all of the circumstances, the present Public Utility Commission should be forced to resign, and make way for men who will truly serve the people.

The utility user is very much disturbed and alarmed over the appalling situation. They are being let down by their representatives in the Legislature. The Legislature in turn is being ignored by its agent, the Public Utility Commission. The private utilities, realizing that the present Commission is overfriendly, are doing very much as they please, fattening their calves and filling their coffers at the expense of the rate-payers. It is our duty to call a halt to these nefarious practices indulged in by many utilities in the States.

Many years ago, an investigation by this body brought to light conditions that were scandalous in nature and it resulted in the disgracing of members of the then Commission. The situation today is even worse, and calls for a similar investigation. If Governor Martin is sincere, he would unhesitatingly lend his good offices and encourage an investigation of this character. Frankly, I have my doubts. However, I call on him to publicly make his position clear with respect to the recent activities of the Private Utilities and the Public Utility Commission.

Be that as it may, I myself am proceeding with the introduction of a joint resolution designed to investigate the acts of both the private utilities and the Public Utility Commission, calling for an appointment of a committee of seven, 3 Senators and 4 Representatives with full authority to act. Said resolution carries with it an appropriation of $50,000.

RESOLUTIONS

URGING AN INVESTIGATION OF THE CONDUCT AND ACTIVITIES OF THE PRIVATE UTILITY COMPANIES

Messrs. JASPAN and HOLLAND offered the following resolution which was twice read and referred to the Committee on Public Utilities:

In the Senate, March 19, 1945.

Whereas, The private utility companies throughout the State of Pennsylvania have been and are now furnishing poor and inadequate service to their patrons;; and

Whereas, The private utility companies are now charging exorbitant rates; and

Whereas, In several communities in this State the rates are the highest of any in the United States, notwithstanding the natural advantages afforded them; and

Whereas, Some private utility companies in this State have resorted to sharp practices in order to deceive and defraud the rate-payer, and

Whereas, Investigation and examination by Federal Bureas indicate deliberate write-ups by the private utility companies, and

Whereas, Complaints have been made to the present

Public Utility Commission concerning poor service and exorbitant rates; and

Whereas, The Pennsylvania Public Utility Commission has shown little or no regard for the rate-payer, ignoring complaints by the rate-payer; and

Whereas, the Pennsylvania Public Utility Commission in recent decisions has displayed an utter disregard for the needs and wants of the consumer; and

Whereas, The members of the Pennsylvania Public Utility Commission by their conduct and activities have violated their oaths of office by first ignoring the legislature whom they represent and then the mandates of the people and that they are definitely leaning towards the private utility companies without any basis in law or in fact; and

Whereas, They have conducted themselves in an arbitrary and capricious manner; and

Whereas, As a result of their conduct, the public has lost confidence in the Public Utility Commission; therefore be it

Resolved (if the House of Representatives concur), That a committee of seven be appointed to investigate the conduct and activities of the private utility companies and the present Pennsylvania Public Utility Commission, three members of the Senate to be appointed by the President of the Senate and four members of the House to be appointed by the Speaker, with power of subpoena as to witnesses and documents, and to report back to the Legislature with recommendations and suggestions; and be it further

Resolved, That the sum of fifty thousand dollars ($50,000.00) is hereby appropriated for carrying out the purposes of this resolution.

CONDOLENCE TO SONS AND DAUGHTER OF FORMER SENATOR HARRY B. SCOTT

Mr. LETZLER offered the following resolution which was twice read, considered and agreed to:

In the Senate, March 19, 1945.

The Honorable Harry B. Scott, Philipsburg industrialist, banker, newspaper publisher, civic leader, and statesman, a former member of this Senate, quietly passed into the great beyond on Sunday, March 4th.

He was born at Eagle Hill, Schuylkill County, September 17, 1878, a son of George and Catherine (Patten) Scott, both natives of that county. His early education was received in the schools of his home community. Before he was 21 he had successfully engaged in contracting and actively conducted that business for several years. He came to Philipsburg in 1900 to become affiliated with his father in the coal business.

Senator Scott's capacity for leadership was recognized by his fellow citizens and in 1914 he was elected to represent Centre County Republicans on the State Committee. He also served as a member of the Boro Council. In 1915 he was elected to the State House of Representatives where he served two terms. During the first World War he was appointed by President Wilson as District Fuel Administrator, serving in this capacity without compensation. In 1927 he was elected to the State Senate where he served with distinction for eight years. He was twice Chairman of the Appropriations Committee and in 1933 was elected President Pro-Tempore of the Senate. In 1934 he was the Republican Party's candidate for Lieutenant-Governor.

The real heart of Senator Scott was revealed in his devotion to the needs of those who were sick or handicapped by physical infirmities. The Philipsburg Hospital and its staff were the objects of his generosity on many occasions. He supplied equipment and many other needs out of his private funds. He undertook the building of an addition, and, with the assistance of a few of his friends, advanced the money to pay for it. The Philipsburg State Hospital with its modern buildings and facilities is a monument to the memory of the untiring efforts put forth by Senator Scott. He served three terms as president of the Pennsylvania Society for Crippled Children. He also headed the Clearfield-Centre Crippled Children's Society.

He retired from business in 1939. His generosity of heart proved him to be a man who would always respond to an appeal for a worthy object and who lived to be helpful, Therefore Be It

Resolved, by the Senate of the Commonwealth of Pennsylvania, that with the death of the Honorable Harry B. Scott there has passed a man who was given to noble expressions of heart in behalf of his fellow men; a man who had served his community and State with distinction; And Be It Further

Resolved, that in evidence of the deep sympathy of this Senate, the Secretary thereof shall transmit a copy of this resolution to the sons. George Scott and Captain James P. Scott, and the daughter, Miss Laura Scott.

TIME OF NEXT MEETING

Mr. THOMAS offered the following resolution, which was twice read, considered and agreed to:

In the Senate, March 19, 1945.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday, March 26, 1945, at four o'clock p. m.; and when the House of Representatives adjourns this week it reconvene on Monday, March 26, 1945, at nine o'clock p. m.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. EALY. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on March 19, 1945.

Mr. CHAPMAN. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 19, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Arthur P. Fallon, East Deer Twp., Creighton.

Cyril C. Farbacher, O'Hara Twp., 44 Kittanning Pike, Sharpsburg (15).

Miss Agnes R. Miller, Pittsburgh, 411 Jones Law Bldg.

John W. Simmonds, Mt. Lebanon Twp., 763 Washington Rd., Pittsburgh (16).

BLAIR COUNTY

Miss Marian R. Piper, Altoona.

BUCKS COUNTY

William F. Kerr, Lower Makefield Twp., 25 W. Ferry Rd., Morrisville.

DAUPHIN COUNTY

Miss Elizabeth Clark, Harrisburg.

ERIE COUNTY

Miss Dorothy A. Maloney, Erie.
James M. Van Dyke, Erie.

GREENE COUNTY

Paul F. S. Inman, Waynesburg

LEHIGH COUNTY

Mark Runyon Bittner, Allentown.

LUZERNE COUNTY

Frank Bachman, Wilkes-Barre.
Louis A. Iannuzzo, Dupont.
Clem Krause, Nanticoke.

NORTHUMBERLAND COUNTY

Paul W. Boggess, Sunbury.

PHILADELPHIA COUNTY

Benjamin Bruner, Phila., SE Cor. 10th and South Sts.
William A. Dungan, Phila., 3915 Fitler St. (14).
S. R. Harlan, Phila., 5221 Walnut St., (39).
Miss Ruth Oves, Phila., 3714 Walnut St.
Frederick A. Riegel, Phila., 4200 N. Franklin St.

SCHUYLKILL COUNTY

Paul Gavala, Mahanoy City.
John J. Lyons, Mahanoy City.
Michael M. Minor, Kline Twp., Honey Brook, Kelayres.

SUSQUEHANNA COUNTY

E. J. Ahearn, Susquehanna.
Miss Emily R. Avery, Springville Twp., Springville.

WESTMORELAND COUNTY

John Dubnansky, Monessen.

YORK COUNTY

Archie B. Rose, York.

EDWARD MARTIN.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 19, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

LANCASTER COUNTY

Miss M. Edith Hahn, Lancaster, March 23, 1945.

ALLEGHENY COUNTY

Mrs. E. Dell Stevenson, Pittsburgh, 1107 Keystone Bank Bldg., March 24, 1945.
Mrs. Clara D. Warr, Pittsburgh, 730 Frick Bldg., March 25, 1945.
Henry Wegener, Carnegie, March 25, 1945.

DELAWARE COUNTY

Lawrence G. Kilpatrick, Haverford Twp., 1316 Darby Rd., Brookline, Upper Darby P. O., March 26, 1945.

ALLEGHENY COUNTY

Miss Olive E. Swank, Pittsburgh, 819 Oliver Bldg. (22), March 27, 1945.

DAUPHIN COUNTY

P. W. Fetterhoff, Harrisburg, March 29, 1945.

PHILADELPHIA COUNTY

James Ryan, Jr., Phila., 3305 N. Front St., March 30, 1945.

ALLEGHENY COUNTY

Fred Ball, Jr., Pittsburgh, Hotel Webster Hall, 4415 5th Ave., March 31, 1945.

LYCOMING COUNTY

Mrs. Alice Artley, Montoursville, March 31, 1945.

PHILADELPHIA COUNTY

Miss Mary B. Kosher, Phila., 932 Bankers Securities Bldg., April 2, 1945.

CRAWFORD COUNTY

George F. Tulloch, Titusville, April 4, 1945.

PHILADELPHIA COUNTY

Anthony Ziernicki, Phila., 4173 Germantown Ave., April 4, 1945.

JEFFERSON COUNTY

Glenn R. Dennison, Reynoldsville, April 5, 1945.

PHILADELPHIA COUNTY

Robert C. Benham, Phila., 154 City Hall, April 9, 1945.

ALLEGHENY COUNTY

Harold H. Day, Pittsburgh, 312 4th Ave., April 13, 1945.

EDWARD MARTIN.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 19, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

ALLEGHENY COUNTY

Delmont A. Barbor, East Pittsburgh, April 1, 1945.
Miss A. C. Swanson, Pittsburgh, 3707-5th Ave., April 1, 1945.

NORTHAMPTON COUNTY

John J. Bartos, Bethlehem, April 1, 1945.

PHILADELPHIA COUNTY

Miss Anna M. Peters, Philadelphia, 606 Morris Bldg., 1421 Chestnut St., (2), April 1, 1945
B. H. Wachs, Philadelphia, North American Bldg., 117 S. Broad St., April 1, 1945.

BUCKS COUNTY

Mrs. Emily Afflerbach, South Langhorne, April 2, 1945.

LEHIGH COUNTY

Miss Addie M. Baus, Allentown, April 2, 1945.

MONROE COUNTY

Mrs. Dorothy S. Crane, Stroudsburg, April 2, 1945.

NORTHAMPTON COUNTY

Ernest Turtzo, Bangor, April 2, 1945

PHILADELPHIA COUNTY

Miss Anna M. Hardwick, Philadelphia, 857 E. Allegheny Ave., (34), April 2, 1945.
William H. Jackson, Philadelphia, Broad St. Station, Bldg., 1617 Pennsylvania Blvd., April 2, 1945.

LANCASTER COUNTY

C. S. Reese, Lancaster, April 3, 1945.

ALLEGHENY COUNTY

J. Paul Flaherty, East Pittsburgh, April 4, 1945.
Miss Bernadette Stewart, Pittsburgh, 1200 Koppers Bldg., (19), April 4, 1945.

COLUMBIA COUNTY

Mrs. Annie Ansbach, Berwick, April 4, 1945.

LUZERNE COUNTY

Arthur R. Hildebrand, Wilkes-Barre, April 4, 1945

MONTGOMERY COUNTY

F. Edward Malmberg, Bridgeport, April 4, 1945.

PHILADELPHIA COUNTY

Miss Angela M. Ruff, Philadelphia, 1600 Arch St., April 4, 1945.

BUCKS COUNTY

Cadwalader M. Bond, Morrisville, April 5, 1945.

DELAWARE COUNTY

Miss Kathryn M. Kelly, Chester, April 5, 1945.

LACKAWANNA COUNTY

Miss Mary R. Lawless, Scranton, April 5, 1945.

LUZERNE COUNTY

Mrs. Martha J. Renshaw, Hazleton, April 5, 1945.

MONTGOMERY COUNTY

Robert B. Brunner, Norristown, April 5, 1945.

PHILADELPHIA COUNTY

John J. Gutjahr, Philadelphia, 3320 Germantown Ave., April 5, 1945.
Alexander Steiner, Philadelphia, 2016 W. Diamond St., April 5, 1945.
Miss Jean C. Warrington, Philadelphia, 1700 Chestnut St. (3) April 5, 1945.
Howard A. Weaver, Philadelphia, 2025 Fairmount Ave., April 5, 1945.

ALLEGHENY COUNTY

Miss Marie A. Brednich, Pittsburgh, 911 Jones Law Bldg., April 6, 1945.

PHILADELPHIA COUNTY

C. E. Lehr, Philadelphia, 101 Public Ledger Bldg., (6) April 6, 1945.

VENANGO COUNTY

Mrs. Sara E. Snyder, Franklin, April 6, 1945.

ALLEGHENY COUNTY

I. E. Binstock, Pittsburgh, 609 Grant Bldg., April 7, 1945.
Wm F. Munz, Pittsburgh, 819 Fulton Bldg., (22) April 7, 1945.
Miss Marie Robinson, Pittsburgh, 4720 Center Ave., April 7, 1945.

BERKS COUNTY

Mateusz Chrusciel, Reading, April 7, 1945.

BUCKS COUNTY

Mrs. Loretta M. Ford, Bristol, April 7, 1945.

LUZERNE COUNTY

Miss Esther Kaplan, Hazleton, April 7, 1945.
Lindsley M. Washburn, Nanticoke, April 7, 1945.

PHILADELPHIA COUNTY

J. Horace Adams, Philadelphia, 932 W. Lehigh Ave., April 7, 1945.
Anthony C. Brandolini, Philadelphia, 2340 S. 12th St. (48) April 7, 1945.
Herbert C. Russell, Philadelphia, 315 N. 12th St., April 7, 1945.
Raymond H. Wismer, Philadelphia, Wood Bldg., 400 Chestnut St., (6) April 7, 1945.

ALLEGHENY COUNTY

Alan Arensberg, Swissvile, April 8, 1945.

DELAWARE COUNTY

Miss Martha H. Melick, Chester, April 8, 1945

NORTHAMPTON COUNTY

Calvin J. Boehm, Hellertown, April 8, 1945.

PHILADELPHIA COUNTY

Claude E. French, Philadelphia, 325 Chestnut St., April 8, 1945.
Miss Margaret F. Hellings, Philadelphia, 8047 Frankford Ave., April 8, 1945.

MONTGOMERY COUNTY

Allen C. Bard, Upper Providence Twp., R. D. No. 1, Collegeville, April 9, 1945.

LAWRENCE COUNTY

J. E. VanGorder, Ellwood City, April 10, 1945.

PHILADELPHIA COUNTY

Mrs. R. E. Wallack, Philadelphia, 5239 Germantown Ave., April 10, 1945.

ALLEGHENY COUNTY

David H. Thompson, Pittsburgh, Standard Life Bldg., 345-4th Ave. (22) April 11, 1945

PHILADELPHIA COUNTY

Miss S. Emilie MacMichael, Philadelphia., 1518 Walnut St. (2) April 11, 1945.
Miss Lillie A. Donovan, Philadelphia, 842 Land Title Bldg., (10) April 12, 1945.
Miss Caroline Earnshaw, Philadelphia, 4370 Main St. (27) April 12, 1945.

LEBANON COUNTY

John R. Lentz, Jonestown, April 12, 1945.

ALLEGHENY COUNTY

Henry S. Carr, Pittsburgh, 1715 Union Bank Bldg., April 13, 1945.
Edgar C. Schodde, Pittsburgh, 5215 Powhattan St., April 13, 1945.

CHESTER COUNTY

Miss Edna B. Howett, Oxford, April 13, 1945.

CLINTON COUNTY

Miss Mary Blake, Lock Haven, April 13, 1945.

DELAWARE COUNTY

Mrs. Margaret M. Hurley, Upper Darby Twp., 202 Long Lane, Upper Darby, April 13, 1945

Edmund B. Lynch, Upper Darby Twp., 4203 Ferne Blvd., Drexel Hill, April 13, 1945.

FRANKLIN COUNTY

Miss Charlotte M. Leidig, Chambersburg, April 13, 1945.

Miss Elinor B. Porterfield, Chambersburg, April 13, 1945.

INDIANA COUNTY

Miss Julia H. Stuckey, Indiana, April 13, 1945.

LEHIGH COUNTY

Harry L. Silverman, Allentown, April 13, 1945.

NORTHUMBERLAND COUNTY

Miss Evelyn M. Deibler, Sunbury, April 13, 1945.

PHILADELPHIA COUNTY

Miss Catherine Graham, Philadelphia, 2305 Phila. Saving Fund Bldg., 12 S. 12th St. (7), April 13, 1945.

John W. Jackson, Philadelphia, 5933 Race St (39) April 13, 1945.

Isaac K. Johnson, Philadelphia, 5538 N. 4th St., April 13, 1945.

Harry Weissman, Philadelphia, 607 Lafayette Bldg. (6) April 13, 1945.

BEAVER COUNTY

Miss Irene Grosshans, Monaca, April 14, 1945.

BERKS COUNTY

Harold A. Erich, Reading, April 14, 1945.

BUTLER COUNTY

W. T. Furey, Butler, April 14, 1945.

LACKAWANNA COUNTY

Wendell P. Evans, Scranton, April 14, 1945.

ALLEGHENY COUNTY

William B. McGrady, Pittsburgh, The Pennsylvania Railroad, 28th St. and Liberty Ave., April 15, 1945.

EDWARD MARTIN.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. EALY and Mr. CHAPMAN,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Edmonds,	Leader,	Tallman,
Berger,	Farrell,	Letzler,	Taylor,
Blass,	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	Margie,	Troutman,
Carr,	Haluska,	McCreesh,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

The PRESIDENT PRO TEMPORE (M. Harvey Taylor) in the Chair.

STATEMENT BY THE PRESIDENT PRO TEMPORE

The PRESIDENT PRO TEMPORE (M. Harvey Taylor). Before proceeding to the next order of business, since the three-ring circus is over, I want to say to the gentleman from Allegheny, Senator Barr, that I will take this up with Senator Guffey when he and I get together—I think we can settle all of these affairs.

So that this proceedings may be sure of being a bipartisan proceeding, I do not think a politican should preside over the Senate so at this time I am going to call Senator Ealy to preside over the Senate.

The ACTING PRESIDENT PRO TEMPORE (Charles H. Ealy) in the Chair.

CALENDAR

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 52, as follows:

An Act to amend clause six of section thirteen of the approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" further defining the disability retirement rights of members of the School Employes' Retirement Association who engage in active military servivce

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause six of section thirteen of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as added by the act approved the first day of August one thousand nine hundred forty-one (P. L. 708) is hereby amended to read as follows

Section 13 Retirement upon disability shall be made and discontinued as follows * * * *

6 An employe who shall have withdrawn from actual school employment or actual school service for active military service consisting of full time service in the armed forces of the United States under a requisition from or by executive order of the President of the United States or in the armed forces organized for the defense of the Commonwealth of Pennsylvania by the authority of this Commonwealth may after his or her return to actual school employment or actual school service but not later than [forty (40) days] one (1) year after the completion of such active military service request the board for a physical and mental examination Any employe who has been honorably discharged from active military service prior to the approval of this act shall have one year from the effective date thereof to apply for said examination At a time and place within the Commonwealth and by an examiner or examiners to be designated by the board the applicant shall appear for and submit to such examination The form and content of the examination and the certificates made pursuant thereto shall be prescribed by the board with the advice of the board's actuary and a physician or a psychiatrist to be employed by the board for that purpose If the examiner or examiners shall find as a fact that such employe is free from physical or mental incapacity which renders him or is likely to render him incapable of performing the duties of his employment the examiner or examiners shall so certify to the board whereupon the board shall classify the applicant as a member free from active military service disability and thereupon such member shall become entitled to enjoy all the benefits of this act If the examiner or examiners shall find as a fact that such employe is physically or mentally incapacitated for the performance of the duties of the employment which he had when last in the actual employ and service of his or her employer the examiner or examiners shall certify to the board the nature and degree of such physical or mental incapacity or disability whereupon the board shall classify the applicant as a member with actice military service disability and thereupon such member may elect to accept the benefit of the provisions of section twelve of this act or the benefits of this act without disability rights and shall be classified by the board as an employe without disability rights Such election shall be in writing in form prescribed by the board and shall be filed with the board not later than [fifty (50) days] fifteen (15) months after the completion of such active military service However if the employe is permitted to resume the duties of his employment he shall not be denied his disability rights All employes who shall have been engaged in active milservice and who shall have returned to the employment or service of his or her employer without examination or certification shall be classified by the board as employes without disability rights All persons classified as employes without disability rights shall enjoy all the rights incident to membership in the retirement system except the right to retire for disability or upon disability and to receive a disability retirement allowance Such member's salary deduction shall be reduced accordingly The amount by which the salary deduction of an employe without disability rights to be paid into the fund shall be reduced shall be determined by the board in accordance with tables to be prepared and certified by the actuary

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Edmonds,	Letzler,	Taylor,
Becker,	Farrell,	Mallery,	Thomas,
Berger,	Geltz,	Margie,	Troutman,
Blass,	Gourley,	McCreesh,	Tyler,
Bowers,	Haluska,	McGinnis,	Wade,
Carr,	Heyburn,	Rosenfeld,	Wagner,
Chapman,	Holland,	Ruth,	Walker,
Coleman,	Homsher,	Scarlett,	Wilson,
Cox,	Jaspan,	Snowden,	Woodring,
Crider,	Jones,	Stevenson,	Woodward,
Crowe,	Kephart,	Stiefel,	Ealy,
Dent,	Klein,	Tallman,	Acting
DiSilvestro,	Leader,		Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 80, as follows:

An Act to reenact and amend the title and the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) entitled as amended "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" as previously reenacted and amended by extending the provisions of the act for a further limited period of time by providing for additional deductions in fixing the tax by providing that a report of change of income becomes part of the original report in certain instances by changing the gross receipts fraction and by specifically providing for the computing of interest on increases of income indicated by reports of change

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and all the sections of the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) entitled as amended "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" as last reenacted and amended by the act approved the seventh day of May one thousand nine hundred forty-three (P. L. 217) are hereby reenacted and further amended to read as follows

An Act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties

Section 1 Short Title Be it enacted &c That this act shall be known and may be cited as the "Corporate Net Income Tax Act"

Section 2 Definitions The following words terms and phrases when used in this act shall have the meaning ascribed to them in this section except where the context clearly indicates a different meaning

"Corporation" A corporation having capital stock joint-stock association or limited partnership either organized under the laws of this Commonwealth the United States or any other state territory or foreign country or dependency and doing business in this Commonwealth or having capital or property employed or used in this Commonwealth by or in the name of itself or any person partnership association limited partnership joint-stock association or corporation The word "corporation" shall not include building and loan associations banks bank and trust companies national banks savings institutions trust companies title insurance companies beneficial life and limited life insurance companies mutual fire mutual casualty and mutual life insurance companies and foreign stock companies registered in this Commonwealth and therein engaged in doing business as life fire and casualty insurance companies and surety companies

"Department" The Department of Revenue of this Commonwealth

"Net Income" 1 In case the entire business of the corporation is transacted within this Commonwealth net income for the calendar year or fiscal year as returned to and ascertained by the Federal Government or in the case of a corporation participating in the filing of consolidated returns to the Federal Government the net income which would have been returned to and ascertained by the Federal Government if separate returns had been made to the Federal Government for the current and prior taxable years subject however to any correction thereof for fraud evasion or error as finally ascertained by the Federal Government Provided That except as hereinafter otherwise provided additional deductions shall be allowed from net income on account of any Federal income or excess profits taxes paid after deducting therefrom an amount equivalent to any post-war refunds applicable to any such taxes during such calendar or fiscal year for the preceding calendar or fiscal year or accrued during such calendar or fiscal year for such year as the case may be and on account of any dividends received from any other corporation And provided further That in the case of a corporation participating in the filing of consolidated Federal returns the additional deduction allowed from net income on account of any Federal income or excess profits taxes paid or accrued shall be an amount which bears the same ratio to the total Federal income or excess profits taxes of the group after deducting therefrom an amount equivalent to any post-war refunds applicable to any such taxes as the net income of the corporation computed without a deduction for such Federal taxes bears to the sum of the net incomes of the several members of the group computed without a deduction for such Federal taxes and provided further That on reports filed for the calendar year one thousand nine hundred forty-three or for any fiscal year beginning in such calendar year or any calendar or fiscal year thereafter no deduction shall be allowed for any Federal income or excess profits taxes whatsoever except the declared value excess profits tax And provided further That in the case of stock life fire casualty and indemnity insurance companies doing business on the mutual or participating plan the term "net income" shall not include the dividends paid to policyholders out of net income

2 In case the entire business of any corporation other than a corporation engaged in doing business as an insurance or surety company is not transacted within this Commonwealth the tax imposed by this act shall be based upon such portion of the net income of such corporation for the fiscal or calendar year as defined in clause one hereof as may be determined by allocations and apportionments made as follows

(a) Gains realized and losses sustained from the sale or exchange of capital assets if such assets consist of real estate or tangible personal property situated in the Commonwealth shall be allocated to this Commonwealth

(b) Gains realized and losses sustained from the sale or exchange of capital assets if such assets consist of real estate or tangible personal property situated outside of the Commonwealth shall not be allocated in any part to this Commonwealth

(c) The remainder of such net income shall be divided into three equal parts

(1) Of one-third such portion shall be attributed to business carried on within this Commonwealth as shall be found by multiplying said one-third by a fraction whose numerator is the value of the corporation's tangible property situated within this Commonwealth and whose denominator is the value of all the corporation's tangible property wherever situated.

(2) Of one-third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said one-third by a fraction whose numerator is the expeditures of the corporation for wages salaries commissions and other compensation to its employes and assignable to this Commonwealth as hereinafter provided and whose denominator is the total expenditures of the corporation for wages salaries commissions and other compensation to all its employes

(3) Of the remaining third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said third by a fraction whose numerator is the amount of the taxpayer's gross receipts from business assignable to this Commonwealth as hereinafter provided and whose denominator is the amount of the taxpayer's gross receipts from all its business

In cases where only two of the foregoing three rules are applicable the remainder of the net income of the corporation shall be divided into two equal parts only each of which shall be apportioned in accordance with one of the remaining two rules If only one of the three rules is applicable the part of the net income received from business carried on within the Commonwealth shall be determined solely by that rule

The amount assignable to this Commonwealth of expenditures of the corporation for wages salaries commissions or other compensation to its employes shall be such expenditures for the taxable year as represent the wages salaries commissions or other compensation of employes not chiefly situated at connected with or sent out from premises for the transaction of business maintained by the corporation outside the Commonwealth

The amount of the corporation's gross receipts from business assignable to this Commonwealth shall be (1) the amount of its gross receipts for the taxable year from (1) sales fees and commissions except those negotiated or effected in behalf of the corporation by agents or agencies chiefly situated at connected with or sent out from premises for the transaction of business maintained by the taxpayer outside of the Commonwealth and except rentals and royalties and interest and dividends (2) rentals or royalties from property situated or from the use of patents within this Commonwealth and (3) dividends and interest except such dividends and interest attributable to the business conducted on premises maintained by the taxpayer outside the Commonwealth If a corporation maintains an office warehouse or other place of business in a state other than this Commonwealth for the purpose of reducing its tax under this subsection the department shall in determining the amount of its gross receipts from business assignable to this Commonwealth include therein the gross receipts attributed by the corporation to the business conducted at such place of business in another state in the case of construction contracts negotiated or effected at an affice in the state of Pennsylvania but performed outside the state the gross receipts under such contracts shall be assignable outside the state except that if the activities under any such contract to which the gross receipts are attributable shall occur partly within the state and partly outside the state such proportion of

the gross receipts under said contract shall be assignable to Pennsylvania as the direct and indirect costs incurred in Pennsylvania under the contract for the taxable year bear to the total costs incurred thereunder for the taxable year In the case of construction contracts negotiated or effected at an office outside the state but performed in the state the gross receipts under such contracts shall be assignable to the state except that if the activities under any such contract to which the gross receipts are attributable shall occur partly within the state and partly outside the state such proportion of the gross receipts under said contract shall be assignable to Pennsylvania as the direct and indirect costs incurred in the state under the contract for the taxable year bear to the total costs incurred thereunder for the taxable year

A rule shall not be deemed to be inapplicable merely because all the tangible property or the expenditures of a corporation for wages salaries commissions or other compensation or the gross receipts of the corporation are found to be situated incurred or received without the Commonwealth

3 In case the entire business of any corporation engaged in doing business as an insurance or surety company is not transacted within this Commonwealth the tax imposed by this act shall be based upon such portion of the net income of such corporation for the fiscal or calendar year as defined in clause one hereof as shall be attributed to business transacted within this Commonwealth by multiplying such net income by a fraction of which the numerator is the gross premiums received from business transacted within the Commonwealth as hereinafter defined and of which the denominator is the amount of the gross premiums received from all its business "Gross Premiums" shall mean the amount of dues fees and premiums stated in the policy contracts and shall include gross premiums of every character and description received during the taxable year from all underwriting activities whether said premiums were received in money or in the form of notes credits or any other substitute for money less the following deductions

(a) All premiums returned on policies cancelled or not taken

(b) In the case of stock companies with participating features an additional deduction for that portion of the premiums returned to the policy-holders

(c) In the case of life insurance companies an additional deduction for dividends declared and actually used by policy-holders in payment of renewal premiums

"Gross premiums received from business transacted in the Commonwealth" shall mean gross premiums received from policies and annuities written on property or risks located or resident in this Commonwealth whether such premiums were collected in this Commonwealth or elsewhere

"Person" Every natural person association or corporation Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to associations shall mean the partners or members thereof and as applied to corporations the officers thereof

The singular shall include the plural and the masculine shall include the feminine and neuter

Section 3 Imposition of Tax Every corporation shall be subject to and shall pay for the privilege of doing business in this Commonwealth or having capital or property employed or used in this Commonwealth by or in the name of itself or any person partnership association limited partnership joint-stock association or corporation a State excise tax at the rate of six per centum per annum upon each dollar of net income of such corporation received by and accruing to such corporation during the calendar year one thousand nine hundred thirty-five except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of six per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal year commencing in the calendar year one thousand nine hundred [and] thirty-five and ending in the calendar year one thousand nine hundred thirty-six a similar tax at the rate of ten per centum per annum upon each dollar of the net income of such corporation received by and accruing to such corporation during the calendar year one thousand nine hundred thirty-six except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of ten per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal year commencing in the calendar year one thousand nine hundred thirty-six and ending in the calendar year one thousand nine hundred thirty-seven and a similar tax at the rate of seven per centum per annum upon each dollar of the net income of such corporation during the calendar years one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty one thousand nine hundred forty-one and one thousand nine hundred forty-two except when a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of seven per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal years commencing in the calendar years one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty one thousand nine hundred forty-one and one thousand nine hundred forty-two and a similar tax at the rate of four per centum per annum upon each dollar of the net income of such corporation received by and accruing to such corporation during the calendar years one thousand nine hundred forty-three [and] one thousand nine hundred forty-four one thousand nine hundred forty-five and one thousand nine hundred forty-six except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of four per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal years commencing in the calendar years one thousand nine hundred forty-three [and] one thousand nine hundred forty-four one thousand nine hundred forty-five and one thousand nine hundred forty-six

The tax hereby imposed shall be in addition to all taxes now imposed on any corporation under the provisions of existing laws

Section 4 Report and Payment of Tax For the purpose of ascertaining the amount of tax payable under this act it shall be the duty of every corporation liable to pay tax under this act on or before the fifteenth day of April one thousand nine hundred thirty-six one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty one thousand nine hundred forty-one one thousand nine hundred forty-two one thousand nine hundred forty-three one thousand nine hundred forty-four [and] one thousand nine hundred forty-five one thousand nine hundred forty-six and one thousand nine hundred forty-seven to transmit to the department upon a form prescribed prepared and furnished by the department a report under oath or affirmation of its president vice-president or other principal officer and of its treasurer or assistant treasurer of net income taxable under the provisions of this act Such report shall set forth

(a) A true copy of its return to the Federal Government of the annual net income arising or accruing in the calendar or fiscal year next preceding or such part or portions of said return as the department may designate

(b) If no return was filed with the Federal Government the report made to the department shall show such

information as would have been contained in a return to the Federal Government had one been made and

(c) Such other information as the department may require

The failure of any corporation liable to pay tax under this act to procure or receive any report form shall not excuse it from making a report

Every corporation upon the date its report is required herein to be made shall pay to the department not less than one-half of the tax due to the Commonwealth by it for such preceding year and the remaining one-half of such tax shall be paid within the thirty days next succeeding and except as otherwise provided by law no extension of time for the filing of any report granted by the department shall extend the date any tax imposed by this act shall be due and payable The amount of all taxes imposed under the provisions of this act not paid on or before the times as above provided shall bear interest at the rate of six (6) per centum per annum from the date they are due and payable until paid except that if the taxable income has been or is increased by the Commissioner of Internal Revenue or by any other agency or court of the United States interest shall be computed on the additional tax due from thirty days after the corporation receive notice of the change of income until paid Provided however That any corporation may pay in full amount of such tax or any part thereof together with interest due to the date of payment without prejudice to its right to present and prosecute a petition for resettlement a petition for review or an appeal to court If it be thereafter determined that such taxes were overpaid the department shall enter a credit to the account of such corporation which may be used by it in the manner prescribed by law

If the officers of any corporation shall neglect or refuse to make any report as herein required or shall knowingly make any false report an additional ten per centum of the amount of the tax shall be added by the department to the tax determined to be due

If any corporation closes its fiscal year not upon the thirty-first day of December but upon some other date and reports to the Federal Government as of such other date or would so report were it to make a return to the Federal Government such corporation shall certify such fact to the Department of Revenue and shall make the report herein required within thirty (30) days after the return to the Federal Government is due or would be due were it to be required of such corporation subject in all other respects to the provisions of this act

If the corporation shall claim in its report that the return made to the Federal Government was inaccurate the amount claimed by it to be the net income taxable under this act and the basis of such claim of inaccuracy shall be fully specified

Section 5 Consolidated Reports The department shall not permit any corporation owning or controlling directly or indirectly any of the voting capital stock of another corporation or of other corporations subject to the provisions of this act to make a consolidated report showing the combined net income.

Section 6 Extension of Time to File Reports The department may upon application made to it in such form as it shall prescribe on or prior to the last day for filing any report and upon proper cause shown grant to the corporation required to file such report an extension of not more than sixty (60) days within which such report may be filed and in case the Federal income tax authorities at any time grant a longer extension of time for filing such reports with the Federal Government the department may grant an additional extension of time for filing the report under this act of not more than thirty (30) days after the termination of the Federal extension but the amount of tax due shall in such cases nevertheless be subject to interest from the due dates and at the rates fixed by this act

Section 7 Changes Made by Federal Government (a) If the amount of the net income as returned by any corporation to the Federal Government is finally changed or corrected by the Commissioner of Internal Revenue or by any other agency or court of the United States such corporation within thirty (30) days after the receipt of such final change or correction shall make a corrected report under oath or affirmation to the department showing such finally changed or corrected net income upon which the tax is required to be paid to the United States In case a corporation fails to file a report of such correction which results in an increase in net income within the time prescribed there shall be added to the tax a penalty of five dollars ($5.00) for every day during which such corporation is in default but the department may abate any such penalty in whole or in part

(b) If as a result of such final change or correction there should be any change made in the amount of the net income of any corporation upon which tax is imposed by this act the department shall have the power and its duty shall be to resettle such taxes Whenever a resettlement shall have been made hereunder the departmnt shall resettle the account according to law and shall credit or charge as the case may be the amount resulting from such resettlement upon the current accounts of the corporation with which it is made The resettlement shall be subject to audit and approval by the Department of the Auditor General as in the case of original settlements and in case of the failure of the two departments to agree the resettlement shall be submitted to the Board of Finance and Revenue as in the case of original settlements

(c)) Where a report of change correction or redetermination of Federal income or Federal tax has been filed after a petition for review or an appeal has been taken such report shall be deemed a part of the original report upon petition of the taxpayer at any subsequent proceeding as though it had been filed with the original report and no separate petition for rview or appeal from the resettlement resulting from such report of change correction or redetermination shall be necessary

Section 8 Settlement and Resettlement (a) All taxes due under this act shall be settled by the department and such settlement shall be subject to audit and approval by the Department of the Auditor General and shall so far as possible be made so that notice thereof may reach the taxpayer before the end of a year after the tax report was required to be made

(b) Promptly after the date of any such settlement the department shall send by mail or otherwise a copy thereof to such corporation The tax imposed by this act shall be settled resettled and otherwise imposed and adjusted in the same manner within the same periods of time and right of resettlement review appeal and refund as provided by law in the case of capital stock and franchise taxes imposed upon corporations

(c) If within a period of two years after the date of any settlement the department is not satisfied with such settlement or if at any time the net income as returned by any corporation to the Federal Government is finally changed or corrected by the Commissioner of Internal Revenue or by any other agency or court of the United States with the result that tax in addition to the amount paid is due under this act the department is hereby authorized and empowered to make a resettlement of the tax due by such corporation based upon the facts contained in the report or upon any information within its possession or that shall come into its possession

Whenever a resettlement shall have been made hereunder the department shall resettle the account according to law and shall crdit or charge as the case may be the amount resulting from such resettlement upon the current accounts of the corporation with which it is made

The resettlement shall be subject to audit and approval by the Department of the Auditor General as in the case of original settlement and in case of the failure of the two departments to agree the resettlement shall be submitted to the Board of Finance and Revenue as in the case of original settlements

(d) If any corporation shall neglect or refuse to make any report and payment of tax required by this act the department shall estimate the tax due by such corporation and subject to audit and approval by the De-

partment of the Auditor General settle the amount due by it for taxes penalties and interest thereon as prescribed herein from which settlement there shall be no right of review or appeal but the department with the approval of the Department of the Auditor General may require a report to be filed and thereupon make a settlement based upon such report and cancel the estimated settlement

Section 9 Enforcement Rules and Regulations Inquisitorial Powers of the Department (a) The department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations not inconsistent with this act relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act and the collection of taxes penalties and interest imposed by this act The department is hereby required to have such rules and regulations promulgated and adopted printed and shall distribute the same to any person upon request

(b) The department or any agent authorized in writing by it is hereby authorized to examine the books papers and records and to investigate the character of the business of any corporation in order to verify the accuracy of any report made or if no report was made by such corporation to ascertain and settle the tax imposed by this act Every such corporation is hereby directed and required to give to the department or its duly authorized agent the means facilities and opportunity for such examinations and investigations as are hereby provided and authorized Any information gained by the department as a result of any returns investigations or verifications required to be made by this act shall be confidential except for official purposes and any person divulging such information shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100.00) or more than one thousand dollars ($1000.00) and costs of prosecution or to undergo imprisonment for not more than six (6) months or both in the discretion of the court

(c) Whenever any person acting for or on behalf of the department shall in good faith institute legal proceedings for any violations of the provisions of this act and for any reason shall fail to recover costs of record such costs shall be a charge upon the proper county as shall such costs in the event defendant is imprisoned for failure to pay fine or costs or both and shall be audited and paid as are costs of like character in said county

(d) The powers conferred by this act upon the department relating to the administration or enforcement of this act shall be in addition to but not exclusive of any other powers heretofore or hereafter conferred upon the department by law

Section 10 Retention of Records by Corporations Penalty Each corporation shall maintain and keep for a period of three (3) years after any report is filed under this act such record or records of its business within this Commonwealth for the period covered by such report and other pertinent papers as may be required by the department

Any person violating any of the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine not exceeding one thousand dollars ($1000.00) and costs of prosecution or to undergo imprisonment for not more than six (6) months or both in the discretion of the court

Section 11 Penalties (a) Any person who shall wilfully make a false and fraudulent return of net income made taxable by this act shall be guilty of willful and corrupt perjury and upon conviction thereof shall be subject to punishment as provided by law Such penalty shall be in addition to any other penalties imposed by this act

(b) Any person who wilfully fails neglects or refuses to make a report or to pay the tax as herein prescribed or who shall refuse to permit the department to examine the books papers and records of any corporation liable to pay tax under this act shall be guilty of a misdemeaenor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1000.00) and costs of prosecution or to undergo imprisonment not exceeding six (6) months or both in the discretion of the court Such penalty shall be in addition to any other penalties imposed by this act

Section 12 Constitutional Construction The provisions of this act are severable and if any of its provisions shall be held unconstituional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 13 Effective Date This act shall become effective immediately upon its final enactment and shall remain in force only for the imposition and collection of taxes on net income of corporations for the [ten] twelve calendar years one thousand nine hundred thirty-five one thousand nine hundred thirty-six one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty one thousand nine hundred forty-one one thousand nine hundred forty-two one thousand nine hundred forty-three [and] one thousand thousand nine hundred forty-four one thousand nine hundred forty-five and one thousand nine hundred forty-six or for the [ten] twelve fiscal years ending in the calendar years one thousand nine hundred thirty-six one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty one thousand nine hundred forty-one one thousand nine hudred forty-two one thousand nine hundred forty-three one thousand nine hundred forty-four [and] one thousand nine hundred forty-five one thousand nine hundred forty-six and one thousand nine hundred forty-seven

Section 2 This reenacting and amending act shall become effective immediately upon its final enactment

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill on third reading?

Mr. DENT. Mr. President and members of the Senate, in opposing House Bill No. 80, I do so because of the policy adopted by our party that tax bills should be more closely related to the amount of expenditures recommended by the Governor; we disagree with the amounts predicted by the Governor's Budget Director as revenues which will be returned, and therefore, we oppose the bills at this time.

However, to make it clearly understood, we led our fight against the tax bills a few weeks ago, and the reason that this bill particularly has not passed the Senate finally is because the majority party itself became confused over their own amendments—there are no amendments in the bill that were suggested by the minority, by the Democratic Party. The amendments that we suggested were rejected.

However, if you will follow me, we have on pages two and three amendments inserted in the Senate, and later removed by the Senate. In trying to understand the purposes for this action, finally we believe we discovered the fly in the ointment.

To amend the title, which I will read to you, page two, top of the page, as the amendment appeared upon its introduction it read "by specifically imposing tax on corporations receiving rent or other income from property in Pennsylvania by providing that a report of change of income becomes part of the original report in certain instances by changing the gross receipts fraction and by

specifically providing for the computing of interest on increases of income indicated by reports of change and by exempting cooperative agricultural associations.

On page three, line 24, as the amendment originally appeared, it read: "or a corporation having capital stock, joint-stock, association, or limited partnership, either organized under the laws of this Commonwealth, the United States, or any other state, territory, or foreign country, or dependency holding property employed or used in this Commonweath and receiving rent or income therefrom." Under its original intent, this amendment would have made available for tax purposes income producing properties that are now tax free and will continue to be because this amendment will be stricken from the bill.

If you will all remember when the amendment was first introduced it caused quite a bit of confusion on the floor of the Senate because the proposal was not clearly understood. Or maybe it was too clearly understood by some of the members of the majority party.

Let us see what would happen if this amendment were left in the bill. You would be taxing for net income tax purposes properties owned or rented by lessor companies, such as utilities, the Pennsylvania Railroad, and so forth.

Let us take a hypothetical case. I think the Senate ought to know these things because it is important to every taxpayer. The Dauphin county courts have held, in the Delaware River Bridge and Railroad Company versus the Commonwealth, under the terms of the 1935 act, it is not subject to the tax imposed by this bill.

Under the amendment introduced by Senator Geltz, Chairman of the Finance Committee, this company would have been liable for the tax other corporations are liable for. Here is exactly the situation. This company, owned and operated, leased by the Pennsylvania Railroad Company, which we will call company "a"; the Delaware River Bridge and Railway Company we will call company "b"; company "a" is a public utility that owns a hundred per cent of the stock of the former operating utility company "b," now leasing under long term contract all of its tangible properties and franchises to company "a," which in turn operates these franchises and properties for a stipulated rental over a period of time. Under this act, as it now appears, this rental income is exempt from the net income tax.

Company "b" in turn returns its total back to company "a" in the form of dividends; under the provisions provided for, the income received as dividend income from another corporation is exempt from taxes, so this particular income is not paid for in either instance.

The framer of the amendment had in mind the taxing of these tangible assets which produced income, and under a broad sense interpretation of the net income tax law they ought to rightfully pay their tax, but when he introduced the amendment the purpose was not backed up by a complete agreement of his colleagues and so, as a practical demonstration of what I talked about a few minutes ago, we find another amendment which strikes out this very desirable feature in the bill and allows this income to go tax free. You can draw your own conclusions as to what purposes some of the money could be put to, if a person wanted to contribute to political parties, and so forth—I do not say they did, but $3,274,000, in the terms of the hicks back where I live, they say it ain't hay, and it comes from some place.

Why was this amendment first introduced on the part of the man responsible for the revenue bills, and later stricken from the bill? These are questions which are important.

On page 4 also you have a strike-out amendment which removes cooperative agricultural associations from exemption under this tax law. Cooperative agricultural associations in most instances are made up of food producing groups of farmers, dirt farmers, or persons engaged in selling the products of the farmers. It was never the intention, to my mind or any person that I have ever talked to, to tax those worthwhile associations, because in their practical administration they have upped the income of the dirt farmer and they should be left without any tax of this nature imposed upon them.

A third inequity that we find in the bill is on pages 8 and 9. Those of you who have read the bill probably need no explanation, and those of you who have not read it probably do not care, but in carrying out my duties to the people of this Commonwealth I think you ought to know how we feel about the amendments that are inserted here.

Beginning with line 23 the amendment reads in part: "in the case of construction contract negotiated or effected at an office in the state of Pennsylvania but performed outside the state the gross receipts under such contracts shall be assignable outside the state, except that if the activities under any such contract to which the gross receipts are attributable shall occur partly within the state and partly outside the state, such proportion of the gross receipts under said contract shall be assignable to Pennsylvania as the direct and indirect costs incurred in Pennsylvania under the contract for the taxable year bear to the total costs incurred thereunder . . ."

If you will carefully analyze that particular amendment you will find that it is a special amendment, giving to a special activity in Pennsylvania special consideration.

To me there is not much difference in a company that manufactures in Pennsylvania, as an agency outside of the state, that sells million upon milions of dollars of goods produced in Pennsylvania, which in turn produce a profit that add up to the net income of the manufacturing company residing in the Commonwealth upon which they pay a net income tax.

Under this amendment construction companies may take contracts totaling millions of dollars, selling services instead of goods, and that portion of their income derived from contracts outside of the state are no longer taxable under the net income tax law of the Commonwealth of Pennsylvania.

Now I ask whether that is not discriminatory legislation, in that it takes one special interest in Pennsylvania and gives it a special boom, and yet manufacturing companies which carry a greater share of the burden of carrying on federal government are not exempt to the same extent. We say that this is special taxation or, rather, special privileges for special persons. We do not believe that under a strict interpretation of the Constitution that it is constitutional. However, that remains for the courts to decide. We do know that the courts have upheld the theory that the so-called double tax that may be imposed upon a construction company doing business outside the state, with main offices in Pennsylvania, is

not necessarily double taxation in the sense of its constitutionality, and therefore we believe that this is another reason for the defeat of this particular tax bill at this time.

Mr. GELTZ. Mr. President, before answering the questions of my colleague, Senator Dent, in order as he has raised them, I wonder why he did not give you his real objection to the bill, or his real purpose in taking the floor on this bill and that, as I followed what was done over in the House is just a part of the game of the democratic minority to raise some smoke and raise a little bit of dust to try to get some publicity and so attract a little attention.

Insofar as the objections are concerned, I will try to take them up in the order in which he presented them.

Insofar as the first objection is concerned, that applied to an amendment which was put into this bill some two or three weeks ago and was then taken out, and that is the so-called lessor or lessee amendment. I will admit that when the amendment was put in, its significance was not fully appreciated, and by its significance I mean this, it would result in a duplicate taxation if the lessor company had to pay a corporate net income tax. It amounts to the same thing as the money paid to bondholders or the interest paid on bonds In other words, an operating company under the act as it now is and under the act by the way, Mr. President, as it was passed twice during the Earle Administration, by the now minority party, the operating or lessee company pays its corporate net income tax; the rental which it pays to the lessor company amounts to the same thing as the interest that the operating company would pay on bonds to individual bondholders, and if a net income tax were paid on that rent, what would happen in many instances is that the company would be paying in effect two corporate net income taxes, because in many of those instances there is an affiliation, insofar as ownership is concerned, between the lessor company and the lessee company.

When this amendment was first presented to me, and I questioned it, I was advised that the purpose of the amendment was to get those companies which had been set up in sort of a dummy fashion since the corporate net income tax was first put into effect. In other words, I was led to believe there were certain companies which were using a certain set-up for the purpose of evading the corporate net income tax. Upon subsequent investigation and inquiry those who had first informed me were unable to show me one instance in which such a set-up had been made for the purpose of evading the corporate net income tax.

But in addition to that, Mr. President, it comes to me with a little bit of surprise that the minority party would object to that particular situation because, of course, the state would secure a little bit more money, that is, under the four percent tax on the corporate net income of the lessor company, but then there would be considerably less in dividends to distribute to owners of the stock in the lessor company, and therefore the federal government would be deprived of so much money, that is, the New Deal Federal government would be deprived of its regular income tax that the bondholders, stockholders, and what-not pay, and be in a much higher bracket, so that in effect those individuals are paying little or nothing in taxes, but the Commonwealth is still not guilty of double taxation insofar as the corporate net income tax is concerned.

I referred just briefly to the Earle Administration having passed this tax first, Mr. President; twice, Mr. President, that was done, in 1935 and in 1937, both times during the Earle Administration, and both times, Mr. President, in the same form, insofar as that part of the bill is concerned, as the bill is now passing the Senate and passed the House, so that if what Mr. Dent said insofar as maybe helping to get some campaign funds is true, probably the idea was first put in his mind when the New Deal passed the bill in this form in 1935 and in 1937, and possibly at that time they were hopeful, because they passed the bill in this form that same thing might happen.

Of course, I do not know what has changed their position or opinions so far as this is concerned, but something apparently has, unless, as I said in starting, all they are doing in the Senate is a repetition of what they did in the House, to try to raise a little smoke and a little dust and to try to get a little publicity, or, in other words, to see if they can not find something to hang their hats on.

In so far as his second objection to this bill is concerned, the fact that we take out the provision exempting cooperative agricultural associations, of course, it is so easy and so plain to understand the Minority Party's raising an objection to that, because they would so like to cut in on our Republican rural Pennsylvania, and they would so like to make a little play for the farm votes, and so I do not doubt that the only reason they have raised any question about that is because they would like to make a little play for the vote of the little farmer.

Unfortunately, Mr President, for them, and I suppose they did not know this, the farmers have agreed on a program in so far as taxation is concerned; they are satisfied with a program of some four bills which are now in the House and which will set up agricultural cooperative associations in a separate classification, as distinguished from cooperative consumer associations and by which they will be taxed under a bill which will be known as the cooperative agricultural associations and corporate net income bill. So that is the reason the exemption was taken out of here, because it was necessary to have a series of four bills repealing the old net earnings tax, I believe, of 1889 or 1899—I am not sure, but it was before the turn of the century—as well as enacting the other form of tax.

In so far as the third objection raised by Mr. Dent is concerned, I must frankly admit that I can not understand what was his point. It seems to me that he should have been able to explain that well, because I see here in the Senate his instructor, who is an excellent instructor, by the way, but apparently his pupil did not learn his lesson well. I will be very glad to try to explain it if my colleague, Mr. Dent, will once again state the third objection which he has to the bill because, as I read this bill, Mr. President, there is no special class set up; it is putting all receipts from contracts in exactly the same position as the allocations made in so far as the receipts of other corporations are concerned.

In other words, without amendment to the bill in this session, contractors, or those having receipts from contracts in Pennsylvania, would have paid no tax what-

soever under the Rust Engineering case decision of the Dauphin County Court. Therefore an amendment was put in to bring them within the tax. The amendment which now exists in the bill taxes contractors, or those receiving money on contracts, on the same basis, that is, the money that they derive in Pennsylvania, they pay on; the money that they do not get in Pennsylvania but which is for contracts outside of Pennsylvania, in other states or elsewhere, they do not have to pay any corporate net income tax on, and that puts them exactly in line with the others, because on all corporations, in their allocation fractions, there are set up the receipts which they receive in Pennsylvania and their total receipts as received from Pennsylvania and elsewhere in the country.

Mr. DENT. Mr. President, I have listened very carefully to the explanation made by may colleague and, like the Senator from Lehigh, Mr. Tallman, I remain very cold. I know that I am not a very good student and probably will never learn too much about taxes. I know that they are inevitable, I learned that when I was a kid—something like death; but you do not have to like them any more than you have to like death. The gentleman from Allegheny leaves me somewhat in the same position as the Swede who was on a horse that was bucking rather roughly and he wanted to get off of it and he hollered to a bystander, what will I do, and the bystander said jump, and he said, how in the devil will I yump when I have no place to yump onto. I am in the same position as the Swede on the horse because the last thing my colleague talked about was the bill; he talked more about what was in my mind behind the scenes. I know Senator Haluska is pretty good at mind reading and doing tricks of magic and I will say to the gentleman from Allegheny if he finds anything good in this bill it will be as has been stated by the newspaper men, purely coincidental. It would be a good piece of magic if he could bring anything good out of the amendment, and then take it out.

The gentleman said the amendments were handed to him. Maybe I have an instructor who teaches me something about taxes, and maybe I did not learn well, but certainly the gentleman did not learn too much from the amendment, by his own admission, so maybe the two of us should go back to school and learn a little more.

Seriously, Mr. President, I do say this, if you were so well satisfed with the acts of 1935 and 1937, and the provisions they made, why then did you, going back to pages eight and nine, exempt contracting firms from certain features of the bill; if you thought they were good you should have left them in.

You know, the peculiar thing about the other side is, if I remember rightly, in 1938 all of the tax bills of the Earle administration were to be destroyed; they were inequitable, they were not fair, they were vicious, they were burdensome, they were everything to all peoples.

What happened was that we found ourselves at that time with a problem, there was a crisis in the state, and we had to raise money to take care of it; now the problem is gone but the tax is still here. Of course we object to it.

Frankly I know about your program for the agricultural associations; because I too read my mail, but I am not going to base my vote in this Senate upon some future actions that the House may take on some legislation that is now in a House Committee. I think we ought to pass good bills here and then let the House work their own salvation or solution out on the legislation that is presented in the House. I do not propose to speak for the House, as my colleague from Allegheny does, but if he says bills will pass, no doubt they will pass, because they have some means to controlling House votes, but we do not and never did have

I specifically want to call to your attention, on pages eight and nine, that the gentleman from Allegheny said he did not understand what I was talking about—I can not help that; I can easily understand he did not understand it, because he did not understand the amendments and he had them in front of him.

Mr. GELTZ. Just to be fair about this Mr. President, I was referring to the amendments at the bottom of page eight and at the top of page nine, when I tried to explain to the gentleman from Westmoreland, as well as the rest of my colleagues, that under the Rust Engineering Company decision, none of the receipts from contractors were taxable, so an amendment was put in to make them taxable for the part of their receipts which they received in Pennsylvania. In other words, we have something more now than we had before, but maybe he did not understand that.

Mr. BARR. Mr. President, I desire to interrogate the gentleman from Allegheny, Senator Geltz.

The ACTING PRESIDENT PRO TEMPORE. Will the gentleman from Allegheny permit himself to be interrogated.

Mr. GELTZ. I will, Mr. President.

Mr. BARR. Mr. President, am I right that dividends are not taxable under this act?

Mr. GELTZ. Mr. President, this tax is a corporate net income tax and the tax is based on corporate net income. After the tax is paid out of corporate net income, I imagine—not being on board of directors—that what can safely be spared is declared in dividends.

Mr. BARR. In other words, Mr. President, what I am trying to get at is this, the lessor under the original amendment that was put in by Senator Geltz would have had to pay the tax, this lessor, at the end of the year, when he shows a profit, and there are other ways, other than the rental and lines and so forth, they can get these profits from other securities, and so forth, in many instances, and many we know in this state, they return their profits to the company which holds the contract as dividends. Senator Dent gave an example of company "a." I am talking about a lessor company "b", and they give it back in the form of dividends. In other words company "b" under this take-out amendment pays no corporate net income tax and gives it back to company "a" in the form of dividends and they pay no corporate net income tax. In other words, they are out of it twice.

Mr. ROSENFELD. I know the hour is growing late and I do not want to take up the time of the Senate too long, but I do think, if there is any question or any doubt regarding the pattern shown by the two sets of amendments that have been introduced to Senate Bill No. 80, we ought to set the record straight now.

I recall very distinctly 1935 and 1937, when funds were needed for relief purposes, the Democratic administration passed these emergency tax bills and they affected not only corporations, they affected the general public.

There were three taxes in the nature of sales taxes, those affecting the tax on cigarettes, the tax on liquor, and the one cent emergency tax on gasoline. Five, six or seven sessions have passed since that time, the last four under Republican administrations, and what has been done with those emergency taxes? The state personal property tax, which was a four mills emergency tax, was repealed outright. I know it affected a lot of poor widows and orphans but the tax was on stocks, bonds and mortgages.

The second one was the corporate loans tax, an emergency tax which was repealed outright.

The third was a tax on shares of national banks and trust companies and that was repealed outright.

And then the Republican majority went beyond the emergency taxes and repealed the mercantile license tax, which netted the Commonwealth seven or eight million dollars a year, and on top of the repeal of this tax, they in the meantime reduced the corporate net income tax, and reduced the gross receipts tax, and they have not done in all of those six years anything for the general public which pays for the liquor tax and the cigarette tax and the one cent gasoline tax.

I know we can argue for a long time about the effect of the amendment on the corporate net income tax, but I think if it shows any pattern at all, it shows a pattern of an attempt to do something to lessen the burden of the corporation, when no effort has as yet been made to lessen the burden on the general public.

I have heard it said before, and I have said it myself, that the basic idealogical difference between the two parties, at least in Pennsylvania, is that the Republican Party favors property rights over personal rights, and if there is anything that indicates that any more clearly than the method pursued by the Republican Party on the emergency taxes in this state I would like to be told about it.

Mr. TALLMAN. Mr. President, we have had notice served on us this afternoon that the program of the Democratic Party, which was evidenced in the House when these bills were before the House, and again in the Senate, is going to be carried out to its final conclusion on the final bill, and that is, the Democratic Party has criticized this program and has refused to vote for any one of these tax measures. Their excuse to the public is that the budget is byguessing; their excuse is that no one has said to them specifically enough where these moneys are to go, and because of those two things generally the Democratic Party has taken the position that it will not vote for any of these tax measures, and up to this time has stood fast on that program and apparently intends to follow it out with this remaining bill.

During all of the time that the gentlemen on the other side have refused to raise one penny for the use of this state government, they have repeatedly been taking the floor and asking that money be spent on hospitals, that moneys be appropriated to their own districts for the use of institutions in their own districts, and day after day they have repeatedly requested that money be appropriated for things that they say are necessary and needful, and at the same time they have refused to raise one penny of the money to spend for the very purposes that they say are necessary.

I say, Mr. President, that it is very necessary for the gentlemen on the other side to take the position that they need to amend bills, that they need to raise a smokescreen back of which to hide and I say, Mr. President, that the Democratic Party in Pennsylvania has refused to meet the obligation of a major political party, not only because it says it dislikes a group of tax bills but besides it will not help to raise one penny of the money that is to go to help the people of Pennsylvania in running this government and the necessary parts of it.

I say that these gentlemen on the other side, when they return to their own districts and when they need to face their own constituents, will do well to look back upon the days when they refused to help Pennsylvania raise the necessary money to conduct its business.

Mr. DENT. Mr. President, as a representative of the party that is accused of refusing to vote for tax bills and voting for all appropriations, I might say if we were doing this we would be following the pattern set up by the entire majority party when they were the minority, when we were raising money to feed people. If you will remember and recollect, you will find you voted against these bills when there was an emergency, and now, when there is no longer an emergency and the treasury is fat, the cupboard is no longer bare and there are all kinds of staples in the cupboard, we have sufficient money in Pennsylvania, I predict now and say again and again and again, that the surplus will be more than double the amount predicted by the Budget Director of the Commonwealth, and you could even do without some of the taxes, if you are not going to appropriate any more money than you have indicated to us you are going to appropriate.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30

Becker,	Edmonds,	Mallery,	Tyler,
Berger,	Farrell,	Scarlett,	Wade,
Blass,	Geltz,	Snowden,	Wagner,
Bowers,	Heyburn,	Stevenson,	Walker,
Carr,	Homsher,	Tallman,	Wilson,
Chapman,	Jones,	Taylor,	Ealy,
Crider,	Kephart,	Thomas,	Acting
Crowe,	Letzler,	Troutman,	Pres. Pro. Tem.

NAYS—17

Barr,	Gourley,	Leader,	Rosenfeld,
Coleman,	Haluska,	Margie,	Ruth,
Cox,	Holland,	McCreesh,	Stiefel,
Dent,	Jaspan,	McGinnis,	Woodring,
DiSilvestro,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 164, as follows:

An Act to reenact and amend the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 563) entitled "An act to add section two thousand two and one-tenth to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' providing for cooperation of State Teachers Colleges at the request of the State Council of Defense with other agencies in furthering national defense programs and activities" extending the effective period thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one and two of the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 563) entitled "An act to add section two thousand two and one-tenth to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' providing for cooperation of State Teachers Colleges at the request of the State Council of Defense with other agencies in furthering national defense programs and activities" are hereby reenacted and amended to read as follows

Section 1 Article twenty of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended by the act approved the twenty-fifth day of April one thousand nine hundred twenty-nine (P. L. 712) is hereby further amended by adding between section two thousand two and two thousand three thereof a new section to read as follows

Section 2002.1 At the request of the State Council of Defense the trustees of any State Teachers College with the approval of the State Council of Education may cooperate with municipal State Federal and other agencies in the furtherance of national defense programs and activities and for such purposes shall have power to do all things and enter into all agreements necessary to carry out the same including the power to lease the whole or any part of the real property used by such college

Section 2 This act shall become effective immediately upon final enactment and shall remain in effect only during the present emergency and not later than the first day of June one thousand nine hundred [forty-five] forty-seven

Section 2 The provisions of this reenacting and amending act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barr,	Edmonds,	Letzler,	Taylor,
Becker,	Farrell,	Mallery,	Thomas,
Berger,	Geltz,	Margie,	Troutman,
Blass,	Gourley,	McCreesh,	Tyler,
Bowers,	Haluska,	McGinnis,	Wade,
Carr,	Heyburn,	Rosenfeld,	Wagner,
Chapman,	Holland,	Ruth,	Walker,
Coleman,	Homsher,	Scarlett,	Wilson,
Cox,	James,	Snowden,	Woodring,
Crider,	Jones,	Stevenson,	Ealy,
Crowe,	Kephart,	Stiefel,	Acting
Dent,	Leader,	Tallman,	Pres. Pro. Tem.
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 274, as follows:

An Act to amend clause (g) of section one thousand three hundred four of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by definitely specifying the place where the records of professional examining boards shall be kept

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (g) of section one thousand three hundred four of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments

boards and commissions shall be determined" is hereby amended to read as follows

Section 1304 Professional Education and Licensure The Department of Public Instruction shall have the power and its duty shall be

* * * *

(g) To keep the records of all of the professional examining boards established in the department in the City of Harrisburg Dauphin County Pennsylvania

* * * *

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barr,	DiSilvestro,	Leader,	Tallman,
Becker,	Edmonds,	Letzler,	Taylor,
Berger,	Farrell,	Mallery,	Thomas,
Blass,	Geltz,	Margie,	Troutman,
Bowers,	Gourley,	McCreesh,	Tyler,
Carr,	Haluska,	McGinnis,	Wade,
Chapman,	Heyburn,	Rosenfeld,	Wagner,
Coleman,	Holland,	Ruth,	Walker,
Cox,	Homsher,	Scarlett,	Wilson,
Crider,	Jaspan,	Snowden,	Woodring,
Crowe,	Jones,	Stevenson,	Ealy,
Dent,	Kephart,	Stiefel,	Acting Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 279, as follows:

An Act defining and providing for the licensing and regulation of private trade schools and classes conferring powers and imposing duties on the State Board for Vocational Education and prescribing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following words and phrases of this act shall have the meanings ascribed to them

(1) "Private Trade School" or "school" shall mean a school maintained or classes conducted for the purpose of offering instruction for a consideration profit or tuition the purpose of which is to prepare an individual to pursue a recognized profitable occupation in the skilled trades or industries or to give occupational training other than training for the vocation of home making to women and girls or to give training in public and other service occupations or to give vocational technical training designed to prepare an individual for or to upgrade him in technical occupations and technical phases of other occupations for which graduation from a degree-granting institution of college grade is not required

(2) "Board" shall mean the State Board for Vocational Education

(3) "Annual" shall refer to the fiscal school year from the first day of July to the following thirtieth day of June inclusive

Section 2 The mandatory provisions of this act shall not include schools maintained or classes conducted by employers for their own employees where no fee or tuition is charged or schools owned and operated by bona fide religious or eleemosynary institutions or by the Commonwealth of Pennsylvania or any political sub-division thereof but such schools or classes may choose to apply for a license hereunder and upon approval and issuance thereof shall be subject to the provisions of this act

Section 3 The provisions of this act shall be administered by the State Board for Vocational Education which in connection therewith shall have the power to make and to enforce rules and regulations and to make and promulgate standards of instruction not inconsistent with the provisions of this act The Board shall appoint an Advisory Committee of five or more members selected from persons active in the private trade school field a representative of general industry and a representative of labor whose duties shall be to advise to make recommendations to the Board regarding rules codes and other regulations for the licensing of schools and to make and to promulgate standards of qualifications for schools so licensed

Section 4 Effective one hundred eighty (180) days after final enactment of this act no private trade school or classes shall continue in operation or shall be established within the Commonwealth unless there is first secured from the Board a license issued in such form as the Board shall direct

Section 5 Before any license is issued a verified application shall be made in writing to the Board on a form prepared and furnished by the Board Such application shall require a statement showing (1) The title or name of the school or classes together with ownership and controlling officers thereof (2) The specific field of instruction which will be offered and the specific purposes of such instruction (3) The place or places where such instruction will be given (4) A specific listing of the equipment available for instruction in each field (5) The maximum enrollment to be accommodated on equipment available in each specified field (6) The qualifications of instructors and supervisors in each specified field (7) Financial resources available to equip and to maintain the school or classes (8) An expression of willingness at the discretion of the Board at any time it may designate to provide a surety company bond to the Commonwealth of Pennsylvania conditioned for the protection of the contractual rights of students (9) Such additional information as the Board may deem necessary to enable it to determine the adequacy of the program of instruction and matters pertaining thereto

Section 6 Any license issued shall be restricted to the fields or courses specifically indicated in the application for a license The holder of a license shall present a supplementary application as may be directed by the Board for approval of additional fields or courses in which it is desired to offer instruction during the effective period of the license

Section 7 Each original application shall be accompanied by a license fee of fifty ($50.00) dollars and each application for the renewal of a license shall be accompanied by a license fee of twenty-five ($25.00) dollars No fee shall be charged for a supplementary application for the approval of additional fields of courses of instruction All license fees shall be paid into the General Fund in the State Treasury through the Department of Revenue No license fees shall be refunded in the event any license is refused or revoked or for any other reason

Section 8 The Board shall maintain a list of schools licensed under the provisions of this act which shall be available for the information of the public

Section 9 No private trade school or class shall be granted a license or shall be permitted to continue to operate under a granted license unless

(1) It shall permit the Board and its agents to inspect the school or classes and shall make available to the Board at any time when requested to do so full information pertaining to any or all items of information contained in the application form which currently is provided by the Board to applicants for license

(2) It shall prominently display the current approved license where it may be inspected by students visitors and designated officials of the Board

(3) The advertising and representations made by anyone representing the school or classes as a salesman or contractual agent to prospective students shall be free from misrepresentation or fraud and shall conform with the rules and regulations of the Board governing such advertising or representation

(4) The premises equipment and conditions of the school or classes shall be adequate safe and sanitary in accordance with standards of the Commonwealth of Pennsylvania applicable to such premises and equipment

Section 10 Any license issued under the provisions of this act may be revoked or suspended by the Board for cause Before any license is suspended or revoked the Board shall serve a notice thereof on the licensee together with a statement of the reason for its action and the licensee upon request herefor shall be entitled to a hearing before the Board and shall be afforded a full opportunity to appear before the Board or an authorized member or agent of the Board to state his case and to produce such evidence as he shall deem necessary

Any person aggrieved by the action of the Board in refusing to issue or renew or in suspending or revoking any license may appeal from the action of the Board to the Court of Common Pleas of Dauphin County but such appeal shall not unless so ordered by the Court operate as a supersedeas to the order of the Board The Court shall fix a day for hearing the appeal of which due notice shall be given to the Board The appeal shall be heard de novo and after such hearing the Court shall affirm modify or reverse the action of the Board as it seems just and proper The action of the Court shall be final

Section 11 Any person who shall violate or fail to comply with any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than fifty ($50.00) dollars nor more than five hundred ($500.00) dollars or to undergo imprisonment not more than one year or both If the violation shall be by a corporation partnership or association the officers and directors of such corporation or the members of such partnership or association its agents and employes with guilty knowledge of the fact shall also be guilty of a misdemeanor and upon conviction thereof shall be punished as hereinbefore provided

Section 12 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

Mr. WOODRING. Mr. President, I have no objection to this bill but I would like to call to the attention of the Senate a typographical error appearing on page two, line 16 where the word "amply" apparently means "apply."

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	DiSilvestro,	Letzler,	Taylor,
Becker,	Edmonds,	Mallery,	Thomas,
Berger,	Farrell,	Margie,	Troutman,
Blass,	Geltz,	McCreesh,	Tyler,
Bowers,	Gourley,	McGinnis,	Wade,
Carr,	Heyburn,	Rosenfeld,	Wagner,
Chapman,	Holland	Ruth,	Walker,
Coleman,	Homsher,	Scarlett,	Wilson,
Cox,	Jaspan,	Snowden,	Woodring,
Crider,	Jones,	Stevenson,	Ealy,
Crowe,	Kephart,	Stiefel,	Acting
Dent,	Leader,	Tallman,	Pres. Pro. Tem.

NAYS—1

Haluska,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Mr. WOODRING. Mr. President, House Bill No. 342 attempts to amend the act of 1903 (P. L. 14). The act of 1903 laid down the requirements of corporate proxies for absentee voting at corporate meetings. The Act of 1903 has been superseded by the act of 1933, the corporation code, which by section 1202 expressly repeals this particular act of 1903, which is sought to be amended by this bill.

I think, therefore, that this bill should not be read for the first time but rather it ought to be dropped from the calendar.

BILLS OVER IN ORDER

Mr. WOODRING. Mr. President, I ask unanimous consent that House Bill No. 342, on third reading, entitled:

An Act to amend section one of the act approved the fifth day of March one thousand nine hundred and three (P. L. 14) entitled "An act concerning proxies authorizing representation and voting of shares of capital stock of corporations at meetings and elections thereof" by further regulating the execution of proxies

go over in its order, to give the minority a chance to further study the bill.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. WADE. Mr. President, I ask unanimous consent that Senate Bill No. 376, on third reading, entitled:

An Act relating to investments by fiduciaries and repealing acts or parts of acts inconsistent herewith

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 382, on third reading, entitled:

An Act to amend section seven hundred two of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by authorizing such townships to regulate parking

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 393, as follows:

An Act to further amend clauses six seven twenty and twenty-three of section two of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossing of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" exempting from the provisions thereof motor vehicles engaged in the transportation of logs or pulpwood

Whereas It is well recognized that a continuous and even increased production of paper is essential to the full prosecution of the war effort and

Whereas An unhampered and increased flow of logs and pulpwood to the paper mills is necessary to continue the manufacture of this important commodity and

Whereas Certain provisions of the Public Utility Law relating to transportation of goods by motor vehicles impedes and is detrimental to the flow of logs and pulpwood into the paper mills which provisions by reason thereof are directly impeding the war effort.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clauses six seven twenty and twenty-three of section two of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" as amended or last amended as the case may be by the act approved the twenty-seventh day of May one thousand nine hundred forty-three (P. L. 709) are hereby further amended to read as follows

Section 2 Definitions The following words terms and phrases shall have the meanings ascribed to them in this section unless the context clearly indicates otherwise

* * * * *

(6) "Common Carrier by Motor Vehicle" means any common carrier who or which holdes out or undertakes the transportation of passengers or property or both or any class of passengers or property between points within this Commonwealth by motor vehicle for compensation whether or not the owner or operator of such motor vehicle or who or which provides or furnishes any motor vehicle with or without driver for transportation or for use in transportation of persons or property as aforesaid and shall include common carriers by rail water or air and express or forwarding public utilities in so far as such common carriers or such public utilities are engaged in such motor vehicle operations but shall not include (a) a lessor under a lease given on a bona fide sale of a motor vehicle where the lessor retains or assumes no responsibility for maintenance supervision or control of the motor vehicle so sold or (b) transportation of school children in any motor vehicle owned by any school district or operated under contract with any school district which transportation is lawfully paid for by the school district from district funds or (c) any owner or operator of a farm transporting agricultural products from or farm supplies to such farm or any independent contractor or cooperative agricultural association hauling agricultural products or farm supplies exclusively for one or more

owners or operators of farms (d) any person or corporation who or which uses or furnishes for use dump trucks for the transportation of ashes rubbish excavated and road construction materials (e) transportation of property by the owner to himself or to purchasers directly from him in vehicles owned and operated by the owner of such property and not otherwise used in transportation of property for compensation for others (f) transportation of voting machines to and from polling places by any person or corporation for or on behalf of any political subdivision of this Commonwealth for use in any primary general or special election (g) any person or corporation who or which uses or furnishes for use trucks for the transportation of logs or pulpwood used in the manufacture of paper

(7) "Contract Carrier by Motor Vehicle" means any person or corporation who or which provides or furnishes transportation of passengers or property or both or any class of passengers or property between points within this Commonwealth by motor vehicle for compensation whether or not the owner or operator of such motor vehicle or who or which provides or furnishes with or without drivers any motor vehicle for such transportation or for use in such transportation other than as a common carrier by motor vehicle but shall not include (a) a lessor under a lease given on a bona fide sale of a motor vehicle where the lessor retains or assumes no responsibility for maintenance supervision or control of the motor vehicle so sold or (b) any bona fide agricultural co-operative association transporting property exclusively for the members of such association on a nonprofit basis or any independent contractor hauling exclusively for such association or (c) any owner or operator of a farm transporting agricultural products from or farm supplies to such farm or any independent contractor hauling agricultural products or farm supplies exclusively for one or more owners or operators of farms (d) transportation of school children in any motor vehicle owned by any school district or operated under contract with any school district which transportation is lawfully paid for by the school district from district funds or (e) any person or corporation who or which uses or furnishes for use dump trucks for the transportation of ashes rubbish excavated or road construction materials or (f) transportation of voting machines to and from polling places by any person or corporation for or on behalf of any political subdivision of this Commonwealth for use in any primary general or special election (g) any person or corporation who or which uses or furnishes for use trucks for the transportation of logs or pulpwood used in the manufacture of paper

* * * * *

(20) "Service" is used in this act in its broadest and most inclusive sense and includes any and all acts done rendered or performed and any and all things furnished or supplied and any and all facilities used furnished or supplied by public utilities or contract carriers by motor vehicle in the performance of their duties under this act to their patrons employes other public utilities and the public as well as the interchange of facilities between two or more of them but shall not include any acts done rendered or performed or any thing furnished or supplied or any facility used furnished or supplied by public utilities or contract carriers by motor vehicle in the transportation of voting machines to and from polling places for or on behalf of any political subdivision of this Commonwealth for use in any primary general or special election or in the transportation of logs or pulp-wood used in the manufacture of paper

* * * * *

(23) "Transportation of Passengers or Property" means any and all service in connection with the receiving transportation elevation transfer in transit ventilation refrigeration icing storage handling and delivering of property baggage or freight as well as any and all service in connection with the transportation or carrying of passengers but shall not mean any service in connection with the receiving transportation handling or delivering of voting machines to and from polling places for or on behalf of any political subdivision of this Commonwealth for use in any primary general or special election or the transportation of logs or pulpwood used in the manufacture of paper

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barr,	DiSilvestro,	Leader,	Tallman,
Becker,	Edmonds,	Letzler,	Taylor,
Berger,	Farrell,	Mallery,	Thomas,
Blass,	Geltz,	Margie,	Troutman,
Bowers,	Gourley,	McCreesh,	Tyler,
Carr,	Haluska,	McGinnis,	Wade,
Chapman,	Heyburn,	Rosenfeld,	Wagner,
Coleman,	Holland,	Ruth,	Walker,
Cox,	Homsher	Scarlett,	Wilson,
Crider,	Jaspan,	Snowden,	Woodring,
Crowe,	Jones,	Stevenson,	Ealy,
Dent,	Kephart,	Stiefel,	Acting Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 403, as follows:

An Act to further amend clause eighteen of section one and subsection one of section twelve of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration there of establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by terminating interest on accumulated deductions on the date of separating from school service

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause eighteen of section one of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the fourteenth day of May one thousand nine hundred twenty-nine (P. L. 1738) is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania

in General Assembly met and it is hereby enacted by the authority of the same That the following words and phrases as used in this act unless a different meaning is plainly required by the context shall have the following meanings

* * * * *

(18) "Accumulated Deductions" shall mean the total of the amounts deducted from the salary of a contributor and paid into the fund created by this act to the credit of the annuity savings account together with the regular interest credited thereon to the date on which the contributor separates from school service

Section 2 Subsection one of section twelve of said act as last amended by the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2601) is hereby further amended to read as follows

Section 12 (1) Should a contributor by resignation or dismissal or in any other way than by death or retirement separate from the school service or should such contributor legally withdraw from the retirement system he or she shall be paid on demand from the fund created by this act (a) The full amount of the accumulated deductions standing to his or her individual credit in the annuity savings account as of the date of such separation from school service or in lieu thereof should he or she so elect (b) an annuity or a deferred annuity which shall be the actuarial equivalent of said accumulation deductions His or her membership in the retirement associations shall thereupon cease

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	DiSilvestro,	Leader,	Tallman,
Becker,	Edmonds,	Letzler,	Taylor,
Berger,	Farrell,	Mallery,	Thomas,
Blass,	Geltz,	Margie,	Troutman,
Bowers,	Gourley,	McCreesh,	Tyler,
Carr,	Haluska,	McGinnis,	Wade,
Chapman,	Heyburn,	Rosenfeld,	Wagner,
Coleman,	Holland,	Ruth,	Walker,
Cox,	Homsher,	Scarlett,	Wilson,
Crider,	Jaspan,	Snowden,	Woodring,
Crowe,	Jones,	Stevenson,	Ealy,
Dent,	Kephart,		Pres. Pro. Tem.

NAYS—1

Stiefel,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 421, as follows:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows

Section 1 That the following amendment to the Constitution of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That article nine of the Constitution of the Commonwealth of Pennsylvania be amended by adding thereto a section to read as follows

Section 21 In addition to the purposes stated in article nine section four of this Constitution the Commonwealth may be authorized by law to create debt and to issue bonds to the amount of fifty million dollars ($50,000,000) for the construction of public buildings highways drainage and sanitary systems anti-stream pollution and flood control projects for purposes of reforestation and for the rehabilitation and hospitalization of war veterans

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barr,	DiSilvestro,	Leader,	Tallman,
Becker,	Edmonds,	Letzler,	Taylor,
Berger,	Farrell,	Mallery,	Thomas,
Blass,	Geltz,	Margie,	Troutman,
Bowers,	Gourley,	McCreesh,	Tyler,
Carr,	Haluska,	McGinnis,	Wade,
Chapman,	Heyburn,	Rosenfeld,	Wagner,
Coleman,	Holland,	Ruth,	Walker,
Cox,	Homsher,	Scarlett,	Wilson,
Crider,	Jaspan,	Snowden,	Woodring,
Crowe,	Jones,	Stevenson,	Ealy,
Dent,	Kephart,	Stiefel,	Acting Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. BECKER. Mr. President, I ask unanimous consent that Senate Bill No. 423 on third reading, entitled:

An Act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities, counties and townships as herein defined; prescribing the rights, powers and duties of such Authorities; authorizing such authorities to acquire, construct, improve, maintain, and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such authorities, authorizing such authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof, conferring exclusive jurisdiction on certain courts over rates

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. BECKER. Mr. President, I ask unanimous consent that Senate Bill No. 425 on third reading, entitled:

An Act authorizing individual co-fiduciaries, in certain cases to consent to holding of investments in the name of their corporate co-fiduciaries, nominee, and validating such consent heretofore given

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 482, as follows:

An Act to add section two thousand two point two to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for cooperation of State Teachers" Colleges with other agencies in vocational rehabilitation education of veterans and defense workers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article twenty of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" is hereby amended by adding between sections two thousand two point one and two thousand three thereof a new section to read as follows

Section 2002.2 The trustees of any State Teachers' College with the approval of the State Council of Education may cooperate with municipal State Federal and other agencies in the vocational rehabilitation education of veterans and of workers employed in defense industries during the present emergency and for such purposes shall have power to do all things and enter into all agreements necessary to carry out the same

Section 2 This act shall become effective immediately upon final enactment and shall remain in effect during the present emergency and not later than seven years after the termination of the present war

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barr,	DiSilvestro,	Leader,	Tallman,
Becker,	Edmonds,	Letzler,	Taylor,
Berger,	Farrell,	Mallery,	Thomas,
Blass,	Geltz,	Margie,	Troutman,
Bowers,	Gourley,	McCreesh,	Tyler,
Carr,	Haluska,	McGinnis,	Wade,
Chapman,	Heyburn,	Rosenfeld,	Wagner,
Coleman,	Holland,	Ruth,	Walker,
Cox,	Homsher,	Scarlett,	Wilson,
Crider,	Jaspan	Snowden,	Woodring,
Crowe,	Jones,	Stevenson,	Ealy
Dent,	Kephart,	Stiefel,	Acting Pres Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 631, on third reading, entitled:

An Act approving, ratifying and enacting into law, the Ohio River Valley Sanitation Compact for the prevention, abatement and control of pollution of the rivers, streams, and waters in the Ohio River drainage basin, and making the State of Pennsylvania a party thereto; creating the "Ohio River Valley Water Sanitation Commission;" providing for the members of such commission from the State of Pennsylvania; and providing for the carrying out of said compact after the conclusion of hostilities of the present war

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 665, as follows:

An Act to further amend the act approved the twenty-second day of April one thousand nine hundred nine (P. L. 122) entitled "An act to validate the exercise of franchise of manufacturing corporations and land companies whose charters have expired and to validate the conveyances and other instruments of said corporations" making said act apply to any corporation of the Commonwealth of Pennsylvania and extending the time thereof and authorizing certain conveyances

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-second day of April one thousand nine hundred nine (P. L. 122) entitled "An act to validate the exercise of franchise of manufacturing corporations and land companies whose charters have expired and to validate the conveyances and other instruments of said corporations" as last amended by the act approved the ninth day of March one thousand nine hundred twenty-three (P. L. 6) is hereby further amended to read as follows

Section 1 Be it enacted &c That no exercise of franchise grant bargain and sale feoffment deed of conveyance release assignment or other assurance of lands tenaments and hereditaments contract or agreement whatsoever made executed and delivered prior to January first [one thousand nine hundred and twenty-three] one thousand nine hundred forty-five by any corporation of this Commonwealth or by the successors [or by the successors of any such manufacturing corporation or land company] nor shall any deed of conveyance heretofore or hereafter made by or on behalf of said corporation or by or on behalf of its liquidating trustees for the purpose of liquidating the assets of said corporation shall be deemed held or adjudged invalid and defective or insufficient in law by reason of the expiration of the term of its charter but all and every such exercise of franchises grant bargain and sale feoffment deed of conveyance release assignment or other assurance contract or agreement or any deed of conveyance heretofore or hereafter made by or on behalf of said corporation or by or on behalf of its liquidating trustees for the purpose of liquidating the assets of said corporation so made executed and delivered shall be as good valid and effectual in law and fact as if the charter of such corporation or of the successors of such corporation had not expired or had been renewed and extended Provided however That such corporation or the successors thereof has accepted the provisions of the Constitution of this Commonwealth and of the act of Assembly entitled "An act to provide for the incorporation and regulation of certain corporations" approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four or is subject thereto without acceptance [And provided further That not more than twenty years has elapsed since the expiration of the term of such charter]

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barr,	DiSilvestro,	Leader,	Tallman,
Becker,	Edmonds,	Letzler,	Taylor,
Berger,	Farrell,	Mallery,	Thomas,
Blass,	Geltz,	Margie,	Troutman,
Bowers,	Gourley,	McCreesh,	Tyler,
Carr,	Haluska,	McGinnis,	Wade,
Chapman,	Heyburn,	Rosenfeld,	Wagner,
Coleman,	Holland,	Ruth,	Walker,
Cox,	Homsher,	Scarlett,	Wilson,
Crider,	Jaspan,	Snowden,	Woodring,
Crowe,	Jones,	Stevenson,	Ealy,
Dent,	Kephart,	Stiefel,	Acting Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS ON SECOND READING

BILLS OVER IN ORDER

Mr. COLEMAN. Mr. President, I ask unanimous consent that Senate Bill No. 36, on second reading, entitled:

An Act to add section seven hundred thirty-four to the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" making wilful abandonment or nonsupport of an aged or indigent person a misdemeanor and prescribing penalties

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 115, on second reading, entitled:

An Act to exempt from taxation for all local purposes certain property of hospitals universities colleges seminaries academies associations and institutions of learning benevolence or charity and declaring the public policy of the Commonwealth with respect to the exemption of said property from such taxation

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 147, on second reading, entitled:

An Act to amend sections 203 and 204, and to further amend section 205 of, and to add sections 205.1, 205.2, 205.3, 205.4, 205.5, 205.6, 205.7, 205.8, 205.9, 205.10, and 205.11 to the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered; and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws general, special or local, or any parts thereof that are or may be inconsistent therewith," providing for the election of school directors in school districts of the second, third and fourth classes, by nonpartisan ballots at special elections

be recommitted to the Committee on Elections.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER

Mr. COLEMAN. Mr. President, in the absence of Senator Cox, I ask unanimous consent that Senate Bill No. 170, on second reading, entitled:

An Act to amend section seven hundred one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" abolishing capital punishment in the case of murder of the first degree

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 222, on second reading, entitled:

An Act abating certain tax penalties interest and costs on unpaid county city, borough, town township, school district, poor district, and county institution district taxes with certain exceptions, prohibiting the sale of real property for the nonpayment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 224, entitled:

An Act to extend the lien of taxes and municipal claims and the period for the redemption of real property where the commencement of proceedings or actions for the collection of taxes or municipal claims or sales for the collection thereof are stayed by a court pursuant to the Soldiers' and Sailors' Civil Relief Act of 1940 or the period for the redemption of real property expires before the end of six months after termination of the military service of a person having the right to redeem such real property

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 225, on second reading, entitled:

An Act to amend sections one and two of the act approved the twenty-second day of May one thousand eight

hundred and ninety-five (P. L. 111) entitled "An act providing for the divestiture of liens of taxes levied or assessed against lands sold at judicial sales and for the payment of the same out of the proceeds of such sales" requiring officers and persons conducting judicial sales to notify political subdivisions to file statements of taxes due on real estate to be sold at such sales; imposing duties on political subdivisions and certain officers having taxes for collection and on county commissioners providing for the discharge of tax liens where tax statements are not filed and clarifying the provisions of said act

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. BARR. Mr. President, I ask unanimous consent that Senate Bill No. 296, on second reading, entitled:

An Act providing that taxes levied by political subdivisions of the Commonwealth on real estate of service persons shall not bear interest or be subject to penalties and providing for abatement of certain accrued interest and penalties

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 320, entitled:

An Act to amend the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 319) entitled "An act authorizing the waiver of trial by jury in certain criminal cases and the trial of such cases by a judge without a jury regulating such trials and conferring a jurisdiction upon the judges of the several courts in such cases" by extending the act to all cases except murder and treason.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 344, on second reading, entitled:

An Act to further amend section five hundred and forty of the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" further defining the duties of the secretary to the board of supervisors and providing for the preservation and turning over to the successor in office of township records and for the destruction of certain records

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 371, on second reading, entitled:

An Act to further amend section two of the act approved the twelfth day of May one thousand nine hundred twenty-one (P. L. 548) entitled "An act providing for the depositing of money with the clerk of the several courts of quarter sessions and oyer and terminer or other courts of record having jurisdiction in this Commonwealth in lieu of bail and recognizance with surety or sureties in criminal or quasi criminal prosecutions desertion or nonsupport and surety of the peace cases pending in said courts and fixing the fees of the said clerk of the courts" by increasing the commission of clerks of courts on moneys held by them

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 373, entitled:

An Act to further amend the act, approved the nineteenth day of June, one thousand nine hundred thirty-one (P. L. 589) entitled as amended "An act to promote the public health and safety, by providing for the examination and licensure of those who desire to engage in the occupation of barbering; regulating barber shops and barber schools, and apprentices and students therein; regulating compensation for service rendered; conferring certain powers and duties on the Department of Public Instruction; and providing penalties," by further regulating the practice of barbering and the registration of barber shops, managers and owners of barber shops, barbers, teachers of barbering, students and apprentices.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 374, entitled:

An Act to further amend the second paragraph of section five of the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" making counties in which deceased service persons are buried liable for the cost of headstones

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. CROWE. Mr. President, I ask unanimous consent that Senate Bill No. 385, on second reading, entitled:

An Act to amend clause two of subsection (b), and to further amend clause six of subsection (c) of section two hundred two of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance

companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by authorizing domestic stock and mutual fire and marine and casualty insurance companies to make insurances against all risk of loss of or damage to personal property

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 414, entitled:

An Act to provide protection in all cases secured or to be secured by individual surety or sureties in courts of record or proceedings therein by specifying the requirements of such suretyship and the qualifications of such surety

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. BARR offered the following amendment:

Amend Sec. 1, page 1, line 9, by adding after the word "or" and before the word "undertakings" the word "like."

It was agreed to.

The section was agreed to as amended.

The second, third and fourth sections and title were read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered. To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 434 on second reading, entitled:

An Act to further amend sections twenty-one and thirty-one of and to add section twenty-one and one tenth to the act approved the sixth day of August one thousand nine hundred forty-one (P. L. 861) entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth; establishing the 'Pennsylvania Board of Parole' conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases providing for the method of appointment of its members regulating the appointment removal and discharge of its officers clerks and employes dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the board and of certain other officers and employes thereof making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation" by further defining the jurisdiction duties powers and functions of the Pennsylvania Board of Parole

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 435 on second reading, entitled:

An Act to repeal certain sections of the act approved the nineteenth day of June one thousand nine hundred eleven (P. L. 1055) entitled "An act authorizing the release on probation of certain convicts instead of imposing sentences the appointment of probation and parole officers and the payment of their salaries and expenses regulating the manner of sentencing convicts in certain cases and providing for their release on parole their conviction of crime during parole and their rearrest and reconviction for breach of parole and extending the powers and duties of boards of prison inspectors of penitentiaries" as amended and supplied

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 444, entitled:

An Act to further amend the act approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts, providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties," by guaranteeing to employes equal employment opportunity and full membership rights in labor organizations, without discrimination on account of race, creed, color, national origin or political affiliation, and by making any such discrimination an unfair labor practice.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. DENT. Mr. President, this bill as I understand, was to be the subject of a public hearing. I suggest that the bill remain on second reading. I do not believe, Mr. President, it is proper legislative action to pass a bill simply because another branch of the legislature wants to hold a public hearing on it. We do not believe this bill does the job it intends to do.

Mr. HOLLAND. Mr. President, I understand that an agreement was made that this bill was left out of committee and that it was to be returned back to committee.

I desire to interrogate the gentleman from Potter.

The ACTING PRESIDENT PRO TEMPORE. Will the gentleman from Potter permit himself to be interrogated.

Mr. BERGER. I will, Mr. President.

Mr. HOLLAND. Mr. Berger, as Chairman of the committee on Labor and Industry, am I not right? Is that the statement you made?

Mr. BERGER. At the time the bill was reported out of committee it was understood there was to be a public hearing held on the bill and on House Bill No. 364.

Mr. HOLLAND. Will the Chairman of the Committee on Labor and Industry permit himself to be further interrogated.

Mr. BERGER. I will, Mr. President.

Mr. HOLLAND. Will the Chairman of the Committee on Labor and Industry tell me, did he not tell me, when I came over and asked him, that this bill was to be returned to committee for a public hearing.

Mr. BERGER. Mr. President, I do not believe I said returned to committee. I said there would be a public hearing upon this bill

Mr. HOLLAND. Mr. President, you could not very well have a public hearing while the bill is on the Calendar.

Mr. BERGER. The meeting is to be held by a House committee.

Mr. HOLLAND. Mr. President, that is not the information given to the newspapers. The information given to the papers was that there would be a joint hearing conducted by the House and Senate.

MOTION THAT SENATE BILL No. 444 BE RECOMMITTED TO THE COMMITTEE ON LABOR AND INDUSTRY

Mr. HOLLAND. Mr. President, I now move that Senate Bill No. 444, on second reading, be recommitted to the Committee on Labor and Industry.

Mr. JASPAN. I second the motion, Mr. President.

On the question.

Will the Senate agree to the motion?

Mr. DENT. Mr. President, I second that motion because it was my distinct understanding this bill would only be reported out for printing, in order that publicity might be directed towards the bill, and in order that a public hearing could be held. To my knowledge I have never had any other understanding from any other member of the Senate, that the bill was to be considered seriously by the Members of the Senate at this particular time.

I therefore second the motion that Senate Bill No. 444 be returned to the Committee on Labor and Industry because that was our understanding at the time it was put out, that it was put out for the specific purpose so that the newspapers could give it publicity that there was to be a hearing on House and Senate bills. The only way I know you can hold a public hearing on a bill is for a committee to have that bill in its possession.

Mr. HOLLAND. Mr. President, I want to further explain my stand. Inasmuch as there has been no meeting of the Committee on Labor and Industry on this bill, this was a gentleman's agreement, that the bill would come out and then go back to committee, and I am insisting that this agreement be lived up to.

Mr. COLEMAN. May I say in support of the motion, Mr. President, that Senate Bill No. 444 be recommitted, it has been a long established custom in the General Assembly that you can not have a public hearing on a bill before the Senate. This bill is out of the hands of the particular committee to which it was referred and a hearing can not properly be held by that committee, the bill no longer being the property of the committee, and regardless of the understanding with the Chairman of the Committee, if there is to be a public hearing I can not see how we can have a public hearing when the bill is before the Members of the Senate.

Mr. BERGER. Mr. President, at the time this bill was reported out of Committee, there was an understanding with the members of the committee whom I polled that there would be a joint hearing on this bill and House Bill 364.

Mr. DENT. That is our position.

Mr. COLEMAN. Mr. President, may I submit that the gentleman obviously is in agreement with the majority; you can not have a hearing; who is going to hold a hearing if the bill has passed out of the hands of that particular committee, it is now before the Senate, and the only way you can properly hold a hearing is when the bill is back in the hands and possession of the committee.

Mr. HEYBURN. Mr. President, a House committee could have a hearing, and will have a hearing on both bills; this bill will be in possession of the House after tomorrow.

Mr. DENT. That puts us in a very peculiar position. Are we to be recorded as voting yes or no on a so-called F.E.P.C. bill, on a question that was never properly taken up in committee? I have yet, with all the sins that we have, I have yet to find any person to break his word, and I know the Chairman of the Committee does not intend to.

I have very good hearing—and I think I have been as lenient as possible on any little matters that might expedite the session—he asked that the bill come out for the purpose of printing and a public hearing. At no time was it intimated to me that I would be asked to vote yes or no on this important piece of legislation at this particular time without committee action upon the bill.

I think you gentlemen, in a sense of fairness, must understand our position in the matter. We do not think it is fair. We, as members of the committee in the Senate want to sit in on the public hearing, not as guests of the house but as members of the committee here, not only with reference to this bill but also other F.E.P.C. bills that are in the committee. I do not think it is fair; it is not a decent thing to do.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. Holland and were as follows, viz:

YEAS—16

Barr,	DiSilvestro,	Leader,	Rosenfeld,
Coleman,	Gourley,	Margie,	Ruth,
Cox,	Holland,	McCreesh,	Stiefel,
Dent,	Jaspan,	McGinnis,	Woodring,

NAYS—27

Becker,	Crowe,	Letzler,	Troutman,
Berger,	Farrell,	Mallery,	Tyler,
Blass,	Geltz,	Snowden,	Wagner,
Bowers,	Heyburn,	Stevenson,	Walker,
Carr,	Homsher,	Tallman,	Wilson,
Chapman,	Jones,	Taylor,	Ealy,
Crider,	Kephart,	Thomas,	Acting Pres Pro Tem.

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the section?

Mr. DENT. I do not want to be difficult, but we have not studied this bill because it was our understanding that it would not be taken up for second reading, only for printing, in order to have a public hearing and have the searchlight of public opinion directed towards it. So, inasmuch as we have not read the bill thoroughly, I ask that the bill be read for our information.

The ACTING PRESIDENT PRO TEMPORE. The Clerk will again read the first section of the bill.

The first, second, third, fourth, fifth and sixth sections and title were read and agreed to.

And said bill having been read at length the second time,

On the question,

Will the Senate agree to the bill on second reading?

Mr. HEYBURN. We are going to send it back to committee.

Mr. DENT. That still does not take away the onus of having broken your word, regardless.

I ask for a roll call.

During the calling of the roll the following occurred:

Mr. DENT. Mr. President, I made a motion—

POINT OF ORDER

Mr. FARRELL. Mr. President, I rise on a point of order.

The ACTING PRESIDENT PRO TEMPORE. The gentleman from Philadelphia will state his point of order.

Mr. FARRELL. I submit, Mr. President, that nothing can stop a roll call.

POINT OF INFORMATION

Mr. DENT. Mr. President, I rise on a matter of information.

Mr. FARRELL. Mr. President, I have raised a point of order.

The ACTING PRESIDENT PRO TEMPORE. The gentleman from Westmoreland rises on a point of information. In the opinion of the Chair, the gentleman from Westmoreland is in order.

Mr. DENT. Thank you very kindly.

Mr. President, what are we voting upon, which motion, my motion or the motion of the gentleman from Delaware.

The ACTING PRESIDENT PRO TEMPORE. The gentleman from Delaware had not completed his motion. The request of the gentleman from Westmoreland was that the roll be called on the question would the Senate agree to the bill on second reading. If there was a request that the bill go over in its order, the Chair did not hear it.

Mr. HEYBURN. Mr. President, the roll call had started and it will have to continue. I rose to move to send the bill back to committee, as per agreement, after second reading, but the gentleman from Westmoreland required a roll call, and the voting having started, it will have to be completed.

Mr. DENT. That is all I wanted to know, Mr. President, what I am voting upon. Are we voting upon a motion to send the bill back to committee or are we voting upon the bill on second reading.

Mr. HEYBURN. We are voting upon the bill on second reading.

Mr. DENT. Then I ask my colleagues on this side to vote "present"; that is all there is to it.

Mr. HEYBURN. Mr. President, I do not think a group of members may vote "present" without giving reasons.

Mr. BARR. I will give mine, Mr. President.

Mr. HEYBURN. Under the Constitution, Mr. President, a member must have some special interest in order to vote "present".

Mr. BARR. Each member will give this reason as his name is called.

Mr. DENT. The reason is that the bill was not considered by the committee.

Mr. BARR. Mr. President, each member on our side will give his reason as his name is called. We will all give our reasons when our names are called, or if you desire us to wait until after the roll is completed we will give our reasons then.

(The Clerk again proceeded to call the roll.)

Mr. BARR. Mr. President, I vote "present" for the reason that the Chairman of the Committee on Labor and Industry told the members on this side, when the bill was reported out for printing, that it would be re-referred when the bill came up for second reading.

Mr. BERGER. Mr. President, the Chairman of the Committee on Labor and Industry did not say this bill would be on the Calendar, be printed, and referred back to committee; he said there would be a joint hearing on the bill, and there was no time specified when it would be returned to committee.

Mr. HOLLAND. For the information of the Chairman of the Committee on Labor and Industry, he being a new Member of the Senate, you have to have a bill in committee in order to have a public hearing.

The ACTING PRESIDENT PRO TEMPORE. The Chair calls to the attention of the Senators we are past that point and there is nothing before the Senate excepting the calling of the roll.

(The Clerk again proceeded with the calling of the roll.)

Mr. DENT. Mr. President, I am voting "present" and my colleagues are voting "present" because under the rules of the Senate a bill must be considered in committee before it can be presented for a vote of the Senate and this bill was never considered in committee.

Mr. DiSILVESTRO. Mr. President, I am voting "present" because I honestly believe that I should first hear the arguments pro and con on this bill, because I happen to have a bill of the same nature in one of the committees, and I might vote for this bill if I am convinced after listening to arguments, and that is the reason I am voting "present."

The ACTING PRESIDENT PRO TEMPORE. The Chair suggests that the roll be proceeded with. The Senators

will all be given an opportunity to express their feelings.

(The Clerk again proceeded with the calling of the roll.)

Mr. GOURLEY. Mr. President, I am voting "present," and the reason I am doing so is I understand there will be a public hearing held and I desire to inform myself of the pros and cons at this public hearing before voting "aye" or "nay."

Mr. LEADER. I vote "present." I feel, as does Senator Gourley, that only after a public hearing will I be in a position to vote intelligently on the measures that are being proposed.

Mr. WALKER. Mr. President, I am voting "aye" for the same reason given by the gentleman from Washington, Senator Gourley.

The yeas and nays were required by Mr. DENT, and were as follows, viz:

YEAS—28

Becker,	Farrell,	Scarlett,	Tyler,
Berger,	Geltz,	Snowden,	Wagner,
Blass,	Heyburn,	Stevenson,	Walker,
Bowers,	Homsher,	Tallman,	Wilson,
Carr,	Jones,	Taylor,	Ealy,
Chapman,	Kephart,	Thomas,	Acting
Crider,	Letzler,	Troutman,	Pres. Pro. Tem.
Crowe,	Mallery,		

NAYS—0

PRESENT—14

Barr,	Gourley,	McCreesh,	Ruth,
Coleman,	Holland,	McGinnis,	Stiefel,
Dent,	Jaspan,	Rosenfeld,	Woodring,
DiSilvestro,	Leader,		

So the question was determined in the affirmative.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Mr. DENT. Mr. President—

Mr. HEYBURN. Mr. President—

The ACTING PRESIDENT PRO TEMPORE. The bill has now passed second reading.

Mr. DENT. Mr. President—

The ACTING PRESIDENT PRO TEMPORE. Does the gentleman from Westmoreland wish to talk on this bill.

Mr. DENT. I do not, Mr. President; if the Chair will recognize me I will tell him.

The ACTING PRESIDENT PRO TEMPORE. The Chair recognizes the gentleman from Westmoreland.

Mr. DENT. I ask unanimous consent at this time to introduce a companion bill.

The ACTING PRESIDENT PRO TEMPORE. Is there objection?

Mr. HEYBURN. There is, Mr. President; we are not in that order of business. I am about to make a motion.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 444, the bill just read, be recommitted to the Committee on Labor and Industry.

Mr. LETZLER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. GELTZ and Mr. WALKER, and were as follows, viz:

YEAS—44

Barr,	DiSilvestro,	Letzler,	Tallman,
Becker,	Farrell,	Mallery,	Taylor,
Berger,	Geltz,	Margie,	Thomas,
Blass,	Gourley,	McCreesh,	Troutman,
Bowers,	Heyburn,	McGinnis,	Tyler,
Carr,	Holland,	Rosenfeld,	Wagner,
Chapman,	Homsher,	Ruth,	Walker,
Coleman,	Jaspan,	Scarlett,	Wilson,
Cox,	Jones,	Snowden,	Woodring,
Crider,	Kephart,	Stevenson,	Ealy,
Crowe,	Leader,	Stiefel,	Acting
Dent,			Pres. Pro. Tem.

NAYS—0

So the question was determined in the affirmative.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 455, on second reading, entitled:

An Act to amend section twenty-one of and add section twenty point one to the act approved the second day of June one thousand nine hundred thirty-three (P. L. 1433) entitled "An act defining the powers of the courts of quarter sessions the Municipal Court of Philadelphia and the County or Juvenile Court of Allegheny County with respect to the care guidance control trial placement and commitment of delinquent dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency neglect and dependency of children and amending revising and consolidating the law relating thereto by defining the jurisdiction of the juvenile courts and making parents responsible for delinquency of children under the age of fourteen years and prescribing penalties

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 456, on second reading, entitled:

An Act to amend section four hundred nineteen of and to add section four hundred eighteen point one to the act approved the third day of June one thousand nine hundred thirty-three (P. L. 1449) entitled "An act establishing a court of record in the county of Allegheny for control care guidance treatment trial placement and commitment of delinquent neglected and dependent children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging delinquency neglect or dependency of children defining the jurisdiction and powers of the court and regulating procedure therein providing for the transfer thereto of certain powers functions and duties from other courts providing for the election of judges thereof the appointment of probation officers other necessary staff officials and assistants providing for housing of same and providing for detention facilities making the contributing to or encouraging of the delinquency neglect or dependency of children a misdemeanor and providing penalties" by defining the jurisdiction of the juvenile courts making parents responsible for delinquency of children under the age of fourteen years and prescribing penalties

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. KEPHART. Mr. President, I ask unanimous consent that Senate Bill No. 457, on second reading, entitled:

An Act to further amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-

nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," further revising and changing the penal laws of the Commonwealth

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. KEPHART. Mr. President, I ask unanimous consent that Senate Bill No. 459, on second reading, entitled:

An Act to amend section six of the act approved the twelfth day of June one thousand eight hundred seventy-eight (P. L. 196) entitled "An act to consolidate revise and amend the penal laws of this Commonwealth" by fixing the time for the commencement and prosecution of indictments for certain felonies committed by certain persons

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 462, on second reading, entitled:

An Act establishing a mode of selecting and drawing jurors for counties of the first class, and imposing penalties

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 468, on second reading, entitled:

An Act authorizing the alteration, improvement and construction of buildings, equipment and facilities for the Pennsylvania Maritime Academy by the Navigation Commission for the Delaware River, and making an appropriation

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

HOUSE BILL No. 342 CALLED UP

Mr. WALKER. Mr. President, I call up for consideration at this time House Bill No. 342, Printer's No. 66, on page 3 of the Third Reading Calendar.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 342, as follows:

An Act to amend section one of the act approved the fifth day of March one thousand nine hundred and three (P. L. 14) entitled "An act concerning proxies authorizing representation and voting of shares of capital stock of corporations at meetings and elections thereof" by further regulating the execution of proxies

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the fifth day of March one thousand nine hundred and three (P. L. 14) entitled "An act concerning proxies authorizing representation and voting of shares of capital stock of corporations at meetings and elections thereof" is hereby amended to read as follows

Section 1 Be it enacted &c That stockholders of record of all corporations of this Commonwealth wherever residing who shall be entitled to vote at any corporate meeting or election thereof shall have and be possessed of the right and power to vote thereat by proxy duly executed in writing by the stockholder [either with or without notarial or other acknowledgment but properly attested by the signature of a witness] or his duly authorized attorney in fact and that one person may be constituted and act as proxy for any number of stockholders Provided however That proxies dated more than two months prior to any such meeting or election shall not confer right to vote thereat

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. WOODRING. Mr. President, I said in my request that House Bill No. 342 go over in its order that the original act which this bill seeks to amend has been repealed; the act was repealed as to business corporations; It apparently was not repealed as to those businesses over which the Public Utility Commission had jurisdiction, and I therefore have no objection to the bill.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barr,	DiSilvestro,	Leader,	Tallman,
Becker,	Edmonds,	Letzler,	Taylor,
Berger,	Farrell,	Mallery,	Thomas,
Blass,	Geltz,	Margie,	Troutman,
Bowers,	Gourley,	McCreesh,	Tyler,
Carr,	Haluska,	McGinnis,	Wade,
Chapman,	Heyburn,	Rosenfeld,	Wagner,
Coleman,	Holland,	Ruth,	Walker,
Cox,	Homsher,	Scarlett,	Wilson,
Crider,	Jaspan,	Snowden,	Woodring,
Crowe,	Jones,	Stevenson,	Ealy,
Dent,	Kephart,	Stiefel,	Acting Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments,

BILL ON FIRST READING

Mr. HEYBURN. Mr. President, I move that the Senate do now proceed to the first reading of the bill reported from committee for the first time at today's session.

Mr. SNOWDEN. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 552, entitled:

An Act to further amend section two hundred twenty of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" authorizing the use of eel chutes in the Delaware River above Easton.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. HEYBURN. Mr. President, I move that the Senate do now adjourn until Tuesday, March 20, 1945, at 3:00 o'clock p. m., Eastern War Time.

Mr. MALLERY. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 7:53 o'clock p. m., Eastern War Time, until Tuesday, March 20, 1945, at 3:00 o'clock p. m., Eastern War Time.

HOUSE OF REPRESENTATIVES

MONDAY, March 19, 1945.

The House met at 9 p. m.

The SPEAKER (Ira T. Fiss) in the Chair.

PRAYER

The Chaplain, Rev. Lester C. Updegrove, offered the following prayer:

O God, unashamed, we ask of Thee who givest liberally and upbraideth not, the deep wisdom of patience which springs from faith. Grant unto every legislator and citizen, in these days of stress and strain, the victory that overcometh the world even our faith in Thee. Help all people throughout the world to keep close to the Carpenter of Nazareth who, in the midst of rugged simplicity, found the way to the grand life nor counted any price too great to pay for it. And now as we raise these petitions in His name may we ask also His Spirit. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Wednesday, March 14, 1945.

The Clerk proceeded to read the Journal of Wednesday, March 14, 1945, when, on motion of Mr. REIDENBACH unanimously agreed to, the further reading was dispensed with and the Journal approved.

LEMOYNE HIGH SCHOOL WELCOMED

The SPEAKER. The Chair announces the presence in House this evening of the Senior Class of the Lemoyne High School, and their professor of social studies, Mr. Ray Wert, and welcomes them as our guests at this evening's session.

BILL INTRODUCED AND REFERRED

By Mr. McMILLEN. HOUSE BILL No. 1172.

An Act to further amend the first six paragraphs of section four hundred seven of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," increasing the membership of the Pennsylvania Aeronautics Commission.

Referred to the Committee on Aeronautics.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 115.

An Act to repeal Section forty-five of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemption debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absenta the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents"

Referred to the Committee on Banking.

SENATE BILL No. 262.

An Act to further amend the act approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 457), entitled "An act relating to the business of building and loan associations; providing for the organization and voluntary dissolution of such associations; defining the rights, powers, duties, liabilities, and immunities of such associations, and of their officers, directors, shareholders, solicitors, and other employes; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts, recorders of deeds,

and certain State departments, commissions, and officers; establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts," further defining and limiting the rights, powers, duties, liabilities and immunities of building and loan associations and their shareholders and creditors.

Referred to the Committee on Banking.

SENATE BILL No. 263.

An Act to further amend subsection B of section one thousand eleven of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 565) entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession of and conducting or liquidating the business and property of corporations associations and persons receiving deposits or otherwise transacting a banking business corporations acting as fiduciaries and building and loan associations providing for the payment of the expenses of the Department of Banking by supervised corporations associations or persons and appropriating the Banking Department Fund authorizing the Department of Banking under certain circumstances to examine corporations associations or persons affiliated or having business transactions with supervised corporations associations or persons authorizing appeals to the Supreme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries registers of wills recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services rendered under this act providing penalties and repealing certain acts and parts of acts" further regulating distribution of the assets of building and loan associations in liquidation by the Secretary of Banking

Referred to the Committee on Banking.

SENATE BILL No. 348.

An Act to amend by adding clause (g) to section forty-nine of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447), entitled as amended, "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents, widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" by providing for the appointment of substitute fiduciaries to execute decrees of distribution in certain cases.

Referred to the Committee on Judiciary General.

SENATE BILL No. 386.

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers, fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by permitting departments, boards, or commissions to make transfers of surplus products of the soil, meats, livestock, timber, or other materials raised or grown upon or taken from property of the Commonwealth, or their by-products, to other State agencies and receive credit to their appropriation, under certain conditions.

Referred to the Committee on State Government.

SENATE BILL No. 406.

An Act to regulate the sale of second-hand watches; and providing penalties.

Referred to the Committee on Judiciary Special.

RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. GOODLING and TURBETT.

(Concurrent) RESOLUTION No. 40.

In the House of Representatives, March 14, 1945.

Since the organization of this General Assembly, the Game Commission and the Fish Commission have been the objects of adverse criticism and various resolutions have been introduced requesting investigations of the conduct of their work.

In his address to the General Assembly at the time of the convening of this session, his Excellency the Governor stated that the idea of "combining the two commissions had been suggested" which leads to the conclusion that others think that the game and fish situation in Pennsylvania could be improved.

The criticism of, and the abuse directed at these two commissions must have some basis, and even though the facts upon which that basis is constructed may be erroneous, it is still sufficient to raise a doubt as to the efficiency of these two very important parts of the State Government.

If the criticisms are justifiable, a change should be made. If they are not, then both commissions are entitled to the support of the General Assembly and to its stamp of approval.

For their protection and for a renewal of the faith of the people in the efficiency of the administration of these important commissions, a full investigation should be made; therefore be it

Resolved, That the General Assembly of the Com-

monwealth of Pennsylvania hereby requests the Joint State Government Commission to make a thorough investigation of the Game Commission and the Fish Commission of the Commonwealth, and of their manner of administering the laws of the Commonwealth relating to game and fish, of the manner of re-stocking the game and fish life, and of the establishing of closed seasons, and to study and make a comparison of the work and conduct of similar commissions or departments in other states, and to make a full and complete report of their study and investigation to the General Assembly not later than March 1, 1947, accompanied by such recommendations concerning any change in the administration of the matters now under the supervision and control of the Game Commission and the Fish Commission that they decide should be made.

Referred to the Committee on Rules.

By Mr. COHEN. RESOLUTION No. 41.

In the House of Representatives, March 14, 1945.

Whereas, The tide of victory on the far flung battle fronts of the world brings hope of an early termination of hostilities, and

Whereas, The end of the war will present to our United States, its government, its industries, its laboring people, complex problems of readjustment and reconversion, and

Whereas, In this period of transition, with its dislocation of business, resettlement of workers and readjustment of returning veterans, will result in a lack of immediate employment opportunity to millions of returning veterans; now therefore be it

Resolved, That it is the sense of this House, that we memorialize the Congress of the United States, to pass the "Veterans Readjustment Act of 1945" to provide a continuation of pay to returning veterans, as a matter of right, for a period up to twelve months, to aid in the trying period of readjustment; and be it further

Resolved, That a copy of this resolution be sent to the President, to the Senate and to the House of Representatives at Washington, D. C.

Referred to the Committee on Rules.

RESOLUTION REFERRED

Senate Concurrent Resolution Serial No. 119.

Referred to the Committee on State Government.

PETITIONS AND REMONSTRANCES

The SPEAKER laid before the House the following petitions and remonstrances which were read by the Clerk.

SCHOOLS

Communications from citizens of Pennsylvania urging passage of House Bill No. 568, granting aid to school districts.

Communication from The Pennsylvania State School Directors Association opposing passage of House Bill No. 612, making it compulsory to grant sick leave to teachers.

Referred to the Committee on Education.

HIGHWAYS

A communication and resolution from the City of Pittsburgh, urging passage of Senate Bill No. 351, allocating appropriations for highways.

Referred to the Committee on Highways.

UNFAIR EMPLOYMENT PRACTICES

Petitions, communications from citizens and organizations of Pennsylvania, urging legislation prohibiting unfair employment practices, endorsing and requesting a public hearing on House Bill No. 354.

Referred to the Committee on Labor.

BEAUTICIANS

Communication from the Associated Master Barbers and Beauticians of Pennsylvania favoring passage of House Bill No. 841.

Referred to the Committee on Professional Licensure.

SENATE MESSAGES

The Clerk of the Senate, Mr. Steinfeld, being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence 356, 381, 424.

House Bill concurred in by Senate 39.

Amended House Bills returned for concurrence 64, 83.

Amended Senate Bill concurred in by Senate 112.

Resolution for concurrence (time of next meeting).

Senate Bills to be signed 25, 77, 112, 129, 169, 182, 230, 225.

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 112.

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section eighteen.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 25.

An Act to amend the first paragraph, section one of the act approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521), entitled, as amended, "An act to further amend the title, to reenact and further amend paragraph (e) of section one, and to further amend section thirty-nine of the act, approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521) entitled, as amended 'An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal,' by defining as a transfer and taxing the right of survivorship in property as to which such right exists; and providing for the extension of the Commonwealth's lien on real property for a further period of time" by exempting military pay due deceased service persons and veterans from the taxes herein imposed.

SENATE BILL No. 77.

An Act regulating the issuance of execution on judgments confessed on written instruments and providing that when such judgments are entered in one county defenses may be made to the same by petitions to open filed in any other county where execution thereon is issued or made.

SENATE BILL No. 129.

An Act to add subsection C, to section two hundred twenty-one of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," exempting for the duration of the present war, persons in the armed forces from the payment of a fee to the Commonwealth for non-resident fishing licenses.

SENATE BILL No. 112.

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section eighteen.

SENATE BILL No. 169.

An Act to further amend subsection (f) of section forty-nine of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of non-resident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" by increasing the amount of wages due a deceased employe which may be paid to certain persons by the employer without the necessity for the issuance of letters testamentary or letters of administration.

SENATE BILL No. 182.

A Joint Resolution proposing an amendment to section one of article fourteen of the Constitution of the Commonwealth of Pennsylvania, by making sheriffs eligible to succeed themselves.

SENATE BILL No. 230.

An Act to amend the title and the act approved the thirtieth day of April, one thousand nine hundred and forty-three (P. L. 145), entitled "An act providing for and regulating the accumulation, investment expenditure by counties, cities, boroughs, incorporated towns, and townships of funds for post war projects," extending the provisions of said act to school districts; and defining the term "post war period."

SENATE BILL No. 255.

An Act to reenact and amend clause two of section seven hundred and two and to further amend clause three of section nine hundred and five of the act, approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto." by providing for the furnishing of street lighting by contract with lighting companies, upon petition of property owners in villages, and for the assessment and collection of the costs and maintenance thereof upon property benefited thereby, and for the levy of an annual township tax for street lighting without petition of property owners; and validating petitions of property owners, contracts entered into between townships and lighting companies, taxes levied to pay the costs and maintenance of lighting service and the collection, receipt and payment out of the revenues therefrom notwithstanding such petitions were filed, contracts entered into and taxes levied, collected and paid out under unconstitutional laws; validating agreements and understandings between township supervisors and lighting companies to continue lighting service pending the enactment of valid laws; regulating and providing for the expenditure of moneys arising from special lighting taxes; and authorizing the payment of the costs and expenses of maintaining lighting service until valid laws are enacted to collect charges from property owners benefited thereby, out of the road tax fund, and the creation and transfer of moneys to a special account for such purposes at any time notwithstanding the prior adoption of the budget; and authorizing any light and power company to apply the net rate and to waive the gross rate or to grant discounts and to waive penalties in the same manner as if payments had been made by the township within the time required by the contract and the company's schedules or tariffs.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

HOUSE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 39.

An Act to reenact and amend the title and the act approved the ninth day of June one thousand nine hundred thirty-six (Special Session of one thousand nine hundred thirty-six—P. L. 13) entitled "An act imposing an emergency State tax for a limited period of time on liquor as herein defined sold by the Pennsylvania Liquor Control Board providing for the collection and payment of such tax and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board" as previously reenacted and amended by extending the provisions thereof for a further limited period of time

With the information that the Senate has passed the same without amendment.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 39.

An Act to reenact and amend the title and the act approved the ninth day of June one thousand nine hundred thirty-six (Special Session of one thousand nine hundred thirty-six—P. L. 13) entitled "An act imposing an emergency State tax for a limited period of time on liquor as herein defined sold by the Pennsylvania Liquor Control Board providing for the collection and payment of such tax and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board" as previously reenacted and amended by extending the provisions thereof for a further limited period of time

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILL ON THIRD READING

Mr. LICHTENWALTER asked and obtained unanimous consent to call up out of order House Bill No. 171, Printer's No. 163, on page 26 of today's calendar, bill on third reading postponed.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. LICHTENWALTER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend title, second line of title, by striking out the word "in" and inserting in lieu thereof "and other school employes in the public and private elementary and secondary schools of."

Amend title, last line of title, by inserting after the word "Health" "and the Department of Public Instruction."

Amend Sec. 2, page 1, line 8, by inserting after the word "in" "public or."

Amend Sec. 2, page 1, line 9, by inserting after the word "schools" "within the Commonwealth."

"Other employes" means janitors, bus drivers, cooks and other cafeteria help and all others employed at schools.

Amend Sec. 2, page 2, line 3, by inserting after the word "been" "appointed or."

Amend Sec. 2, page 2, line 6, by inserting after the word "been" "appointed or."

Amend Sec. 3, page 2, line 11, by inserting after the word "age" "during the time they are members of the first, third, fifth, seventh, ninth and eleventh grades in any school within the Commonwealth."

Amend Sec. 3, page 2, lines 14 and 15, by striking out all of line 14 and the words "Department of Health" in line 15.

Amend Sec. 3, page 2, lines 17, 18 and 19, by striking out the words "Medical examiners shall be em-" in line 17, all of lines 18 and 19, and inserting in lieu thereof "in fourth class districts and by medical and dental examiners appointed or approved by him in first, second and third class districts. Teachers and all other school employes shall be given a complete medical examination every two years."

Amend Sec. 3, page 2, lines 20, 21 and 22, by striking out all of said lines.

Amend Sec. 4, page 3, line 2, by striking out the words "examiner The" and inserting in lieu thereof "examiners. School districts and private schools may make arrangements for the use of the hospital laboratories and facilities for examinations herein provided for subject to the approval of the."

Amend Sec. 4, page 3, lines 2 and 3, by striking out the words "shall provide" in line 2 and all of line 3, and inserting in lieu thereof "and the Department of Public Instruction and the provisions of this act."

Amend Sec. 5, page 3, line 5, by striking out the word "or" and inserting after the word "teachers" "or other employes."

Amend Sec. 5, page 3, line 7, by striking out the words "or teachers."

Amend Sec. 5, page 3, line 9, by striking out the word "and" and inserting in lieu thereof "or."

Amend Sec. 6, page 3, line 12, by inserting after the word "a" where it appears for the second time in said line "registered nurse or if available a."

Amend Sec. 6, page 3, line 13, by inserting after the word "hygienist" "or other assistant."

Amend Sec. 7, page 3, line 21, by striking out the words "Individual recommendations" and inserting in lieu thereof "recommendations."

Amend Sec. 7, page 3, line 29, by inserting after the word "purpose" "In making examinations and advising the parent and family physician, the medical examiners shall give special attention to symptoms of rheumatic fever and all other diseases of childhood."

Amend Sec. 9, page 4, lines 13 and 14, by striking out the word "at" in line 13 and the words "the time of" in line 14 and inserting in lieu thereof "review the results of the."

Amend Sec. 9, page 4, line 14, by striking out the words "give careful directions to the" and inserting in lieu thereof "with the principal or."

Amend Sec. 9, page 4, lines 15, 16, 17, 18, 19 and 20, by striking out the words "care and activity of each pupil who" in line 15, all of lines 16, 17, 18, 19 and 20, and inserting in lieu thereof "report sent to the parents."

Amend Sec. 10, page 4, line 22, by inserting after the word "in" "any."

Amend Sec. 10, page 4, lines 22 and 23, by striking out the words "districts of the" in line 22, and the words "first second or third class" in line 23 and inserting in lieu thereof "district."

Amend Sec. 12, page 5, lines 10, 11, 12, 13 and 14, by striking out the words "Whenever an efficient system of health ex-" in line 10, all of lines 11, 12, 13 and 14 and inserting in lieu thereof

"Any child of school age, teacher or other employe may meet the requirements of this act by providing the local school officials with a medical or dental report of examinations made at his own expense by a medical or dental report of examinations made at his own expense by a medical or dental examiner of his own choice on a form approved by the Department of Health for this purpose."

Amend Sec. 13, page 5, lines 15, 16, 17, 18 and 19, by striking out the words "Compensation of Medical and Dental Exam-" in line 15, all of lines 16, 17, 18 and 19, and inserting in lieu thereof

"The medical service for school districts of the first, second and third class shall include those services that are now required by existing law or regulations of the Department of Health and the complete medical and dental examinations of those children of school age, teachers and other employes provided for in this act: Provided, however, That the medical examinations provided for herein for the first, third, fifth, seventh, ninth and eleventh grades shall be in lieu of all other medical examinations provided for by law for children who are members of such grades. Report of Health Service. On or before the beginning of the school year, school districts of the first, second and third class shall file with the Secretary of Health a report including the estimated number of children of school age, teachers and other employes who will be given a complete medical examination and children of school age who will be given a complete dental examination during the ensuing school year and the names of

the medical and dental examiners and other health personnel to be employed who will be responsible for carrying out the requirements of this act. Upon submission of such reports the Secretary of Health may then approve the service for the ensuing year."

Amend the bill, page 5, by inserting between lines 19 and 20, the following:

"Section 14. Compensation for Medical and Dental Examiners. Medical and dental examiners shall be paid from Commonwealth funds at the rate of one dollar and fifty cents ($1.50) for each medical examination and seventy-five cents (75c) for each dental examination. School districts of the first, second and third class shall report to the Secretary of Heatlh the number of children of school age, teachers and other employes who have been given a complete medical and dental examination and shall certify that the medical and dental examiners have been paid at the rate established in the manner prescribed in this section. On receipt of such report and certification the Department of Health shall reimburse the school district in the amount expended."

"The Department shall likewise reimburse school districts of first, second and third class for expenditures for laboratory or other special examinations designated in section four of this act provided that the facilities of the school district or local department or board of health or State Department of Health were inadequate to furnish the examination required."

Amend Sec. 14, page 5, line 20, by striking out the figure "14" and inserting in lieu thereof "15."

Amend Sec. 15, page 6, line 1, by striking out the figure "15" and inserting in lieu thereof "16."

Amend the bill, page 6, by inserting after line 11, the following:

"Section 17 The sum of $4,700,000 or so much thereof as may be necessary is hereby specifically appropriated to the Department of Health for the purpose of carrying out the provisions of this act."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

THURSDAY SESSIONS OF HOUSE

The SPEAKER. The Chair desires to inform the Members of the House that beginning with the week of March 26th, which is next week, Thursday sessions will be held, with the approval of the House. This announcement is made so that the membership can arrange their plans accordingly.

USE OF HALL OF HOUSE GRANTED

Mr. BROWN asked and obtained unanimous consent for the use of the Hall of the House for Tuesday, March 27, 1945, at 10:30 a. m. for a public hearing on House Bill No. 354 and Senate Bill No. 444.

PARLIAMENTARY INQUIRY

Mr. BROWN. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BROWN. Mr. Speaker, on page 26 of today's calendar House Bill No. 581 is indicated to have been introduced by Mr. Bowman. It should be Brown. I am wondering what effect this will have on proceeding with the bill as it appears on the calendar, or will it have to be reprinted.

The SPEAKER. This is clearly a typographical error, and the Chair would inform the gentleman that the House can proceed in the consideration of the bill since the bill itself bears the name of Mr. Brown.

The SPEAKER. The Chair requests the gentleman from Lehigh, Mr. Moser, to preside during the first reading calendar.

MR. MOSER IN THE CHAIR

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 98, entitled:

An Act to amend an act approved June sixth one thousand eight hundred and seventy-one (P. L. 1353) entitled "An act relative to plans of survey and regulation in the City of Philadelphia" by restricting the operation of the Act to original plans and revisions, changing the time and number and character of the newspapers in which notice of the proposed plans and revisions shall be published and of the hearing thereon eliminating the requirement that streets which are the subjects of such plans or revisions must extend from street to street as thoroughfares and must be called public streets and abrogating the provisions for widening the streets upon the petition of the majority of the owners or majority of feet frontage thereon or on one side thereof.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 284, entitled:

An Act to further amend sections four and five of the act approved the twentieth day of May one thousand nine hundred and fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions providing for optional increases in payments by employes and increasing the maximum monthly pension payments in such cases.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 404, entitled:

An Act to amend section one thousand four hundred one of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" further regulating the establishment and maintenance of sidewalks.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 493, entitled:

A Supplement to the act approved the fourth day of June one thousand nine hundred and forty-three (Appropriation Acts page fifty-nine) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-three" providing for a deficiency in the appropriation made by said act to the Department of Auditor General for the fiscal biennium ending May thirty-first one thousand nine hundred and forty-five.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 878, entitled:

An Act to further amend sections three and four of the act, approved the twenty-first day of May, one thousand nine hundred thirty-seven (P. L. 787), entitled, as amended, "An act authorizing, subject to approval of the court of common pleas, the compromise or reduction of tax and municipal claims on real property purchased by any county, city, borough, town, school district or poor district at any sale for the nonpayment of taxes or municipal claims; and the reconveyance or private sale of such property," by further providing for the distribution of the proceeds of such reconveyance or sale.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 162, entitled:

An Act to further amend section one thousand three hundred eleven of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities, including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractural relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act of conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulation and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by authorizing the court to impose prison sentences in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 163, entitled:

An Act to further amend clauses (a) (d) and (f) of section one thousand three hundred four of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" providing for regulation of preliminary education of candidates for licenses to practice professions or work at trades or occupations granted by the Department of Public Instruction or other departments of the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 295, entitled:

An Act to repeal certain obsolete and supplied penal laws.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 417, entitled:

An Act authorizing the Pennsylvania Historical Commission to acquire by gift from the Historical Society of Cambria County the Admiral Peary Memorial Park in Cresson Township Cambria County restricting the use thereof and making an appropriation to said commission for the improvement of said park.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 419, entitled:

An Act to amend the act approved the first day of June one thousand nine hundred forty-three (App. Acts page 45) entitled "An act making an appropriation to the Department of Highway out of the Motor License Fund for the purpose of rebuilding certain bridges in the County of Wayne destroyed by flood in said county during the month of May one thousand nine hundred forty-two" increasing the appropriation for the construction of certain bridges.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 425, entitled:

An Act providing for the construction of a museum building and the acquisition and maintenance by the Department of Forests and Waters with the advice of the Bushy Run Battlefield Commission of lands adjacent to the Bushy Run Battlefield State Park and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 434, entitled:

An Act making an appropriation to the Department of Forests and Waters to be used for the acquisition of land within the limits of the "Bucktail State Park" and prescribing the uses to be made of such land.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 457, entitled:

An Act to permit the sale and purchase of imitation butter or oleomargarine for consumption by inmates and employes of charitable and penal institutions within the Commonwealth for a period of two years and suspending certain provisions of the law prohibiting such sales and purchase for the same period of time under certain circumstances requiring the keeping of records and the making of reports and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 472, entitled:

An Act prohibiting the sale of drugs chemicals and preparations thereof without a label bearing certain information and prescribing a penalty.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 614, entitled:

An Act to further amend section nine hundred and three of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the maximum gross weight of certain commercial motor vehicles and truck tractors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 615, entitled:

An Act to further amend clauses six and nine of section one and section three of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" further defining State employes and original members and making further exception to compulsory membership in the system

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 662, entitled:

An Act to promote interstate cooperation for the conservation and protection of water resources in the Delaware River Basin

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 697, entitled:

An Act to further amend clause seven of section one of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" extending the time for officers and employes of the Department of Public Instruction to withdraw from the Retirement System and receive reimbursement for moneys paid in and requiring payments from the School Employes' Retirement Fund into the State Employes' Retirement Fund in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 698, entitled:

An Act to further amend clauses nine and thirteen of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns bentfits and rights from taxation and judicial process and providing penalties" further defining original members and prior service in the case of certain former members of the Public School Employes Retirement Association

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 714, entitled:

An Act to further amend section one of the act approved the eighth day of July one thousand nine hundred nineteen (P. L. 782) entitled as amended "An act providing that clerks appraisers investigators and other persons assisting the registers of wills in the collection of inheritance taxes in all counties shall be appointed and their compensation fixed by the Secretary of Revenue and prescribing the method of their payment and that of other expenses incident to the collection of said taxes including cost of registers' bonds" by clarifying the provisions for the payment of the cost of registers' bonds filed with the Department of Revenue.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 719, entitled:

An Act to amend section one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 558) entitled "An act authorizing the Department of Property and Supplies to sell and convey a lot or pieces of land in Delaware County" correcting an erroneous measurement.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 754, entitled:

An Act to reamend section two of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1513) as amended the fifth day of June one thousand nine hundred thirty-seven entitled "An act regulating the construction equipment maintenance operation and inspection of boilers granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing penalties for violation of this act and repealing all acts or parts of acts inconsistent with this act" by further regulating the construction and maintenance of boilers and extending the provisions of the act to certain boilers heretofore exempt therefrom and repealing existing laws.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 770, entitled:

An Act to amend section eight hundred and fifteen of the act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by controlling certain shooting throughout the year.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 805, entitled:

An Act to amend Article VIII of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it unlawful to injure tap or make unauthorized connections with telegraph and telephone facilities to receive or send communications by means of such unauthorized connections or to induce such actions by another and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 808, entitled:

An Act authorizing the Department of Property and Supplies acting for the Commonwealth of Pennsylvania to acquire by purchase from the owner thereof a tract of land adjacent to the Pottsgrove Mansion situate in the Borough of Pottstown Montgomery County Pennsylvania and providing for the control management supervision improvement and maintenance thereof by the Pennsylvania Historical Commission

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 901, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by transferring the State Board of Undertakers from the Department of Health to the Department of Public Instruction

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 942, entitled:

An Act to amend the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 439) entitled "An act authorizing the Governor of the Commonwealth of Pennsylvania with the advice of the Attorney General and the approval of certain members of the General Assembly for a limited period of time to suspend or modify laws either in whole or in part under certain circumstances during the existence of the present war" by extending the effective period of the act

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 943, entitled:

An Act to further amend clause (a) of section one thousand two hundred seven of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further providing for the disposition of fines and penalties collected

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 187, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately eighty-nine acres of land in the Twenty-Sixth and Forty-Eighth Wards of the City of Philadelphia, Pennsylvania, known as the League Island Navy Yard; and ceding jurisdiction to the United States.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 217, entitled:

An Act authorizing agreements between the Secretary of Highways and officials of political subdivisions of the Commonwealth or the Federal Government whereby Federal funds appropriated for the payment of property damages on State highways may be made available to the political subdivisions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 324, entitled:

An Act to amend article nine of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" providing for auxiliary State game refuge projects and repealing existing provisions for auxiliary State game refuges.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 384, entitled:

An Act to repeal section three hundred twenty and part of section three hundred twenty-one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" eliminating the provisions of said act which require licensees to forward to the commission reports of game and fur-bearing animals killed during the previous season.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 37, entitled:

An Act to further amend subsection (9) of section eight of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system

and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" permitting contributors to change from the one one-hundred-sixtieth (1/160) to the one one-hundredth (1/100) class and providing for obtaining of full benefits by contributors or hereafter making such change

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 119, entitled:

An Act providing for the construction erection and maintenance of roadside rests adjacent to State highway routes providing for the acquisition of interests in land by gift purchase or condemnation granting powers to and imposing duties upon the Department of Highways the Secretary of Highways the Governor and the Department of Property and Supplies authorizing rules and regulations and providing penalties for violations thereof and making an appropriation

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 420, entitled:

An Act to amend the act approved the twelfth day of May one thousand nine hundred and forty-three (P. L. 259) entitled "An act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employes' Retirement System and in certain other cases into the State Employes' Retirement Fund for certain purposes" by providing for allocation and distribution of such moneys and further prescribing their use

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 725, entitled:

An Act authorizing certain organizations with permission of the court of quarter sessions to conduct bingo games and award prizes to the winners, fixing fees and providing penalties

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

THE SPEAKER (Ira T. Fiss) IN THE CHAIR.

The SPEAKER. The Chair thanks the gentleman from Lehigh, Mr. Moser, for presiding.

COMMITTEE REPORTS

Mr. YEAKEL from the Committee on Rules reported as amended House Resolution No. 11.

Mr. SORG from the Committee on Rules reported as committed House Resolution No. 38.

BILLS ON SECOND READING

Agreeably to order,
The House proceeded to the second reading and consideration of Senate Bill No. 243, entitled:

An Act to amend section one hundred three and to further amend section two hundred one of the act approved the eleventh day of July one thousand nine hundred twenty-three (P. L. 998) entitled "An act for the prevention and treatment of mental diseases mental defect epilepsy and inebriety regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics governing the transfer discharge interstate rendition and deportation of mental patients providing for the payment by individuals counties or the Commonwealth of the cost of the admission care and discharge of mental patients and imposing penalties" requiring persons copartnerships associations and corporations who undertake the care of mental patients to make application and obtain a license from the Department of Welfare.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 283, entitled:

An Act to add clause XLVIII to section one thousand five hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" authorizing purchase of real property and construction of garbage disposal plants

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 337, entitled:

An Act to further amend subsection (b) of section nine hundred thirteen of the act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for the violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" eliminating the payment of fees for the filing of nomination petitions for public offices in townships of the second class

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 354, entitled:

An Act relating to and prohibiting discriminatory and unfair employment practices making the equal opportunity to seek employment a civil right establishing a Commission of Fair Employment Practice prescribing its functions powers and duties formulating an educational program to prevent such employment practices and imposing penalties

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. BROWN. Mr. Speaker, I move that this bill be recommitted to the Committee on Labor for the purpose of a public hearing.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 414, entitled:

An Act to further amend section fourteen of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonbenefits and rights from taxation and judicial process and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by increasing the minimum amount to be paid to certain persons on retirement

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 451, entitled:

An Act to further amend clause seven of section one of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" providing that secretaries of county superintendents may join the retirement system

The first section was read.

On the question,

Will the House agree to the section?

Mr. POLEN offered the following amendments.

Amend Sec. 1, (Sec. 1), page 3, line 21, by inserting after the word "any": "full time."

Amend Sec. 1, (Sec. 1), page 3, line 23, by inserting after the word "system:"

"Any such employe may become a member of the retirement system as of the date he became an employe by paying to the retirement association a sum equal to all the back payments which he would have made had he become a member of the retirement association at such time. Such back payments may be spread over a period of years by having such regular payroll deduction of such person increased by not less than one-third of the amount thereof which deduction increase shall be credited to such back payments owing and shall be continued until the amount thereof shall be paid in full unless such member is retired under the provisions of this act before such back payments have been completed Any such deduction increase may be anticipated in full by the member at any time and shall be anticipated in full at the time of retirement before a retirement allowance is granted and if not so anticipated then the member's annuity shall be calculated on the total accumulated deductions standing to his credit and his State annuity shall be reduced by an amount equivalent to the reduction which occurs in the member's annuity due to the amount of the back payments not so anticipated."

They were agreed to.

The section was agreed to as amended.

Mr. POLEN offered the following amendments adding two new sections:

Amend the bill, page 3, by inserting between lines 23 and 24:

Section 2. Section seven of said act, as amended in part by the act, approved the fourteenth day of May, one thousand nine hundred twenty-nine (P. L. 1738), and the act approved the twelfth day of July, one thousand nine hundred thirty-five (P. L. 698), is hereby further amended by adding at the end thereof, a new subsection to read as follows:

Section 7. * * * *

8. In the case of a full time secretary of a county superintendent who elects to become a member of the system, the county by which such secretary is paid shall, for the purposes of this section, be considered the employer; and the county treasurer of such county shall transmit the amounts of the payroll deductions provided for by the act to which this is an amendment, to the secretary of the retirement board.

Section 3. Section nine of said act, as amended by the act, approved the fourteenth day of May, one thousand nine hundred twenty-nine (P. L. 1738), is hereby further amended to read as follows:

Section 9. [The] Except in the case of secretaries of county superintendents, where there shall be no reimbursement, the Commonwealth of Pennsylvania shall be reimbursed to the extent of one-half of the amount paid by the Commonwealth into the fund created by this act to the credit of the contingent reserve account and the State annuity reserve account number two on account of employes of each other employer, by payments into its treasury made directly by such employer, or indirectly from moneys otherwise belonging to such employer. To facilitate the payment of amounts due from the treasurer of any employer to the treasurer of the Commonwealth on account of the retirement system, and to permit the exchange of credits between the treasurer of the Commonwealth and the treasurer of any employer, the State Superintendent of Public Instruction and the State Treasurer are hereby authorized and empowered to cause to be deducted and paid into or retained in the State Treasury, from the amount of any moneys due to any employer on account of any appropriation for schools or other purposes the amount due to the State Treasury from such employer, in accordance with the provisions of this act. Corresponding amounts, which would be otherwise transferred to the treasury of the Commonwealth from the treasurer of such employer, may be credited to the accounts of the employer to which the moneys withheld by the Commonwealth were payable.

They were agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Mr. POLEN offered the following amendment:

Amend Sec. 2, page 3, line 24, by striking out the figure "2", and inserting in lieu thereof: "4".

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. POLEN offered the following amendments:

Amend the title, page 1, first line of title, by striking out the words "clause seven of section one of."

Amend the title, page 1, second from last line of title, by inserting after the word "that:" "full time."

Amend the title, page 1, last line of title, by inserting after the word "system:" "and make back payments; requiring certain additional payments by the Commonwealth; and imposing duties on certain county officers."

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 470, entitled:

An Act to further amend section four of the act approved the eighth day of May one thousand nine hundred nine (P. L. 470) entitled "An act to prevent the manufacture and sale of adulterate or misbranded drugs defining the word 'drug' prescribing penalties for violation of this act and the method of its enforcement" by further defining what shall constitute misbranding of drugs

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 522, entitled:

An Act to further amend the title and sections one three eight eleven sixteen eighteen and nineteen of and to add section ten point one to the act approved the twnty-eighth day of May one thousand nine hundred fifteen (P. L. 587) entitled "An act to protect the public health by regulating the manufacture preparation handling storage sale transportation and possession of meat and meatfood products prescribing the powers and duties of the Department of Agriculture incidental thereto" including poultry within the provisions of the act providing for the licensing of establishments making possession of unwholesome meat or meatfood products prima facie evidence of intention to sell and prescribing additional penalties

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Mr. TURNER offered the following amendment:

Amend Sec. 2, (Sec. 8), page 3, line 23, by inserting after the word "hogs:" "for sale."

It was agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the House agree to the section?

Mr. TURNER offered the following amendment:

Amend Sec. 3, (Sec. 10.1), page 5, line 8, by inserting after the word "to:" "apply for or to"

It was agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the House agree to the section?

Mr. TURNER offered the following amendment:

Amend Sec. 3, (Sec. 10.1), page 5, lines 10 to 17, both inclusive , by striking out the words "Where there have been false or misleading state-", in line 10, all of lines 11, 12, 13, 14, 15, 16, and 17, and inserting in lieu thereof: "Where an individual gives false or misleading statements to the effect that he derives his support mainly from the cultivation of a farm owned or operated by him, the exemption provided for by subsection (f) of this section shall not apply, and the license provided for by this section shall be required."

It was agreed to.

The section was agreed to as amended.

The fourth and fifth sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 558, entitled:

An Act to amend subsection (e) of section three of the act approved the first day of August one thousand nine hundred forty-one (P. L. 744) entitled "An act requiring school boards in all school districts and boards of directors of all vocational school districts to grant leaves of absence to all school employes who shall volunteer or be called to military or naval service in time of war or during a state of national emergency preserving certain contracts salaries increments retirement rights seniority State contributions and grants to local school boards eligibility lists reembployment authorizing school boards and boards of directors of vocational schools to employ substitutes in place of such employes requiring school districts and vocational school districts to make additional payments into the School Employes' Retirement Fund; reserving all rights and privileges of employes granted leaves of absence under the provisions herein and superseding or repealing all contrary laws" limiting the amount of refund payable to such employes who resign or fail to return to their employment and providing for payments to school districts

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 695, entitled:

An Act to amend Section eight hundred one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any part thereof that are or may be inconsistent therewith" providing for special meetings of school directors under jurisdiction of county superintendents

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 756, entitled:

An Act to reenact and amend clause XIII of section fifteen hundred and two of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (P. L. 1206) entitled "An act concerning townships of the first class and amending revising consolidating and changing the law relating thereto" by providing for the furnishing of street lighting by contract with lighting companies upon petition of property owners in villages and for the assessment and collection of the costs and maintenance thereof upon property benefited thereby and validating petitions of property owners contracts entered into between townships and lighting companies taxes levied to pay the costs and maintenance of lighting service and the collection receipt and payment out of the revenues therefrom notwithstanding such petitions were filed contracts entered into and taxes levied collected and paid out under unconstitutional laws violating agreements and understandings between townships and lighting companies to continue lighting service pending the enactment of valid laws regulating and providing for the expenditure of moneys arising from special lighting taxes and authorizing the payment of the costs and expenses of maintaining lighting service until valid laws are enacted to collect charges from property owners benefited thereby out of the township tax and the creation and transfer of moneys to a special account for such purposes at any time notwithstanding the prior adoption of the budget and authorizing any light and power company to apply the net rate and to waive the gross rate or to grant discounts and to waive penalties in the same manner as if payments had been made by the township within the time required by the contract and the company's schedules or tariffs

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 773, entitled:

An Act to amend section five hundred fifteen of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," increasing the maximum compensation of township supervisors for attending meetings.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 789, entitled:

An Act validating county treasurers' sales of unseated lands heretofore made where such sales were held under laws not at that time applicable to such lands

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 791, entitled:

An Act to further amend section two of the act approved the ninth day of March one thousand eight hundred forty-seven (P. L. 278) entitled "An act in relation to the sales of unseated lands in the several counties of this Commonwealth" by providing that the cost of advertising such sales shall be paid out of the proceeds of the sale

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 792, entitled:

An Act prescribing the question to be determined in certain cases where a new trial is granted

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 846, entitled:

An Act to amend sections one thousand seventeen and one thousand two hundred seven of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" removing the maximum limits on salaries of councilmen and mayors

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 879, entitled:

An Act to amend sections one and three of the act approved the eighth day of April one thousand nine hundred and thirty-seven (P. L. 276) entitled "An act regulating the employment and hours of employment of the officers and members of the uniformed fire protection forces of the cities of the first class and repealing existing laws" by establishing a three platoon system

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 931, entitled:

An Act to amend Section two thousand five of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by changing the requirements for the vacation of certain highways

And said bill having been read at length the second time and agreed to,

Ordered. To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 946, entitled:

An Act to further amend section one thousand one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" increasing the compensation of townships auditors

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 947, entitled:

An Act to further amend section five hundred forty-five of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" increasing the compensation of township auditors

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 18, entitled:

An Act to amend sections one and two of the act approved the eighteenth day of July, one thousand nine hundred thirty-five (P. L. 1303), entitled "An act to regulate the sale of certain hypnotic, analgesic, and body-weight reduction drugs, in the interest of public health," by redefining the meaning of "other hypnotic drug, or analgesic drug or body-weight reducing drug" and adding "inhalers" to the remedies permitted to be sold at retail.

The first section was read.

On the question,

Will the House agree to the section?

Mr. SORG offered the following amendments:

Amend sec. 1 (sec. 1), page 2, line 3, by inserting after the word "enacted" the following: "&c".

Amend sec. 1 (sec. 1), page 2, lines 3 to 6, by striking out the words "by the Senate and House of" in line 3, all of lines 4 and 5, and the words "thority of the same" in line 6.

Amend sec. 1 (sec. 2), page 3, line 29, by underscoring all the words in said line.

Amend sec. 1 (sec. 2), page 4, lines 1 to 12, by underscoring all the words in said lines.

Amend sec. 1 (sec. 2), page 4, line 6, by striking out the figure "[407]".

They were agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The third section was read.

On the question,

Will the House agree to the section?

Mr. SORG offered the following amendment:

Amend sec. 3, page 4, line 13, by striking out the figure "3" and inserting in lieu thereof "2".

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 38, entitled:

An Act making an appropriation to the Department of Property and Supplies for completing the construction of accommodations and furnishing facilities for the conduct of a nautical school for the use by the Navigation Commission for the Delaware River and it navigable tributaries.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. ROOT, and

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House resumed the consideration on second reading of House Bill No. 95, entitled·

An Act conferring upon the Councils of cities of the first class the power and devolving upon them the duty of fixing and determining the salaries wages and other compensation payable out of the treasury of such cities from and after the first day of January one thousand nine hundred and forty-six of all public officers clerks and other public employes except the salaries of elected officers whose salaries are fixed by law and except the salaries wages or other compensation of officers clerks and employes of the Courts which are fixed by law or by the Courts.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair welcomes to the House this evening a former Member, the gentleman from Allegheny, Mr. Lawrence P. Keenan.

SPECIAL ORDER ON THIRD READING AND FINAL PASSAGE HOUSE BILL No. 726

The SPEAKER. The Chair lays before the House the special order of business fixed for this hour, House Bill 726, Printer's No. 208, bill on third reading and final passage.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 726, as follows:

An Act prohibiting any city borough or town from imposing a tax on wages

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 On and after January first one thousand nine hundred forty-six it shall be unlawful for any city borough or town to impose a tax on wages

Section 2 The act approved the fifth day of August one thousand nine hundred thirty-two (P. L. 45) entitled "An act empowering cities of the first and second classes to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and

permitting penalties to be imposed and enforced" is hereby repealed absolutely

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

Mr. JAMES. Mr. Speaker, last Wednesday when it appeared that House Bill 726 and House Bill 5 would be on today's calendar together for third reading and final passage, I feel sure the membership of this House was well satisfied that the decision of the House on House Bill 726 was well taken. At this time we have the opportunity to give the widest possible hearing to the whole question of taxes on wages, not within the confines of a committee and before a few officials and other interested groups, but before the entire membership of this House and within the hearing of the entire citizenry of the Commonwealth.

It has been suggested, unofficially of course, that House Bill 726 and House Bill 5 might be debated together. I believe that it should not be considered a violation of the rules of order if reference is made in the debate of either bill to the other bill. Both bills deal directly with the same subject but they deal with that subject in very different ways.

The SPEAKER. Will the House give its unanimous consent to debate both bills?

Mr. JAMES. Mr. Speaker, I believe it would be proper to refer to either bill in debating either bill, but I do not believe it entirely practical to fully debate both bills at the same time.

The SPEAKER. The Chair hears objections. The gentleman will proceed.

Mr. JAMES. Mr. Speaker, may I know what the objection is?

The SPEAKER. The objection, the Chair takes it, is from the gentleman from Delaware, Mr. James.

Mr. JAMES. That there be no reference to the one bill in debating the other, Mr. Speaker?

The SPEAKER. There is one bill before the House, House Bill 726, Printer's No. 208, and the question is on that bill.

Mr. JAMES. Is objection raised to referring in any degree to House Bill 5 in debating House Bill 726?

The SPEAKER. If the Chair hears no objection the gentleman may proceed.

Mr. SALUS. Mr. Speaker, I object.

The SPEAKER. The Chair hears objection.

PARLIAMENTARY INQUIRY

Mr. ANDREWS. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ANDREWS. Mr. Speaker, can the gentleman be estopped until he has committed some breach of parliamentary procedure to which objection can possibly be filed?

The SPEAKER. The Chair was extending the courtesy of the House. The Chair was under the impression that the gentleman asked for and desired consent to debate both bills. The gentleman may proceed.

Mr. JAMES. Mr. Speaker, House Bill 726 does two things. It prohibits any city, borough or town from imposing a tax on wages. That, of course, is absolute and means that those political subdivisions could not impose a tax on wages under any circumstance. Further, House Bill 726 repeals an Act of 1932 which is known as the Sterling Act, under which Act the city of Philadelphia has been enabled to levy taxes on a number of subjects, among them apparently the wages of persons who work in the city of Philadelphia. But the city ordinance has carried the levying of these taxes far beyond those persons who live in the city of Philadelphia. It has carried these taxes into another state of the United States, and it has carried them into any county, of course, in Pennsylvania where persons might reside, who nevertheless work in Philadelphia.

Now, those persons who believe a wage tax is a sound tax are of course entitled to debate here and give their reasons. There are a number of us who are supporting House Bill 726 because we do not believe, and we do not believe sincerely that a wage tax in any form is a proper tax, and that we believe sincerely that a wage tax in any form is a proper tax, and that we believe that the wage tax in Philadelphia in its present form is a decidedly vicious tax, and from the standpoint that it levies a tax on people who have no opportunity to vote for it, it is an immoral tax.

We believe, of course, that Philadelphia has the right to run its own business. We believe thoroughly in the principle of home rule, but we do not believe that the state of Pennsylvania can allow a statute to stand on the books here in this state which would permit Philadelphia and subsequently other communities in this state to levy a tax on persons equally throughout. It is a tax on income in the best sense of the term, because it is a tax on income from earnings. This particular tax in Philadelphia is a one cent tax now, and it is one cent on the man who makes twenty-five dollars a week, and it is one per cent on the man who makes $25,000 a year, and for that reason, Mr. Speaker, I and those who believe with me are opposed to this wage tax in toto, and we ask that the House support House Bill 726.

Mr. SALUS. Mr. Speaker, I would like to interrogate the gentleman from Delaware, Mr. James.

The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. JAMES. I shall, Mr. Speaker.

Mr. SALUS. Mr. Speaker, does the gentleman pay a wage tax in Philadelphia?

Mr. JAMES. I do, Mr. Speaker.

Mr. SALUS. Does the gentleman have any businesses in Philadelphia, Mr. Speaker?

Mr. JAMES. I do.

Mr. SALUS. How many, Mr. Speaker?

Mr. JAMES. I am at the head of one business in Philadelphia, Mr. Speaker, and I am interested in another business in Philadelphia.

Mr. SALUS. That is all at the present time, Mr. Speaker.

Mr. JAMES. Mr. Speaker, I believe that the gentleman desires to infer that I get great benefits from the city of

Philadelphia and therefore I should pay a tax in Philadelphia on the salary that I earn. Mr. Speaker, I pay tribute in Philadelphia. Every suit of clothing that I have on my back I buy in Philadelphia; when I get my hair cut I get it cut in Philadelphia; I eat all of my lunches in Philadelphia; my shoes were bought in Philadelphia, my socks, my watch and chain and my collar button.

I distribute in Philadelphia at least seventy-five per cent of the money that I earn by purchases in the city of Philadelphia, and it is to be assumed that the merchants from whom I purchase pay real estate taxes and other taxes to the city of Philadelphia on my behalf and in my name.

Mr. SALUS. Mr. Speaker, I would like to know from the gentleman from Philadelphia what is wrong with the merchants and the other people in Delaware County that he does not patronize his own home people?

Mr. JAMES. Mr. Speaker, I live in a community that has a large college and one small store. If I wanted to buy a suit of clothes I could not be accommodated; if I wanted to buy a watch, that store would not have it for sale, and therefore I go to a center that by reason of good fortune and size has merchandise in large selection at fair prices where I can take my choice and pay my money and help pay the tax.

Mr. FINNERTY. Mr. Speaker, House Bill 726, Printer's No. 208, is commonly known as the Philadelphia, Bucks, Berks, Chester, Montgomery and Delaware County wage tax law, but what the general public calls it I will not be permitted to mention on this floor. It is the most unpopular tax ever enacted in this state. No one can escape it, from the small newsboy to the banker. Even our boys and girls in the armed forces are not exempt. The only consideration they get, they must pay it six months after the war. Any boy, a resident of Philadelphia, now risking his life twenty-four hours a day, when he comes back must pay a one cent tax on the small pittance that he receives, unless you repeal this act.

Can you picture a law in these days in Pennsylvania as vicious as that? If you are a resident of Philadelphia, no matter where you work, in any part of the four corners of the earth, you must pay a cent tax on every dollar you earn, and as Mr. James said, if you went outside of the city of Philadelphia and you work or do business in Philadelphia you must pay this tax, and so you see it covers every avenue; there is no escape.

One argument that is used against this bill, they say it will repeal the Sterling Act. I am not learned in the law; I do not know, but I attended a conference over the week end, and there were present five lawyers. They discussed the effects of this act on the Sterling Act, and wasn't it strange, five lawyers together and they couldn't agree? That was a very strange thing to me. But I would say, Members of the House, that if this act repeals the Sterling Act, it is not the intention of the sponsors of this bill to wipe out the Sterling Act, and therefore preventing other counties from levying a just tax. Our only intention is to prevent the tax on wages. We feel that when a man earns a dollar he has the right to receive every cent of it, and no one has a right to take a penny of tax from his pay check. We feel it is the American way for him to receive it, and he should decide how he should spend it.

Another argument against this bill was made last Monday night. They said the sponsors of this bill opposed a public hearing on this measure. Ladies and gentlemen of the House, I knew nothing of such an idea of a public hearing until I arrived at Harrisburg that Monday night. No one of the opposition approached me in any way, shape or form to consider a public hearing, so I therefore thought that the movement was not sincere, and it was only made to put this bill back into the pickle where it would die. That is why we opposed a public hearing.

If you pass this bill tonight and send it over to the Senate the bill can be amended and we will ask for a public hearing. Hundreds of bills have been sent from this House to the Senate and have been amended and put in better shape and accepted by this House, and that is the intention of the sponsors. We would like a public hearing so both sides could present their case in front of this committee, and with the cooperation of all those interested we will get a better measure, a more fair measure so that the people of Philadelphia would have a better place and a more satisfactory place to live in.

In conclusion I want to say to those in the counties outside of Philadelphia, you do not now have a wage tax imposed on you, but as long as this tax stays on the law books of Pennsylvania it may crop up on you like a shot out of a cannon, as it did in Philadelphia.

You may elect an administration, any party, Democratic, Republican, Socialist or whatever it may be, and when they find that this wage tax is such a juicy melon they can impose it and you will have no recourse. So we ask you tonight, tonight is your chance, not five years from now, but tonight, to support House Bill 726, have it repealed and then you will never have the danger of a wage tax.

Mr. HOGGARD. Mr. Speaker, we are highly favored in this country in that we have a democratic form of government and not an autocratic nor totalitarian system of government. In America the voice of the people renders the verdict. It was said on the floor of this House last Monday night that a few high officials in Philadelphia were opposed to the passage of this piece of legislation, but they represent the minority, and a very small minority. The masses of the people, the common people,—and Abraham Lincoln said that God must have loved the common people because he made so many of them,—the overwhelming majority of the people of Philadelphia want House Bill 726 passed, and they want it passed at the very earliest possible moment.

It was said also on the floor of this House last Monday night by the gentleman from Delaware that this tax does not only affect the people in Philadelphia, but it affects those who live outside of Philadelphia but work there. Several persons were arrested a few weeks ago at the Navy Yard in Philadelphia. They were taken off their jobs and carried before a magistrate. They were lax in the payment of the wage tax. They did not deliberately and maliciously refuse to pay this tax, but they didn't know it was obligatory upon them as non-residents of Philadelphia to pay such a tax. Nevertheless they were prosecuted to the fullest extent of the law; they were ordered to pay the tax there and then; they were fined one hundred dollars, and the costs of course,—one hundred dollars each, if you please.

Now, Mr. Speaker, these were working men; they were

laborers. They were taken off their jobs. They were not the kind that walk the streets with hundreds of dollars of pocket change in their pockets. They did not have the money to pay the fine with, and they were thrown in jail and ordered to be retained there until the tax was paid. This happened at a time when our allied armies were suffering the worst setback of the entire war. General Eisenhower was calling for bombs and ships and planes and guns. Another one of our great generals was saying "Give us the ammunition and we will deliver the victory" but we cannot give them the ammunition when the second largest defense area in the world is snatching from their war jobs men by the scores and throwing them in jail because they ignorantly and unknowingly ignored a nuisance tax law that happened to be untenable.

It was further stated on this floor last Monday night that if this bill is enacted into law Philadelphia will be driven into bankruptcy. In my opinion that is propaganda. Philadelphia went through the major portions of one of the worst depressions ever inflicted on the human race since first the flight of years began without this tax, and by what process of reasoning does the gentleman presume now logically to conclude such a tax is indispensable to the economic welfare of the city of Philadelphia? On the front of one of the seats located outside of this building are these vital and significant words "Dare to do the right and leave the consequences to divine wisdom."

Members of the House, we are challenged tonight, we are called upon by our constituents to dare to do the right. Vote for House Bill 726 and banish this vicious, this obnoxious, this nuisance wage law, this tax law, and leave the consequences to Infinite wisdom.

Mr. SALUS. Mr. Speaker, I have the authority here, a letter from the city solicitor of Philadelphia. It is a long, long letter, and I am going to ask permission of the Members to place this letter in the record and make it a part of the argument tonight.

The reason I want to put this letter in the record is that it tells the entire set-up, the financial set-up of the city of Philadelphia, so that many of my misguided friends in their opportune moments may look over the same and be convinced that the city of Philadelphia is asking nothing unreasonable. I do not want to take the time to read about six or eight pages with a lot of statistics.

The SPEAKER. Is there objection to extending the remarks of the gentleman on the record?

Mr. ANDREWS. Mr. Speaker, I would object to the filing of the letter unread, because the letter filed unread will appear upon the record as making a statement that was not answered, and we do not know until we know what is in the letter whether the statement should or should not be answered.

The SPEAKER. The Chair hears objections, and consent is not granted.

Mr. SALUS. Mr. Speaker, I will then yield to the gentleman from Philadelphia, Mr. Root, who will read the letter. I did not want to keep the Members in their seats and be annoyed. I do not think there is anything in the letter that anybody can object to.

Mr. ROOT. Mr. Speaker, This letter is from the Department of Law and to Honorable Samuel W. Salus, and it says:

Frank F. Truscott — Department of Law
City Solicitor — City Hall Annex
City of Philadelphia

March 12, 1945

House of Representatives,
Honorable Samuel W. Salus,
Harrisburg, Penna.

Dear Mr. Salus:—

The City of Philadelphia urges you to oppose vigorously the passage of House Bill 726, entitled "An act prohibiting any city, borough or town from imposing a tax on wages."

Although the title of the proposed Act purports to prohibit a tax on wages, the Bill itself contains a provision for the repeal of the Sterling Act of August 5, 1932, P. L. 45, and the enactment of this Bill would, in the case of Philadelphia, invalidate a large number of taxing Ordinances prepared pursuant to that Act, including taxes on amusements, on documents, on parking lots, and on the premiums of mutual life and mutual fire insurance companies.

To prohibit the collection of these taxes would create a serious financial crisis and would make it virtually impossible to carry on the municipal activities of the City of Philadelphia. The Budget requirements of the City under the most economical program are in the neighborhood of $85,000,000 a year. The result of the enactment of this Bill would be to reduce the annual City income to about $60,000,000, leaving a deficit of about $25,000,000. With this reduced income, the City would be prevented from performing many of the essential functions imposed upon it and could not adequately safeguard the health and welfare of its inhabitants. This reduction in income would prevent the continuance of improvements necessary for the development and growth of the City, and the resulting injury to the great industrial and transportation metropolis of the Commonwealth of Pennsylvania would be reflected and felt in all parts of the State.

The repeal of the Act of 1932, which would divest the City of its right to levy and collect these taxes, would necessarily result in a heavy increase in the rate of the tax levied on real estate. At the present time, the real estate tax rate for the City of Philadelphia is $1.70 per $100 of assessed valuation and for the School District of Philadelphia is $1.175 per $100 of assessed valuation. The yield to the City from the real estate tax in 1944 was approximately $40,000,000 and the yield from the other taxes enumerated above was approximately $24,000,000. If these other taxes are eliminated and it is necessary to make up the deficiency by an increase in the rate of tax on real estate, the increase would approximate $1.00 on each $100 of valuation. The resulting rate of $2.70 City tax, when added to the $1.175 for school tax, be burdensome to real estate and harmful to the business and industry of this City, perhaps to such an extent as to have a marked effect on the prosperity of the City and the employment and remuneration of its inhabitants.

As you know, there is a general movement throughout the Commonwealth to find means of relieving real estate from some of the burden of taxation to which it is now subjected for municipal and school purposes. In the case of the City of Philadelphia, the City rate on real estate has been kept within reasonable limits. This has been made possible in part by reason of the revenue obtained by the City from other sources of taxation, under the authority of the Act of 1932 To repeal this Act and to eliminate these other sources, forcing the City to increase the burden on real estate would reverse the modern trend and violate the principles of taxation advocated by the outstanding students of the subjects of taxation and the financing of municipal government. Its injurious effects would be felt in every phase of life in the City, including

those which House Bill 726 allegedly seeks to relieve of their share of the cost of carrying on municipal government. It would affect the tenant, to whom the increase in real estate tax would ultimately be passed. In affecting commerce and idustry, it would affect the wage earner and his ability to find gainful employment. It would affect the real estate owner and those who have made investments secured by real estate.

The provisions of the Bill are particularly ill-advised and dangerous at this time in view of the uncertainty of the financial problems that will confront our municipalities at the conclusion of the war, the need for post-war adjustments and the planning of post-war projects to furnish necessary improvements to those municipalities and employment to their people, including those now members of the armed forces of the United States. Under conditions such as these, the ends sought to be accomplished by the Bill might destroy the vital instruments with which municipalities could protect themselves from great injury and harm that might otherwise overtake them.

The earned income tax, sometimes referred to as the "wage tax", and the taxes on amusements, documents, .etc. are fair and just taxes, are moderate in rate and are a proper distribution among the persons taxed of the cost of the administration of the municipal government and the benefits conferred by it on the taxpayers. Real estate is not the only subject matter that is benefited by the expenditures made by a city or borough or town, and there is no just reason why real estate owners should be compelled to bear all, or practically all, of the expenses of government, to the exclusion of others who receive benefits.

The enactment of House Bill 726 would virtually prevent the distribution of the tax burden to others than real estate owners and would in effect deprive a municipality of any power to use discretion in the means of meeting the expenses of government. It would constitute a clear denial of the right of home rule and would deprive those who must meet the problems of local government of the means with which to solve those problems.

I am enclosing for your information a financial statement, showing the receipts by the City of Philadelphia for the years 1943 and 1944 and the respective sources thereof, from which you will note the sums realized by the City from the various revenue sources now available to it and of which the City would be deprived if House Bill 726 were enacted into law.

Very truly yours,

(Signed) FRANK F. TRUSCOTT

FFT:McD:6 City Solicitor

Mr. Speaker, attached to this letter is a statement of the City Treasurer showing the receipts for the years 1943 and 1944 from each source of its revenue. If you desire I will read this in detail, but if I might have unanimous consent to save you a half hour may I ask for permission to have it made a part of the record.

The SPEAKER. Will the House give its consent to making the City Treasurer's Statement a part of the record? The Chair hears no objections, and consent is granted.

REPORT OF EDGAR W. BAIRD, JR., CITY TREASURER
143 CITY HALL, PHILADELPHIA

For the year ending, December 31, 1944

With this report the fiscal year of the City of Philadelphia for 1944 comes to an end. The books have been closed and show that the City has a cash balance of $4,621,133.30 and, in addition, holds $5,000,000 U. S. Treasury 7/8% Certificates of Indebtedness. The total of these items makes the cash balance practically the same as it was at the close of 1943.

From total collections for the year, there should be deducted the $16,730.76 for interest paid at time of purchase of U. S. Certificates of Indebtedness and $2,306.02, which represents reimbursement from the Federal Government to cover Council's appropriation for certain prison labor. Making these deductions, excess receipts over budget estimates are $1,603,758.60, as compared with excess receipts of approximately $3,874,000 for 1943. This revenue surplus was increased by $1,428,109.97 in merging balances, which are unexpended sums in the appropriations of the various departments. The net surplus for 1944 therefore amounts to $3,031,868.57, as compared with $4,758,716.18 for 1943.

It will probably be a matter of interest to know that the gross outstanding bonded indebtedness of the City was reduced by $23,983,500 during 1944. The City's debt structure has been showing a steady improvement for a number of years, which is a reflection of the sound fiscal principles that have been followed.

A new item of revenue has appeared for a full year's period for the first time in 1944, namely, the earnings which have accrued to the City through its investment in War Loan securities. The City's actual net earnings during the past twelve months from this source have amounted to $131,134.95. There should be added to this, accrued interest and premium as of December 31, 1944, of $6,346.15 on the $5,000,000 U. S. Treasury 7/8% Certificates of Indebtedness held at the year end, making the gross income from this item $137,481.10 for the year .

City Treasurer.

The City's Receipts and Expenditures statement for December, 1944, is as follows:

RECEIPTS

Cash Balance, December 1, 1944	$8,217,574.95
Sale of U. S. Certificates of Indebtedness	10,000,000.00
Receipts	4,493,619.09
Payment on returned checks	3,520.98
Total	$22,714,715.02

EXPENDITURES

Warrants	$18,090,182.38
Mandamuses	307.62
Returned checks	3,091.72
Cash balance, December 31, 1944	4,621,133.30
Total	$22,714,715.02

Receipts and Expenditures for the year 1944 are as follows:

RECEIPTS

Cash balance, January 1, 1944	$10,369,299.89
Receipts for year	86,695,262.71
Payments on returned checks	69,773.35
Sale of U. S. 7/8% Certificates of Indebtedness	12,000,000.00
Total	$109,134,335.95

EXPENDITURES

Warrants for year	$87,068,518.66
Mandamuses	357,324.30
Returned checks during year	70,628.93
Purchase of U. S. 7/8% Certificates ..	17,000,000.00
Interest, purchase U. S. 7/8% Certificates	16,730.76
Cash balance, December 31, 1944	4,621,133.30
Total	$109,134,335.95
Investment in U. S. 7/8% Certificates of Indebtedness	$5,000,000.00

CITY TREASURY

Receipts for twelve months ended December 31, 1944, as compared with 1944 Budget Estimates and Receipts for the same twelve months of 1943.

	1944 Budget Estimates	Receipts Full Year 1943	Receipts For Twelve Month 1944	Receipts For Twelve Months 1943	Per Cent of Change from 1943	Per Cent of 1944 Budget Estimates
Taxes						
Current Real Estate ..	$40,749,754.97	$40,447,940.80	$39,906,166.64	$40,447,940.80	—1.34	97.93
Delinquent Real Estate	3,350,000.00	3,298,859.70	2,568,810.73	3,298,859.70	—22.14	76.68
Current Personal Property	2,081,092.96	2,331,534.10	2,472,211.10	2,331,534.10	+6.03	118.79
Delinquent Personal Property	70,000.00	65,199.94	52,051.10	65,199.94	—20.17	74.36
Delinquent Poor	.....	4,942.80	4,437.32	4,942.80	.....	.....
Water Rents	7,093,448.88	7,174,080.83	7,450,925.50	7,174,080.83	+3.86	105.04
Amusement	1,400,000.00	1,422,076.03	1,493,346.90	1,422,076.03	+5.01	106.67
Documentary Stamp..	150,000.00	172,892.62	267,641.56	172,892.62	+54.80	178.43
Mutual Insurance	125,000.00	144,126.93	131,623.59	144,126.93	—8.67	105.30
Parking	50,000.00	47,300.30	52,779.13	47,300.30	+11.58	105.56
Wage	21,000,000.00	20,761,883.44	22,315,170.14	20,761,883.44	+7.48	106.26
Income from State Liquor Tax	1,670,225.00	1,646,200.00	1,637,825.00	1,646,200.00	—.51	98.06
Income from Utilities						
Phila. Gas Works	15,000.00	15,000.00	15,000.00	15,000.00	.....	100.00
Subway—P. T. C.	3,226,949.96	3,902,247.15	3,954,236.81	3,902,247.15	+1.33	122.54
Miscellaneous						
Magistrates	475,830.98	402,635.25	384,285.24	402,635.25	—4.56	80.76
Int. on deposits, premiums, etc.	.....	556.94	375.00	556.94	.....	.....
Premium and interest, sale U. S. 7/8% Ctfs.	.....	34,258.20	*147,865.71	34,258.20	.....	.....
Other department receipts, licenses and fees	3,615,164.58	3,818,657.29	3,840,511.24	3,818,657.29	+.57	106.23
Totals	$85,072,467.33	$85,690,392.32	$86,695,262.71	$85,690,392.32	+1.17	101.91

*Less $16,730.76 interest paid at time of purchase.

Mr. Speaker, practically every newspaper in the city of Philadelphia is opposed to the passage of House Bill No. 726. I have here an editorial from the Philadelphia Evening Bulletin dated Wednesday, March 14, 1945. With the permission of the House I will read the editorial. The heading of the editorial is

Wreckers at Work

This city's income tax is levied by legislative authority, and what the Legislature has given it can take away. Yet if anything can be said for deciding the fate of any city tax at Harrisburg rather than in Philadelphia, the public has every right to demand that legislators who propose to withdraw the power to levy the tax be ready with a constructive plan for making good the ensuing deficiency.

A bill to repeal the Sterling Act of 1932, which empowers the city to tax anything the State does not, and under which the income, the amusement, and several other taxes are levied, has suddenly come to life in the House. It is hard to say whether the strength of its backing or the recklessness of the backers is the more amazing.

This year the city is counting on about $24,000,000 from taxes which would fall if the Sterling Act were repealed. That amount of city income would have to be supplied from another source, and there is no other source but the real estate tax. To raise $24,000,000 through real estate taxation would entail a boost of $1.02 per $100 of assessed valuation, from $2.875 per hundred to $3.895.

Perhaps this is exactly what the supporters of the bill intend; but the indications are that their thoughts have not extended beyond creating a hole in the city income the filling of which, if it can be done, will cause embarrassment to others than themselves.

Mr. FINNERTY. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Root.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. ROOT. I shall, Mr. Speaker.

Mr. FINNERTY. Mr. Speaker, as I heard the gentleman's voice in reading the letter of His Honor the Mayor, the gentleman said it would put it down to practically sixty million dollars income, is that right?

Mr. ROOT. That is approximately correct, Mr. Speaker.

Mr. FINNERTY. When the controllers certified the receipts of Philadelphia, as I remember, it was something like eighty-nine million dollars.

Mr. ROOT. That includes the twenty-five million, or approximately that amount, from the wage tax, Mr. Speaker.

Mr. FINNERTY. That would bring it up to only eighty-five million. What about the other four million, Mr. Speaker.

Mr. ROOT. Now, Mr. Speaker, I am giving the gentleman round figures. If he wishes details I am going to refer him to the treasury report. There is about four mil-

lion dollars of miscellaneous income from other sources such as amusements and various other departments.

Mr. FINNERTY. Well, Mr. Speaker, I will study that in the meeting of the committee on first class cities tomorrow.

I also want to say in reply to that editorial in the Bulletin, I read that editorial, and it said as I understand, that it would raise $1.02 on the hundred dollars, if I recall the statement I read. Now, take a family of two or three wage earners,—I will cite a real case to bring it out. My home is assessed at $2,500; my taxes are $74.50. The wage tax was introduced to save the raising of taxes. Now, we have two workers in the house we pay $53 wage taxes. That would amount, I think, to $99.50 in round figures. Now, if that tax is raised one dollar on the hundred it would raise it $25 a year. Do you see where the wage tax pays the ante?

Mr. ROOT. Mr. Speaker, is that a question?

Mr. FINNERTY. Yes, Mr. Speaker.

Mr. ROOT. What is the question, Mr. Speaker?

Mr. FINNERTY. My question is, my taxes are $74.50. I pay $53 wage tax for two workers in the family. Now, that would amount to $127.50. If my taxes were raised $25,—and I am paying $74.50 now, I would only be paying $99.50. Where does the wage tax save me any real estate tax?

Mr. ROOT. Of course, Mr. Speaker, the gentleman from Philadelphia is fortunate in having two wage earners in his home. With two wage earners in his home the bill is very proper and fair; each one can very easily afford to pay one per cent of its weekly wages towards all the benefits that they get from the city of Philadelphia.

Mr. FINNERTY. I thank the gentleman, Mr. Speaker, for his answer, and I will study the financial report.

Mr. ROOT. Mr. Speaker, while I am on this subject, I did not wish to get into this debate, because my colleague from Philadelphia can take them all on and do a very good job, but I have in this morning's mail received a pamphlet issued by the Citizens Business Bureau of Municipal Research, in which it lists the various cities in the Union, showing their tax rates per one hundred dollars. Boston has the highest rate, $39.90 per hundred dollars. Buffalo comes next, Chicago comes next, Pittsburgh is No. 4, Detroit No. 5, Baltimore No. 6, New York No. 7. Philadelphia, the third largest city in the Union, is No. 8. We from Philadelphia on this side of the House are proud of its economical administration.

Mr. LEVY. Mr. Speaker, I for one regret exceedingly that this debate has now degenerated into a question of which tax is more righteous, a city wage levy or an increase in real estate taxes. The record is quite clear, that the Philadelphia Republican Party and its philosophy of taxation is very specific. They believe that taxes should be thrust upon those least able to pay, and that argument, Mr. Speaker, cannot be debated by the Republican Philadelphia spokesmen.

This is not a question of whether we are to abolish the city income tax and increase the real estate levy. That, in my opinion, is just baseless propaganda. The truth of the matter is that the entire tax structure in the city of Philadelphia must be reestablished. No one ever said the City Fathers in Philadelphia knew how to assess taxes, and let me remind the gentleman from Philadelphia, Mr. Root, that when he read the rate of taxation of the large cities in the United States he did not bring to the attention of the House that the assessed valuations in Philadelphia are so outrageously out of place and so definitely against the real estate owner that their rate could be fifty cents lower and still Philadelphia real estate owners would get a very bad deal. That is a matter of record. It is a matter of record, because only a few months ago the Board of Revision of Taxes in the city and county of Philadelphia raised assessments throughout the city and county of Philadelphia, and in their measure of increase in assessments they did not give one reason why such increases were warranted.

The gentleman from Philadelphia knows full well that if the assessments in Philadelphia were levied honestly, then the real estate tax in Philadelphia would have to be comparatively higher than it is today, but this question of the abolition of the city wage tax does not necessarily intertwine with the real estate tax.

The editorial which the gentleman read in the Evening Bulletin of Philadelphia is no less convincing. I have seen the Philadelphia Evening Bulletin one year, prior to a municipal election call the City Fathers of Philadelphia everything in the dictionary, and I have seen the same Evening Bulletin state very clearly that they must in the next few months get their house in order or else that great newspaper institution is going to take away its support. Every time an editorial like that is written, in the very last analysis the Philadelphia Evening Bulletin is back in the same old corner from whence it started, so any editorial in the Evening Bulletin convinces me not.

I want to say to the Members of the House, we have one question before us, are we to permit a vicious tax on the statute books of Philadelphia affecting not only the residents of Philadelphia but non-residents, a tax on those least able to pay, or are we to send back a measure to the City Council of Philadelphia that they had better get their taxing authorities in order, and tax those with ability to pay?

The gentleman from Philadelphia, Mr. Root, read from the Department of Law, and the letter said that this is a fair and just tax. I defy any Member on the Republican side to state,—not read a letter, but state on the floor of this House his reason for calling this tax just and fair. There is nothing just or fair about it. The truth of the matter is that it is a tax on the people least able to pay, which is contrary to democratic principles.

I say, Mr. Speaker, if we cannot get a more convincing argument than a few long drawn out statements from a letter from the Department of Law of the city of Philadelphia, then I say we should vote for this bill and send a message back to City Council that we do not stand for unfair and unjust taxes on the people of Philadelphia and on the nonresidents.

Mr. GRANT. Mr. Speaker, I have listened to this debate very attentively, as I always try to make it my business to do. I listened to the arguments of the gentlemen from Delaware, Mr. James, and I listened to the arguments of Mr. Finnerty, and I in turn listened to the answers that were given by the opposition to this bill.

One of those arguments was that Mr. James earns money, and the other one was that Mr. Finnerty naturally saves money, but at the same time the thought occurred

to me that if certain people are relieved from real estate taxes, that those very people work in turn and they hate to pay their taxes indirectly, plus the fact that the Philadelphia men in their arguments on this bill are bragging about the low rate of real estate tax that they have in comparison with other cities, but they do not hesitate to levy a tax upon the people whom I represent, constituents of Berks County, and I have thousands of them who work in Philadelphia. They have their homes in Berks County and are good citizens. Their only purpose in working in Philadelphia in war time is in order to further the war work, because they have the essential industries there, and because the United States government has requested them to volunteer to go to work down there. I think the argument of the champions of this bill from Philadelphia is not well taken when they want to charge a tax on my constituents working in Philadelphia solely from patriotic motives when they are paying their own local taxes.

Mr. SORG. Mr. Speaker, I just want to reiterate the fact that my motion of last week for the purpose of recommitting this bill for a public hearing was warranted. It needed the hearing and needed some study, and I am still of the same opinion.

Mr. Speaker, the gentleman's arguments are convincing. Taxes are obnoxious, and particularly wage taxes are obnoxious. Certainly if I were a Councilman of a city I would feel that I would not sanction the assessment of a tax on wages. If this were a measure to impose a tax on wages I would not vote for it. If this were only a measure, Mr. Speaker, to abolish a tax on wages, I question whether I would not vote for it, but I find myself in an anomolous position. I find myself without an alternative, because of the way this bill is written. It doesn't stop with wage taxes, it doesn't give me the opportunity to vote squarely on the wage tax issue. It has too many things tacked onto it.

Without raising a constitutional point of order I would like to suggest to the gentlemen who advocate this measure that if it passes here in its present form, if it passes in the Senate in its present form and if it is signed by the Governor in its present form they have nothing. The title of this act, Mr. Speaker, says "An Act prohibiting any city, borough or town from imposing a tax on wages" and section one does just that. But, Mr. Speaker, section two does a lot of things that the title gives no notice of whatever. Section two of the bill repeals the Act of 1932, and in case you have not read it, this is the Act of 1932,

> "The council of any city of the first or second class shall have the authority by ordinance for general revenue purposes to levy, assess and collect or provide for the levying, assessment and collection of such taxes on persons, transactions, occupations, privileges, subjects and personal properties within the limits of such city of the first or second class as it shall determine."

So it goes on, Mr. Speaker, giving authority generally to cities of the first and second classes to tax those things which the Commonwealth would have authority to tax but does not tax.

As it applies to cities of the second class that particular Act expired, but, Mr. Speaker, this proposed bill attempts to do things of which it gives no notice, either by its title or on the calendar, and I submit that they have nothing, because it would fall in any court.

Secondly, Mr. Speaker, on the merits of the measure, I might add that even if this were a measure applying solely and exclusively to Philadelphia I might be inclined to go along with it, but it applies to any municipality. It is not a direct vote on a wage tax, it is merely a direction to those local governments that are affected or that might be affected under necessity of dire circumstances, to take advantage of this provision of the Sterling Act by legislation. It affects all of them, and in particular it affects the cities of the second class and cities of the first class for reasons that I shall not impose upon you, as I feel that could be done so much better by one of the gentlemen from Allegheny County who are vitally affected, and who would find themselves in a much more anomolous position than mine, in that they would directly vote to prohibit the city of Philadelphia from doing exactly that which the city of Pittsburgh has got to do, and that is not just a wage tax.

Mr. Speaker, for the reasons stated, I respectfully ask all the Members of this House to vote against House Bill 726. If I were to decide I would prefer to recommit it to the Committee on Municipal Corporations for further study and possible amendment, but here we are without an alternative, and I ask the Members to vote against the measure.

Mr. BENTLEY. Mr. Speaker, I had not intended to enter into the debate on this measure, but the matter has been thrust not only upon me but upon every Member of the delegation from Allegheny County, by the remarks of the gentleman just concluded.

It is quite true and it is common knowledge that the tax affairs of the city of Pittsburgh are very frequently embroiled in these discussions of the Philadelphia wage tax. We find ourselves dragged in unwittingly and the remark has been made before it was made tonight, not alone on the floor of the House last Monday night when the motion to recommit was debated, but also in the public press, that we in Pittsburgh are in an anomolous position in voting for the repeal of Philadelphia's wage tax and for the repeal of the Sterling Act and at the same time coming before this legislature for relief. It is common knowledge that the officials of the city of Pittsburgh have been in Harrisburg asking for increased taxing powers.

As I say, it is charged that we are in an anomolous position in voting as I propose to do, and as I believe my colleagues from Allegheny County will do, at least on this side of the House on this bill, but I think that that charge is entirely erroneous. It springs from a failure to understand our position in Allegheny County and in the city of Pittsburgh.

It is quite true as the gentleman has said, that the original Sterling Act provided that the city of Pittsburgh could impose taxes under its provisions. The Sterling Act had a self executing expiration date, and it expired as to the city of Pittsburgh in 1935. The city of Pittsburgh never imposed any taxes under the provisions of the Sterling Act, least of all a wage tax, and we do not appear before this Legislature today nor will we next week, or whenever the matter arises, asking to impose a wage tax. It is true that I have sponsored in this Legislature a bill asking for Sterling Act powers for the city of Pittsburgh but,—and here is the important distinction, Mr.

Speaker, the bill which I have sponsored, and any bill which will be introduced by any representative from the city of Pittsburgh, in asking for an increase in the taxing power does not ask for the permissive power to impose a wage tax.

House Bill 42 which I have introduced and which I would ask the Members of this House to vote for, if it ever appears on the calendar, does grant Sterling Act powers to the city of Pittsburgh, but with an important exception, it provides that there shall be no wage, sale or occupation tax imposed under its provisions. That is the important difference and why we from Pittsburgh can vote against Philadelphia's Sterling Act and at the same time ask for support for ours.

I regret the position in which the city of Philadelphia finds itself, I recognize that real estate should not bear the entire tax burden, but when the city of Philadelphia has the power, the Sterling Act with unlimited powers, and uses it to impose a wage tax, then I feel that I am justified in voting and asking for votes against the Sterling Act. When we ask for votes for the Sterling Act for Pittsburgh we ask for no taxes on wages; we have specifically stated that we propose to impose no such taxes, and for that reason, Mr. Speaker, I want to set on the record here the position of we in Allegheny County in casting our vote tonight and in asking for votes for measures designed to relieve real estate taxation in Pittsburgh in the future.

Mr. FLEMING. Mr. Speaker, I did not wish to arise on this measure, but we in Allegheny County have been thrust into it. As the previous speaker has stated, and as Mr. Sorg has already said, the city officials of Pittsburgh, including members of City Council and the Mayor of the city of Pittsburgh did come before the Legislature of Pennsylvania, made trips to Harrisburg, had a conference with the Governor in which they asked for the reenactment of the Sterling Act for the city of Pittsburgh. We in the Republican party in Allegheny County, our Republican organization, took this matter under advisement. We felt that the Republican party has always been the champion of home rule. We felt that certainly those people who were elected by the city of Pittsburgh, and who are answerable to the citizens of that city, should have the right to impose upon the citizens of Pittsburgh any tax that is not now put on them by the Commonwealth of Pennsylvania. We further believe that those councilmen and that mayor would be answerable to the electorate of Pittsburgh, and if they impose a tax that is unfair to the people, then we felt that the people would soon turn them out and elect new councilmen and a new mayor.

If that be true in the city of Pittsburgh, I would call to the attention of the Members of the House, it is likewise true in Philadelphia. If they have done all the things with which they are charged, if there has been the mismanagement that they are charged with, then I cannot understand why consistently the people of Philadelphia return Republican councilmen and a Republican mayor. Maybe there is something good about them, maybe they have done a good job in Philadelphia, certainly not bad enough to have them thrown out.

As my colleague, Mr. Bentley says, the city of Pittsburgh finds itself in dire circumstances. I sent a bill up to the House, a bill that would give the city of Pittsburgh the right to enact taxes, in other words reenact the old Sterling Act for cities of the second class, which would be the city of Pittsburgh.

Now he arises to tell you that possibly the city of Pittsburgh would not do certain things. We hope they would not. We on the Republican side of the House do not believe that any new taxes are necessary in the city of Pittsburgh. We know they are not necessary, but we still feel that the members of council and the present mayor have the right to enact them if they so see fit. If the people do not believe that the men running the city of Pittsburgh under its present schedule know how to do their business properly, then they have a right to levy increased taxes, and if the people do not like that, I want to say that they are going to have a chance to make a change, because we are going to elect a Republican mayor and a Republican council; we are going to give to them the rights of the Sterling Act, but it is not necessary, we will not have to use it, but they think they may have to.

We, the Republican Members from Allegheny County, certainly arise in opposition to this bill, and for the reasons that we have stated, feel that every Member of this House who believes in the principles of home rule, who believes that the elected officials of the municipality should govern it, certainly they should vote to defeat the enactment of this repealer.

Mr. CULLEN. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Root.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. ROOT. I shall, Mr. Speaker.

Mr. CULLEN. Mr. Speaker, in giving the figures about Philadelphia being eighth on the list, does the gentleman wish to leave the impression that we are eighth in paying taxes?

Mr. ROOT. No, Mr. Speaker, among the fourteen cities in the United States that had a population of more than 500,000 in the 1940 census, Philadelphia last year ranked eighth in the total real estate tax rates per thousand of estimated true valuations. In other words, Philadelphia, in spite of the so-called mismanagement as alleged by my friends on the other side, has a lower tax rate than eight other cities in the United States, smaller than Philadelphia, and it includes the famous cities of Chicago and New York.

Mr. CULLEN. Mr. Speaker, did the gentleman quote the figure of $28.75?

Mr. ROOT. That is correct, Mr. Speaker.

Mr. CULLEN. I am a property owner, Mr. Speaker, and I pay $28.75 per thousand dollars.

Mr. ROOT. That is right, Mr. Speaker.

Mr. CULLEN. How much wage tax will I pay, Mr. Speaker?

Mr. ROOT. That will depend on how much money the gentleman makes per week.

Mr. CULLEN. I mean per thousand dollars.

Mr. ROOT. Per week, Mr. Speaker?

Mr. CULLEN. No, per thousand dollars.

Mr. ROOT. If the gentleman makes a thousand dollars a year he will pay $10.00.

Mr. CULLEN. And that makes my tax $38.75, total tax.

Mr. ROOT. Yes, total tax, Mr. Speaker, to the city of Philadelphia. Now, you have to add the tax that you pay to the Federal government.

Mr. CULLEN. I am trying to get the overall figure of the taxes I have to pay. I pay $8 water rent, I pay all the amusement taxes in Philadelphia.

Mr. ROOT. That is correct, Mr. Speaker.

Mr. CULLEN. Well then, this pamphlet by the Bureau of Municipal Research is a misnomer insofar as this tax that the people of Philadelphia have to pay is concerned.

Mr. ROOT. I am sorry the gentleman from Philadelphia didn't understand this pamphlet. This pamphlet talks about real estate taxes, and this pamphlet, which is prepared by an independent agency, and God knows they are not Republicans, had to admit that Philadelphia has the eighth lowest tax rate among the large cities.

Mr. CULLEN. Mr. Speaker, the point that I am trying to get at, $28.75 is not the tax that we in Philadelphia have to pay; that is not the limit.

Mr. ROOT. The $28.75 is only a real estate tax.

Mr. CULLEN. It is only the real estate tax?

Mr. ROOT. That is correct.

Mr. CULLEN. I thank the gentleman.

Mr. Speaker, of course, the pamphlet which brought up this discussion shows that we in Philadelphia pay $28.75 per thousand dollars on real estate. You have to be a real estate owner to pay the tax. I happen to be one. If I make $1,000 a year, $10 is what I pay on that for wage tax; that makes my tax $38.75. I get an $8 water bill, which is the cheapest you can get in Philadelphia, and that brings m ytax up to $46.75. So without going into the other taxes in Philadelphia we apparently should be first on this list.

Mr. MORAN. For the information of the House, Mr. Speaker, I desire to inform the Members of the House that organized labor is absolutely and definitely against any wage taxes, and they oppose, therefore, this bill.

Mr. JAMES. Mr. Speaker, I should like to interrogate the gentleman from Allegheny, Mr. Fleming.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. FLEMING. I shall, Mr. Speaker.

Mr. JAMES. Mr. Speaker, I did not intend to call upon Mr. Fleming while he was absent, but I would like to ask Mr. Fleming if Allegheny County or Pittsburgh should secure the reenactment of the Sterling Act as a permisive measure to enable Pittsburgh to levy and collect taxes that are specified in the Sterling Act, would he then consider it to be legislative intent that the city of Pittsburgh should have the right to levy a uniform percent tax on all classes of wage earners?

Mr. FLEMING. Mr. Speaker, if that were not in conflict with any state law, I would say that it would, yes sir.

Mr. JAMES. Mr. Speaker, would the gentleman believe that the city of Pittsburgh would be justified in charging the man who makes $25 a week one percent and the man who makes $25,000 a year one percent?

Mr. FLEMING. I would say they would not be justified. I would say to Mr. James that we in the Republican party in Allegheny County would be against any such measure, but yet I say to you that the mayor of the city of Pittsburgh and the members of the city council come down to Harrisburg and asked for these powers, which we feel should be given to them, because they are the elected representatives of the municipal government and are running the government of the city of Pittsburgh.

Mr. JAMES. Mr Speaker, I would ask the gentleman if the Sterling Act were reenacted and made available to the city of Pittsburgh would the gentleman then consider it to be the legislative intent that the city of Pittsburgh could levy taxes on the earned wages of persons not resident within the geographic limits of the city of Pittsburgh?

Mr. FLEMING. I seem to be lacking in advisors here, Mr. Speaker. I ought to be over among my friends. I would say no.

Mr. JAMES. Would the gentleman say they would not be justified in levying that tax on persons not resident within the city limits? That that would not be justified?

Mr. FLEMING. That would be my personal feeling, Mr. Speaker, but I would still give them so long as they are the governing body of that city the right to impose the tax, and if it didn't suit the people who elected them to office, I can assure you, Mr. Speaker, they would not be returned at the next municipal election and naturally the Republicans would come into power, which we hope to do and which we are sure we will do.

Mr. JAMES. Mr. Speaker, I wish the gentleman every success in his wishes. Does the gentleman know of the Civic Club of Allegheny County, which publishes a little pamphlet called Civic Affairs?

Mr. FLEMING. Yes, Mr. Speaker.

Mr. JAMES. Did the gentleman read the statement they made with respect to House Bill 5?

Mr. FLEMING. I believe they say it is a good bill. I would say, yes sir, and I would say that the Civic Club makes pretty good recommendations. They have recommended several bills.

For the benefit of the Members of the House who do not know who the sponsor of House Bill 5 is, I suggest that they ask the interrogator, Mr. James.

Mr. JAMES. I thank the gentleman.

Mr. Speaker, of course I have never had the opportunity to come from Pittsburgh, so they don't know anything about me, but if you will permit me to read what they say:

> "Disapproved. As applied at present this bill only applies to Philadelphia, but it would prevent any other community from doing what Philadelphia has done."

If you gentlemen believe that this enactment that you hope will come to pass will permit the city of Pittsburgh to do what Philadelphia has done. then you will understand, of course, what the city of Philadelphia can or can not, depending on which way you are looking and what direction you want to look; you can then afford to say that they could levy a uniform tax of one cent on the man who makes $25 a week and no more than that on the man who makes $25,000 a year, you could say then that they would be within the legislative intent, that they levied the tax on persons who are not residents, and therefore, make it possible for even your noble Republican mayor to use.

Mr. FLEMING. Mr. Speaker, I don't know whether my interrogation by the gentleman from Delaware is finished or whether he is making a speech.

Mr. JAMES. I said thank you, Mr. Speaker.

Mr. BENTLEY. Mr. Speaker, I desire to further interrogate the gentleman from Allegheny, Mr. Fleming.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. FLEMING. Since I am among friends again, I shall, Mr. Speaker.

Mr. BENTLEY. I shall be very brief, Mr. Speaker. I would ask the gentleman from Allegheny, Mr Fleming, whether I understood his remarks correctly that the Republican Organization of Allegheny County is in favor of the passage of the Sterling Act, which would permit the imposition of wage taxes in the city of Pittsburgh. Did the gentleman so state?

Mr. FLEMING. I stated, Mr. Speaker, that the Republican party in Allegheny County believes thoroughly in the principle of home rule, and that we believe that the right should be given to the governing body of the city of Pittsburgh to levy any taxes that were not now levied by the Commonwealth of Pennsylvania. We further feel that if that governing body levied any taxes which were obnoxious to the electorate of the city of Pittsburgh, that they would not long remain in power.

Mr. BENTLEY. Did I further understand the gentleman to say, Mr. Speaker, that he had introduced, or some Member of the Republican delegation from Allegheny County had introduced, a reenactment of the Sterling Act which would permit the imposition of a wage tax in the city of Pittsburgh? Am I correct in that?

Mr. FLEMING. Mr. Speaker, it went in the hopper this evening. The bill had been filed with the Legislative Reference Bureau in time for the deadline of March 12th, but due to the fact that it was not ready earlier, it was on the list given to your Floor Leader, Mr. Andrews, and I believe he could verify that. It came over to my desk this evening, and I introduced it.

Mr. BENTLEY. I thank the gentleman.

Mr. Speaker, I would say very briefly that if the Republican party in Allegheny County proposes to campaign for a mayor or a city council on that platform, the issue is clearly defined, and I beg to differ with the gentleman, there will not be on that issue a Republican mayor or a Republican city council or any one of them.

Mr. FLEMING. Mr. Speaker, very briefly and with apologies to the House for just one more moment's time, for the purpose of the record I merely stated that we felt that we had uncovered enough and the citizens of Pittsburgh were thoroughly acquainted with enough mismanagement in the city of Pittsbugh, coupled with the fact that we do not believe any more taxes are necessary, that if we can campaign on that platform, we will elect a Republican mayor and a Republican council.

Mr. HUNTLEY. Mr. Speaker, for years I have stood on the floor of this House and protested against Philadelphia and Pittsburgh bringing their local problems here, making a political foot ball of them. The bill that creates this tax in Philadelphia must have been created by some superior authority. Surely that authority can repeal or modify this bill. The created is not stronger than the creator. It has been said on the floor of this House that it is the most popular measure in the city of Philadelphia. Another speaker said that it would be overwhelmingly defeated. Now, you have it in the book. Why are you coming here? It looks to me like stupidity to bring these things here when you can settle them at home, when you feel so sure that you have them in the bag.

Mr. SKALE. Mr. Speaker, now that the Pittsburgh campaign oratory has subsided, all that we now have to do is to get a candidate for mayor. We think we can now go back to House Bill 726.

I desire to read into the record a telegram which was received by me dated March 17, 1945:

> "The Central Labor Union of Philadelphia, A. F. of L. representing 165 Local Unions composing 175,000 members earnestly request your support in bringing about the passage of House Bill 726 introduced by Representatives Finnerty and Hoggard."

This telegram is signed by, Joseph A. McDonough, Business manager.

I suppose a similar telegram was received perhaps by all of the Members of the House.

I also desire to read into the record, and primarily for the purpose of the record a communication received, I suppose, also by every other Member of the House. It reads as follows:

> We, the representatives of 250,000 C. I. O. union citizens of Pennsylvania urge your support for
>
> Bill No. 726
>
> Repealing the Wage Tax
>
> This Bill No. 726 must be passed through the House into the Senate where it will receive a complete public hearing, at which time suggestions will be made to solve the financial situation in Philadelphia.
>
> To recommit this Bill in the House would be contrary to the wishes of the voters of Pennsylvania.
>
> Partisanship is no factor in consideration of this Bill.
>
> C. I. O. DELEGATES
> Philadelphia and Delaware Counties."

Mr. Speaker, before Philadelphia got this wage tax they said that they wanted it in order to be able to carry out municipal financing. They got the wage tax, but it appears that municipal financing is not being carried out. I wonder in my own mind where this money goes. During the last several months, during the winter months, the city of Philadelphia went terrible behind in the collection of ashes and rubbish. I don't know what the City Fathers were waiting for. Perhaps it was for the high winds of March to blow the dust and dirt off the city highways. It seems as though the City Fathers have failed because here we are on the eve of spring and still those winds haven't come, and the dirt is still on the streets of Philadelphia. We are still saddled with the wage tax, because the City Father's wanted the wage tax to clean up the streets—they have the wage tax and we still have the dirt. Let us get rid of the wage tax and we will find ways to get rid of the dirt.

Mr. SCANLON. Mr. Speaker, I have no axe to grind nor am I interested in any particular political parties, sa far as this bill is concerned. I will amend that, so far as being a member of any political party is concerned. I am a Republican from my soles up, so there won't be any misunderstanding about that.

So far as my own standing is concerned with labor, my labor record is as good as any man's in this House, now

or ever was in this House. That cannot be questioned by any of the labor leaders.

This is not a question as to whether a certain section or party shall have its own way. It is a question as to whether or not Philadelphia as a municipality shall survive. Many of the objectors, and quite a few of them come from the C. I. O. and I don't believe they have made a thorough study of this subject. As a Republican I don't ever expect to get any support from the C. I. O. As a matter of fact I think my future is in the past and I don't have much to hope for, but I want to talk to you as a Philadelphian and nothing more.

In order that the people who are here might understand and might know just what the city of Philadelphia is composed of, we have in the city of Philadelphia 394,863 homes, the largest portion of these homes being owned and occupied by the working class of people. They are paying a very low rate of tax. There is no other method of running the city of Philadelphia, if this twenty-four million dollars is done away with, except to increase the tax rate. The city's debts must be paid; that cannot be helped.

We have 8,600 frame houses all over the city of Philadelphia. People may say that we are a backward city, because we have 8,600 frame houses. In the outlying districts we have nearly 400,000 homes, we have 37,552 apartments used as dwellings.. We have 96 hotels, we have 2,835 apartments and hotels combined. We have 5,936 mills that give employment to people, and we have combinations of dwellings and stores to the number of 8,579.

Now, Mr. Speaker, that is quite a big problem. Something has been said about the administration in Philadelphia. I don't believe we ought to talk about politics, but since we are in this I might say to all the Members of the House that for fifty years the residents have been satisfied with their mayor and with their council. In the last Mayoralty campaign the question of the wage tax was a campaign issue. The Democrats were against it, the Republicans were for it. We elected a mayor and all the major offices but one and twenty out of twenty-one councilman so that the issue is very plain down there, and the people know what the issue is.

There has been much comment here and talk about the situation in Pittsburgh. Of course, we fundamentally believe, as most people do, and particularly Democrats that home rule should prevail in Pennsylvania. We believe that home rule should prevail in Philadelphia and if the Philadelphia citizens are not pleased with the manner in which we conduct our city, they have the privilege of defeating the candidates at the next election—and I never predict what is going to happen at the next election. Our Democratic friends are confident that they are going to clean up the city at the next election, and this no doubt is going to be one of their campaign issues. They have a right to use it if they see fit. I know our Republicans are going to back up this wage tax because it is for the benefit of all the people.

I want to answer one or two things and I don't want to delay this matter because a lot of features of this wage tax have been gone over. Somebody has said something about even the soldiers having to pay this wage tax. Well, you know, the city of Philadelphia and the state of Pennsylvania can not pass special legislation. They must pass legislation that covers everybody, including the soldiers, but no effort has been made to make any soldier pay this wage tax and it is my best guess that no such effort will ever be made. There were some statements about men being taken from their work and fined. Less than one per cent of all the people in Philadelphia have failed to pay there wage tax. Those who violated it or intended to violate it, after being notified anywhere from fourteen to sixteen months came in to make their payments. A few such violators were arrested and fined, and after a few were fined the rest came in and paid.

We have gone into all these details and I think everybody here knows the situation. I say to you gentlemen this is not a political issue, it is a question as to whether or not Philadelphia can attend to its own business, mind its own business, fix its taxes according to law and regulate its business as the public officials see fit.

Something was said, Mr. Speaker, to the effect that the mayor and councilmen are a minority. They are the representatives of the majority of the people in the city of Philadelphia who voted for and elected them at the last mayoralty election and it is their sworn obligation to serve the people of Philadelphia, to see that the city has proper administration, and the proper adjustments in their expenditures and financial accounting.

Now Mr. Speaker, I do not propose to make an issue of this, but I would like to read for the benefit of the members, Article III, Section 33 of the Constitution of Pennsylvania:

> A member who has a personal or private interest in any measure or bill proposed or pending before the General Assembly shall disclose the fact to the House of which he is a member, and shall not vote thereon.

I am bringing this to your attention. I do not intend to make an issue of it. There is nothing more that I know that I can say. I wish to further state that Mr. James has my permission to quit.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Messrs. Rose, Chudoff and Petrosky asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—106

Andrews,	Freed,	Madden,	Powers,
Baker,	Gaffney,	Matthews,	Readinger,
Barrett,	Gallagher,	McLanahan,	Reese, R. B.
Bentley,	Gore,	McNair,	Regan,
Bentzel,	Grant,	McNally,	Reidenbach,
Boies,	Green,	Mihm,	Reynolds,
Boney,	Haberlen,	Milliken,	Rose,
Boory,	Hamilton,	Mills,	Rudisill,
Brancato,	Heatherington,	Modell,	Scanlon,
Brothers,	Hennihan,	Mooney,	Schuster,
Brown,	Hering,	Moore, W. J.,	Shaffer,
Brunner, P. A.,	Herman,	Moran,	Skale,
Burns,	Hersch,	Munley,	Snider,
Chervenak,	Hewitt,	Murray, M. L.,	Stank,
Chudoff,	Hoggard,	Myhan,	Swope,
Cohen,	Hunter,	Nagel,	Tate,
Coleman,	James,	O'Brien,	Trachtman,
Corrigan,	Jones,	O'Connor,	Trent,
Coyle,	Kirley,	O'Donnell,	Turner,
Cullen,	Kolankiewicz,	O'Neill,	Varallo,
Dalrymple,	Komorofski,	Owens,	Verona,
Dillon,	Lane,	Pentrack,	Weiss,

Dougherty,	Leonard,	Petrosky,	Welsh,
Duffy,	Levy,	Pettigrew,	White,
Elish,	Longo,	Polaski,	Wright,
Erb,	Lopez,	Polen,	Yester,
Finnerty,	Lovett,		

NAYS—97

Barton,	Getchey,	Mahany,	Serrill,
Baumunk,	Gibson,	McAtee,	Shoemaker,
Bonawitz,	Goodling,	McClester,	Sloan,
Boorse,	Greenwood,	McCormack,	Smith,
Bower,	Greer,	McDowell,	Snyder,
Breisch,	Guthrie,	McKinney,	Sollenberger,
Brice,	Gyger,	McMillen,	Sorg,
Brunner, C. H.,	Hall,	Mikula,	Stockham,
Cadwalader,	Hare,	Miller,	Stonier,
Cook,	Haudenshield,	Moore, C. E.,	Stuart,
Cooper,	Helm,	Moser,	Tahl,
Costa,	Hoffman,	Murray, P. G.,	Tittle,
Coulson,	Howells,	Nelson,	Trout,
Dague,	Huntley,	O'Dare,	Turbett,
Dennison,	Kennedy,	Pickens,	Wachhaus,
Depuy,	Kline,	Propert,	Wagner,
Dix,	Krise,	Reagan,	Waterhouse,
Dye,	Kurtz,	Reese, D. P.,	Watkins,
Elder,	Laughner,	Reilly,	Wescott,
Ewing,	Lee,	Riley,	Wood, N.,
Flack,	Leisey,	Robertson,	Worley,
Fleming,	Lichtenwalter,	Root,	Yeakel,
Frost,	Loftus,	Royer,	Fiss,
Fullerton,	Lyons,	Salus,	Speaker.
Gardner,	Madigan,		

NOT VOTING—4

Foor,	Fox,	Hoopes,	Wood, L. H.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. PROPERT.

The House resumed the consideration on third reading of House Bill No. 380, as follows:

An Act providing a method of annexation of townships of the second class and parts thereof to boroughs and regulating the proceedings pertaining thereto

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever electors equal to at least ten per centum (10%) of the highest vote cast for any office in any township of the second class contiguous to a borough at the last preceding general election or whenever ten per centum (10%) or the qualified electors residing within any part of a township of the second class contiguous to a borough shall petition the council of such borough for the annexation of the township of the second class or part thereof to the contiguous borough and for a referendum on the question of such annexation the council shall cause a question to be submitted at the primary election occurring at least sixty (60) days thereafter by certifying a resolution duly adopted to the county commissioners of the county or counties in which any part of the borough or the township of the second class is located for submission of such question on the ballot or on voting machines at such election both in such township and in the borough to which annexation is desired in the manner provided by the election laws of this Commonwealth Such question shall be in the following form

Do you favor the annexation of the township of ..... (or the part of the township briefly described) to the borough of	YES	
	NO	

If a majority of the persons voting on such question in the entire township and a majority of the persons voting on such question in the borough shall vote "yes" then the township of the second class or part thereof as the case may be shall on the first Monday of January next following be and become a part of the borough

All petitions shall be accompanied by a plot or plots of the territory to be annexed showing all streets and highways municipal improvements and public buildings and all petitions for the annexation of a part of a township of the second class shall include a description of the part of the township sought to be annexed

Section 2 Until changed in the manner provided by law the township of the second class or part thereof shall constitute a separate new ward of the enlarged borough if such borough is at the time divided into wards and shall be numbered by the council of the borough with the next highest number after the existing highest numbered ward of the borough Until changed in the manner provide dby law all election districts in the township of the second class or part thereof shall remain as constituted at the time of the annexation and shall become election districts of the enlarged borough All election and other officers of such election districts in office at the time of the taking effect of the annexation shall continue in office until the expiration of their respective terms unless sooner removed as provided by law

Section 3 In the case of the annexation of an entire township of the second class all the indebtedness of the township as well as the indebtedness of the borough to which the same is annexed shall be paid by the borough as enlarged by such annexation and all territory included within the limits of the same shall be liable for the payment of the floating and bonded indebtedness and the interest thereon of all the territory included within such enlarged borough All taxes thereafter levied therefor shall be uniform throughout the territorial limits of the enlarged borough

All the public property owned by any such township shall become and remain the public property of the borough to which it is annexed

Section 4 Where any part of any township of the second class is annexed to any borough the township officers of that part of the township not annexed and the borough council shall make a just and proper adjustment and apportionment of all public property owned by the township at the time of annexation both real and personal including funds as well as of indebtedness if any to and between the township and the borough In making such adjustment and apportionment of the property and indebtedness the township and the borough shall be entitled respectively to share in a division of the property and indebtedness in the proportion that the assessed valuation of the land remaining in the township bears to the assessed valuation of the land annexed The adjustment and apportionment as made shall be reduced to writing in proper form and duly executed and acknowledged by the proper officials and filed in the office of the clerk of the court of quarter sessions in the county in which said borough is located

Section 5 In case the council of the borough and the township authorities cannot make such amicable apportionment and adjustment of their property and indebtedness in compliance with this act within six (6) months after any such annexation then the council or any officer of the township may present a petition to the court of quarter sessions of the county in which the borough is located whereupon the court shall appoint three disinterested commissioners residents and taxpayers of the

county not residing in the borough nor in the township who after hearing notice of which shall be given to the borough and township interested as the court may direct shall make report to the court making an apportionment and adjustment of all the property as well as indebtedness if any to and between the borough and the township said report to state the amount if any that shall be due and payable from the borough to the township or from the township to the borough as well as the amount of indebtedness if any that shall be assumed by the borough or by the township or both of them

Section 6 The commissioners shall give the borough and the township at least five (5) days' notice of the filing of their report and unless exceptions are filed thereto by the borough or by the township within thirty (30) days after filing thereof the same shall be confirmed by the court absolutely and any sum awarded by said report to the borough or to the township shall be a legal and valid claim in its favor against the borough or township charged therewith and the amount of debt if any apportioned to any borough or township shall be a legal and valid claim against such borough or township charged therewith and any property real or personal given and adjudged to the borough or the township to whichever one the same is given and adjudged and upon such report being confirmed such claim or indebtedness charged against any borough or against any township may be collected in the same manner as a judgment is collected against any borough or township Such commissioners shall be allowed five dollars ($5.00) per day for each day actually spent by them in the performance of their duties together with their actual necessary expenses All costs and expenses of such proceedings shall be apportioned by the court to and between the borough and the township as it shall deem proper

In case exceptions are filed to the report of such commissioners the court shall dispose of the same taking testimony thereon if deemed advisable and the decision of the court thereon shall be final and binding on the several boroughs and townships unless an appeal is taken within thirty (30) days to the Superior or Supreme Court as in other cases

Section 7 In cases in which such boroughs or townships of the second class are situated in two or more counties the court of quarter sessions of the county in which the borough is located shall have exclusive jurisdiction over the matter but the same shall be heard by a judge not a resident of either of the judicial districts affected who shall be called to preside specially in the matter and in such case the court shall appoint the commissioners hereinbefore provided for from both or all of such counties

Section 8 When an election is held on the question of annexation under the provisions of this act and the township of the second class proposed to be annexed or in which the territory proposed to be annexed is located votes against such annexation the question of such annexation shall not again be voted upon for a period of two (2) years from the date of such election

Section 9 All proceedings for the annexation of a township of the second class or a part thereof to any borough under the provisions of any existing laws that are pending and not finally disposed of on the effective date of this act shall in the discretion of the courts before which they are pending or if not pending in any court upon petition of any borough or township affected to the court of quarter sessions of the county in which the township is located be discontinued and vacated and all proceedings for the annexation of any township of the second class or part thereof to any borough shall thereafter be had only under the provisions of this act

Section 10 Article four of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" is hereby repealed so far as it relates to the annexation of a township of the second class or a part thereof to a borough

All other acts and parts of acts inconsistent with or supplied by this act are hereby repealed

Section 11 The provisions of this act shall be severable and if any of the provisions shall be held to be unconstitutional such decision shall not affect the validity of any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provisions not been included therein

Section 12 This act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. HEATHERINGTON. Mr. Speaker, I desire to interrogate the gentleman from Montgomery, Mr. Propert.

The SPEAKER. Will the gentleman from Montgomery permit himself to be interrogated?

Mr. PROPERT. I shall, Mr. Speaker.

Mr. HEATHERINGTON. Mr. Speaker, under the present act taking part of a second class township into a borough, what is the procedure on that?

Mr. PROPERT. Under the present law it is my understanding that the property affected within the township petitions the borough council to be annexed to the borough, and then the petition is presented to the court.

Mr. HEATHERINGTON. That is, the petition must be signed by resident property owners, is that right, Mr. Speaker?

Mr. PROPERT. Mr. Speaker, the petition must be signed by those who wish to become a part of the borough.

Mr. HEATHERINGTON. They must be property owners, is that true?

Mr. PROPERT. That is true.

Mr. HEATHERINGTON. They must live in the area that wants to be annexed to the borough, is that true?

Mr. PROPERT. That is right.

Mr. HEATHERINGTON. On the question of the gentleman's amendments what procedure would take a part of a second class township into a borough?

Mr. PROPERT. This bill, Mr. Speaker, provides that both the voters in the borough and the voters in the township must vote on the question of annexation.

Mr. HEATHERINGTON. In other words, Mr. Speaker, if in a district of a second class township, the part that wanted to be taken into the borough had, we will say, several hundred residents and only one hundred were property owners, the non-property owners would vote to take them into the borough, is that right?

Mr. PROPERT. That is correct.

Mr. HEATHERINGTON. Does the gentleman think if this bill passes it will stop the growth of boroughs in the state?

Mr. PROPERT. Mr. Speaker, I think that this bill provides a democratic process for annexation in that all the voters have a say in the matter.

Mr. HEATHERINGTON. In other words, the non-property owners can vote the property owner into the borough or out, is that right?

Mr. PROPERT That is correct.

Mr. HEATHERINGTON. Mr. Speaker, in looking over

this bill and knowing the procedure of the present act, I think that this bill would stop the creation of real boroughs and prevent boroughs from becoming larger. It would be almost an impossibility to take part of a second class township into a borough under this act, and I ask the Members to vote against the bill.

Mr. PROPERT. Mr. Speaker, under the present law neither the voters of the borough nor the voters of the township have a say on the question of annexation. We have over one thousand five hundred units of second class townships in this State and if boroughs are allowed to annex second class townships, I don't know what the plight of second class townships is going to be. This bill definitely provides that the voters in both the borough and the township shall vote on the question of annexation, a truly democratic process, and I ask all the Members of this House to vote for House Bill 380.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—70

Barton,	Frost,	Loftus,	Riley,
Baumunk,	Fullerton,	Longo,	Salus,
Bonawitz,	Gaffney,	Madigan,	Serrill,
Boorse,	Getchey,	McClester,	Snyder,
Breisch,	Gibson,	McCormack,	Sollenberger,
Brice,	Guthrie,	McDowell,	Stonier,
Brunner, C. H.,	Gyger,	McKinney,	Swope,
Cadwalader,	Hall,	McMillen,	Tittle,
Chervenak,	Hare,	Mikula,	Wachhaus,
Costa,	Helm,	Moore, C. E.,	Wagner,
Dennison,	Hewitt,	Moser,	Watkins,
Depuy,	Howells,	Nelson,	Weiss,
Dix,	Huntley,	O'Donnell,	Wescott,
Dye,	James,	Owens,	Wood, N.,
Flack,	Jones,	Pickens,	Worley,
Foor,	Kline,	Propert,	Yeakel,
Fox,	Lee,	Reagan,	Fiss,
Freed,	Leisey,	Reilly,	Speaker.

NAYS—87

Andrews,	Gallagher,	Leonard,	Readinger,
Baker,	Goodling,	Lopez,	Reese, R. E.,
Barrett,	Gore,	Lovett,	Regan,
Bentley,	Grant,	Madden,	Reidenbach,
Bentzel,	Green,	Mahany,	Reynolds,
Boies,	Greenwood,	Matthews,	Robertson,
Boney,	Greer,	McAtee,	Rudisill,
Brancato,	Hamilton,	McNair,	Schuster,
Brothers,	Haudenshield,	Mihm,	Shaffer,
Brunner, P. A.,	Heatherington,	Mills,	Skale,
Burns,	Hennihan,	Moore, W. J.,	Sloan,
Cohen,	Hering,	Moran,	Snider,
Coleman,	Hersch,	Munley,	Stank,
Cook,	Hoggard,	Murray, M. L.,	Stuart,
Cooper,	Hunter,	Myhan,	Tate,
Corrigan,	Kennedy,	O'Connor,	Trent,
Coyle,	Kirley,	O'Dare,	Trout,
Dillon,	Kolankiewicz,	O'Neill,	Verona,
Elish,	Krise,	Pentrack,	Waterhouse,
Erb,	Kurtz,	Polaski,	Welsh,
Ewing,	Lane,	Polen,	Yester,
Fleming,	Laughner,	Powers,	

NOT VOTING—50

Boory,	Haberlen,	Modell,	Shoemaker,
Bower,	Herman,	Mooney,	Sorg,
Brown,	Hoffman,	Murray, P. G.,	Stockham,
Chudoff,	Hoopes,	Nagel,	Tahl,
Coulson,	Komorofski,	O'Brien,	Trachtman,
Cullen,	Levy,	Petrosky,	Turbett,
Dague,	Lichtenwalter,	Pettigrew,	Turner,
Dalrymple,	Lyons,	Reese, D. P.,	Varallo,
Dougherty,	McLanahan,	Root,	White,
Duffy,	McNally,	Rose,	Wood, L. H.,
Elder,	Miller,	Royer,	Smith,
Finnerty,	Milliken,	Scanlon,	Wright,
Gardner,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILLS PASSED OVER

There being no objection House Bill No. 51, Printer's No. 166, was passed over at the request of the SPEAKER.

There being no objection House Bill No. 528, Printer's No. 232, was passed over at the request of Mr. FREED.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 607, as follows:

An Act to amend section seven of the act approved the second day of April one thousand eight hundred sixty-eight (P. L. 3) entitled "An act to ascertain and appoint the fees to be received by the several officers of this Commonwealth" by changing the fees of Register of Wills

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven of the act approved the second day of April one thousand eight hundred sixty-eight (P. L. 3) entitled "An act to ascertain and appoint the fees to be received by the several officers of this Commonwealth" is hereby amended to read as follows

Fees of Register of Wills

Section 7 [For probate of will and granting letters testamentary thereon one dollar and twenty-five cents]

[For recording same for every eight words one cent

For letters of administration one dollar

For bond of administrators one dollar and seventy-five cents

For filing of renunciation of widow executor guardian or administrator fifty cents

For annexing a copy of will for every eight words one cent

For issuing citation or attachment with seal sixty cents

For entering caveat twenty-five cents

For issuing commission to take testimony of witnesses seventy-five cents

For issuing precept for an issue fifty cents

For issuing subpoena forty cents

For administering oath or affirmation ten cents

For filing lists of articles appraised and lists of articles sold each twenty-five cents

For examining passing and filing accounts of guardians executors or administrators three dollars

For advertising executor's administrator's or guardian's account two dollars and fifty cents

For every copy of said accounts if demanded not exceeding seventy-five items one dollar and twenty-five cents

For every additional item one cent

For entering exceptions to administrator's or executor's bonds and hearing the same seventy-five cents

For holding register's court per day two dollars and fifty cents]

[For every search when no other service is performed fifteen cents

For certificate and seal forty-five cents

For copy of any bond filed fifty cents

For commission on taxes received for the use of the Commonwealth in proceedings in office on every dollar three cents

Provided That in all cases where the value of the estate of the decendent shall not exceed two hundred and fifty dollars the register shall receive in lieu of all the

fees for official services hereinbefore specified to be performed after the granting letters the sum of two dollars and fifty cents

Register to demand and to receive for the use of the Commonwealth on every probate of a will and letters testamentary thereon fifty cents

On every letter of administration granted fifty cents

Same fee for services not herein specially provided for the same as for similar services]

Accounts Filing advertising and recording accounts of executors administrators guardians and trustees including transmission of same to orphans' court and confirmation

First page, double space	$10.00
And for each additional page	.50
First page single space	$10.00
And each additional page	1.00

Administration For granting letters of administration

In estates not exceeding $1,000	$ 8.00
Over $1,000 and not exceeding $5,000	9.00
Over $5,000 and not exceeding $10,000	12.00
Over $10,000 and not exceeding $50,000	15.00
Over $50,000 and not exceeding $100,000	18.00
Over $100,000	20.00

Letters Testamentary For Probate of wills and granting letters testamentary

In estates not exceeding $1,000 (single page)	$ 8.50
Plus $.50 for each additional page of double space typing and $1.00 for each additional page of single space typing	
Over $1,000 and not exceeding $5,000	9.50
Over $5,000 and not exceeding $10,000	12.50
Over $10,000 and not exceeding $50,000	16.00
Over $50,000 and not exceeding $100,000	18.50
Over $100,000	22.50

Miscellaneous Letters of Administration

For granting letters of administration de bonis non	$ 8.00
Letters of administration cum testamento annexo de bonis non	10.00
Letters of administration pendente lite	8.00
Letters of administration durante absentia	8.00

Miscellaneous Items

Affidavits each	$ .50
Codicil first page double space	1.50
Each additional page	.50
First page single space	3.00
Each additional page	1.00
Letters testamentary to nonresidents of Pennsylvania Issuing letters bond and power of attorney	10.50
Filing and entering bond where additional security is required	$ 2.00
Filing certified or exemplified copies of letters of administration of letters testamentary and recording the same	4.00
Plus where there is a will each page other than the first double space	1.00
Each page other than the first single space	2.00
Filing caveat bond	.50
Inheritance tax statement or report	1.00
Inventory and Appraisment 75 items or less	2.00
For each additional five words	.01
Filing affidavit in lieu of inventory	2.00
Renunciation	.50
Short form of certificate	.50
Filing and entering caveat	1.00
Issuing certified copies of instruments with certificates attached	1.50
Each page other than the first	.50
Commissions to take testimony	5.00
Subpoena	.50

Fees for similar services not herein specifically scheduled shall be charged on the same basis as those scheduled

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—171

Andrews,	Foor,	Lyons,	Riley,
Baker,	Fox	Madden,	Robertson,
Barrett,	Freed,	Madigan,	Root,
Baumunk,	Frost,	Mahany,	Royer,
Bentley,	Fullerton,	Matthews,	Rudisill,
Bentzel,	Gardner,	McAtee,	Salus,
Boies,	Getchey,	McClester,	Schuster,
Bonawitz,	Gibson,	McCormack,	Serrill,
Boney,	Goodling,	McDowell,	Shaffer,
Boorse,	Green,	McKinney,	Shoemaker,
Boory,	Greenwood,	McLanahan,	Sloan,
Bower,	Greer,	McMillen,	Smith,
Breisch,	Guthrie,	McNally,	Snider,
Brice,	Gyger,	McNair,	Snyder,
Brothers,	Haberlen,	Mihm,	Sollenberger,
Brown,	Hamilton,	Mikula,	Sorg,
Brunner, C. H.,	Hare,	Miller,	Stank,
Brunner, P. A.,	Haudenshield,	Milliken,	Stockham,
Burns,	Heatherington,	Mooney,	Stonier,
Cadwalader,	Helm,	Moore, C. E.,	Stuart,
Chervenak,	Hennihan,	Moore, W. J.,	Swope,
Coleman,	Hewitt,	Moran,	Tahl,
Cook	Hoffman,	Moser,	Tittle,
Cooper,	Hoggard,	Murray, M. L.,	Trachtman,
Costa,	Hoopes,	Murray, P. G.,	Trent,
Coulson,	Howells,	Myhan,	Trout,
Coyle,	Hunter,	Nelson,	Turbett,
Cullen,	Huntley,	O'Connor,	Turner,
Dague,	James,	O'Dare,	Varallo,
Dalrymple,	Kennedy,	O'Donnell,	Verona,
Dennison,	Kirley,	Owens,	Wachhaus,
Depuy,	Kline,	Pentrack,	Wagner,
Dillon,	Komorofski,	Petrosky,	Waterhouse,
Dougherty,	Krise,	Pettigrew,	Watkins,
Duffy,	Kurtz,	Pickens,	Welsh,
Dye,	Lane,	Polaski,	Wescott,
Elder,	Laughner,	Polen,	White,
Elish,	Lee,	Powers,	Wood, N.,
Erb,	Leisey,	Propert,	Wright,
Ewing,	Leonard,	Reese, D. P.,	Yeakel,
Finnerty,	Lichtenwalter,	Reese, R. E.,	Yester,
Flack,	Loftus,	Reilly,	Fiss,
Fleming,	Lovett,	Reynolds,	Speaker.

NAYS—28

Barton,	Gore,	Longo,	O'Neill,
Brancato,	Hall,	Lopez,	Reagan,
Chudoff,	Hering,	Mills,	Regan,
Cohen,	Herman,	Modell,	Reidenbach,
Dix,	Jones,	Munley,	Skale,
Gaffney,	Kolankiewicz,	Nagel,	Weiss,
Gallagher,	Levy,	O'Brien,	Worley,

NOT VOTING—8

Corrigan,	Hersch,	Rose,	Tate,
Grant,	Readinger,	Scanlon,	Wood, L. H.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 608, as follows:

An Act to further amend section six of the act approved the second day of April one thousand eight hundred sixty-eight (P. L. 3) entitled "An act to ascertain and appoint the fees to be received by the several officers of this Commonwealth" by changing the fees of Clerk Orphans' Court

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six of the act approved the second day of April one thousand eight hundred sixty-eight (P. L. 3) entitled "An act to ascertain and appoint the fees to be received by the several officers of this Commonwealth" as amended by the act approved the twenty-eighth day of April one thousand eight hundred ninety-nine (P. L. 113) is hereby further amended to read as follows

Fees of Clerk Orphans' Court

Section 6 [For filing and entering petition for appointment of guardian and issuing appointment one dollar

Filing and entering list of property selected and retained by widow under act of Assembly fifty cents

Entering judgment order or rule of court twenty-five cents

Confirmation of accounts executors administrators or guardians one dollar and twenty-five cents

Filing petition for pension order copy and seal forty-five cents

All proceedings on inquisition on real estate including petition order return confirmation rule and recording two dollars and seventy-five cents

Taking and docketing recognizances forty cents

All proceedings for sale of real estate three dollars and fifty cents

Filing and entering bond thirty cents

Entering motion and rule of court thereon twenty-five cents

Issuing subpoena and seal thirty cents

Each name after the first on such subpoena two cents

Issuing citation with seal and recording or filing petition therefor fifty cents

Issuing attachments with seal and recording or entering petition therefor fifty cents

Copy of record or any paper filed or any part thereof for every eight words one cent

Every search where no other service is performed fifteen cents

Filing any paper not specially provided for fifteen cents

Recording a draft twenty-five cents

Making out order under seal to auditors appointed to apportion intestate's property among creditors and to auditors appointed to settle and adjust accounts of administrators executors or guardians seventy-five cents

Filing auditors' report and entering approval of court thereon twenty cents

Copy of said report for either party each item one cent

Accounts of administrators executors or guardians and auditors' reports for every eight words or every sixteen figures one cent

Certificate and seal thirty cents

Receiving and distributing money paid into court for every dollar under five hundred two cents

For each dollar exceeding five hundred one cent

Same fee for services not herein specially provided for as for similar services]

Accounts	
Filing advertising recording and setting up printed copies of advertisement of accounts of trustees including certificate of the Clerk	
First page double space typewriting	$8.50
Each additional page double space typewriting	1.00
First page single space typewriting	9.50
Each additional page single space typewriting	2.00
Release attached to account recording (1 page)	1.50
Each additional page	1.00
Adjudications: (omitting opinion and discussion) Recording with recording certificate and filing	
First page of distribution	3.00
Each additional page	1.00
Copy of adjudication per page double sapce typewriting	.50
Adoption Petition for hearings recording final decree including certified copy of final decree	7.50
Affidavit	.50
Application for Admission and certificate	1.00
Allowance for minor etc petition and order	2.50
Appeal to Supreme or Superior Court certificate of record and bond	3.00
Attachment petition and writ	2.00
Certificate of guardian or trustees appointment per name	.50
Citation including proof of service	2.50
Commissions on money paid into Court	
$500.00 and under	2%
Over $500.00	1%
Commitment	1.00
Decree copy of per page of ordinary double space typewriting	.50
Dicharge and Appointment of Trustee	3.50
Election to take under or against will filing	1.50
Exemplification of record per page of double space typewriting	.50
Extinguishment of Charge on land including certified copy of final decree	9.50
Fieri Facias	1.00
Guardian	
Filing petition and appointment	
Estate less than $500.00	1.00
Estate over $500.00	2.00
Filing and approval of Bond	
Estate less than $500.00	.50
Estate over $500.00	1.00
Filing triennial account	1.50
Filing advertising auditing triennial account and adjudication Same fees as for similar services in other accounts and $2.00 additional for filing and indexing petition	
Injunction filing petition for and bond	1.00
Injunction order in nature of	1.00
Marriage License (including State Tax)	3.00
Each consent	.50
Order to Pay filing petition for order and order	2.50
Partition Proceedings filing petition making out writs and recording one purpart	15.00
Each additional purpart	2.00
Real Estate Sale or Mortgage	
For Distribution or Payment of Debts	
All proceedings one purpart	6.50
Each additional purpart	1.00
Under Price Act	
One purpart	7.50
Each additional purpart	1.50
Specific Performance of Contract for sale of real estate	
Petition and Order	7.50
Seal of Court	.50
Subpoena	.25
Surviving Spouse $5000.00 Appraisement	
Filing Petition copying and Appointment of Appraisers Personalty	2.00
Filing Petition copying and appointment of Appraisers Realty	3.00
Filing Proof of Publication and Confirmation of Appraisement Personalty	3.50
Filing Proof of Publication and Confirmation of Appraisement Realty	4.50
Widow's Exemption or Children's Exemption	
Claim Appraisement Proof of Publication and Confirmation Personal Estate	2.00
Claim Appraisement Proof of Publication and Confirmation Real Estate (1 purpart)	3.00
Each additional purpart	1.00
Petition for Appointment of Appraisers	2.00
Filing appraisement proof of publication and confirmation (where no administration or probate)	
Personal Estate	2.00
Real Estate (1 purpart)	3.00
Real Estate (each additional purpart)	1.00

Fees for similar services not specifically scheduled shall be charged on the same basis as those herein scheduled

Section 2 The provisions of this act shall became effective the first day of January one thousand nine hundred forty-six

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—171

Andrews,	Foor,	Lyons,	Riley,
Baker,	Fox,	Madden,	Robertson,
Barrett,	Freed,	Madigan,	Root,
Baumunk,	Frost,	Mahany,	Royer,
Bentley,	Fullerton,	Matthews,	Rudisill,
Bentzel,	Gardner,	McAtee,	Salus,
Boies,	Getchey,	McClester,	Schuster,
Bonawitz,	Gibson,	McCormack,	Serrill,
Boney,	Goodling,	McDowell,	Shaffer,
Boorse,	Green,	McKinney,	Shoemaker,
Boory,	Greenwood,	McLanahan,	Sloan,
Bower,	Greer,	McMillen,	Smith,
Breisch,	Guthrie,	McNair,	Snider,
Brice,	Gyger,	McNally,	Snyder,
Brothers,	Haberlen,	Mihm,	Sollenberger,
Brown,	Hamilton,	Mikula,	Sorg,
Brunner, C. H.,	Hare,	Miller,	Stank,
Brunner, P. A.,	Haudenshield,	Milliken,	Stockham,
Burns,	Heatherington,	Mooney,	Stonier,
Cadwalader,	Helm,	Moore, C. E.,	Stuart,
Chervenak,	Hennihan,	Moore, W. J.,	Swope,
Coleman,	Hewitt,	Moran,	Tahl,
Cook	Hoffman,	Moser,	Tittle,
Cooper,	Hoggard,	Murray, M. L.,	Trachtman,
Costa,	Hoopes,	Murray, P. G.,	Trent,
Coulson,	Howells,	Myhan,	Trout,
Coyle,	Hunter,	Nelson,	Turbett,
Cullen,	Huntley,	O'Connor,	Turner,
Dague,	James,	O'Dare,	Varallo,
Dalrymple,	Kennedy,	O'Donnell,	Verona,
Dennison,	Kirley,	Owens,	Wachhaus,
Depuy,	Kline,	Pentrack,	Wagner,
Dillon,	Komorofski,	Petrosky,	Waterhouse,
Dougherty,	Krise,	Pettigrew,	Watkins,
Duffy,	Kurtz,	Pickens,	Welsh,
Dye,	Lane,	Polaski,	Wescott,
Elder,	Laughner,	Polen,	White,
Elish,	Lee,	Powers,	Wood, N.,
Erb,	Leisey,	Propert,	Wright,
Ewing,	Leonard,	Reese, D. P.,	Yeakel,
Finnerty,	Lichtenwalter,	Reese, R. E.,	Yester,
Flack,	Loftus,	Reilly,	Fiss,
Fleming,	Lovett,	Reynolds,	Speaker.

NAYS—28

Barton,	Gore,	Longo,	O'Neill,
Brancato,	Hall,	Lopez,	Reagan,
Chudoff,	Hering,	Mills,	Regan,
Cohen,	Herman,	Modell,	Reidenbach,
Dix,	Jones,	Munley,	Skale,
Gaffney,	Kolankiewicz,	Nagel,	Weiss,
Gallagher,	Levy,	O'Brien,	Worley,

NOT VOTING—8

Corrigan,	Hersch,	Rose,	Tate,
Grant,	Readinger,	Scanlon,	Wood, L. H.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection House Bill No. 690, Printer's No. 223, was passed over at the request of the Speaker.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 782, entitled:

An Act fixing and regulating the fees, commissions, mileage and other costs chargeable by the sheriff in counties of the first second third and fourth classes for their official acts and the services of their deputies, watchmen, appraisers and other agents; requiring prepayment of same, unless secured or chargeable to the county, and delivery of itemized receipts therefor; requiring certain payments by the county, including the compensation of special deputies; providing for the taxation and collection of fees, commissions, mileage and other costs; requiring salaried sheriffs to account to the county for certain fees and commissions collected; and repealing inconsistent laws, general, special or local.

On the question,

Will the House agree to the bill on third reading?

Mr. CHUDOFF. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend the title, page 1, third line of title, by striking out the word "first."

Amend Sec. 1, page 2, line 2, by striking out the word "first."

Amend Sec. 1, page 11, line 25, by striking out the words "the Municipal Court of Philadelphia and."

Amend Sec. 1, page 13, lines 28 and 29, by striking out the words "either the Municipal Court of Philadelphia or."

Amend Sec. 7, page 17, line 20, by striking out the word "first."

Amend Sec. 7, page 18, line 11, by striking out the word "first."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILL PASSED OVER

There being no objection House Bill No. 536, Printer's No. 200, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 612, as follows:

An Act to amend section one thousand two hundred six of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further providing for leaves of absence of professional employees because of illness of other unavoidable circumstances

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand two hundred six of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the act approved the twentieth day of May one thousand nine hundred twenty-one (P. L. 1012) is hereby further amended to read as follows

Section 1206 When a board of school directors is compelled to close any school or schools on account of contagious disease the destruction or damage of the school building by fire or other causes the school district shall be liable for the salaries of the teachers of said school or schools for the terms for which they were engaged Whenever a teacher is prevented from following his or her occupation as a teacher during any period of the school term for any of the reasons in this section specified the school district shall be liable for the salary of such teacher for such period at the rate of compensation stipulated in the contract between the district and the teacher in addition to the time actually occupied in teaching by such teacher

[Whenever a teacher is prevented by sickness or some other unavoidable circumstance from following his or her] [occupation the school district may at the discretion of the directors make such payments of compensation during the period of absence from duty as the exigencies of the case may seem to warrant Provided That in the case of sickness no payments shall be made unless such teacher shall have furnished to the board of school directors a certificate from a physician stating the nature of the sickness and certifying that he or she was unable to perform duties as a teacher]

In any school year whenever a professional employee is prevented by illness from following his or her occupation the school district shall pay to said professional employee the full salary to which the professional employee may be entitled as if said employee were actually engaged in the performance of duty for a period of five days Provided however that such leave shall be cumulative from year to year but shall not exceed twenty (20) days leave with full pay in any one year Provided further that the board of school directors shall require the professional employee to furnish a certificate from a physician certifying that said professional employee was unable to perform his or her duties during the period of absence for which compensation is required to be paid under this section

Whenever a professional employee shall be absent from duty because of a death in the immediate family of said employee there shall be no deduction in salary of said employee for an absence not in excess of three school days The board of school directors may extend the period of absence with pay in its discretion as the exigencies of the case may warrant Members of the immediate family shall be defined as father mother brother sister son daughter hunsband wife parent-in-law or near relative who resides in the same household or any person with whom the professional employee has made his or her home

Whenever a professional employee is absent because of the death of a near relative there shall be no deduction in the salary of said employee for absence on the day of the funeral The board of school directors may extend the period of absence with pay in its discretion as the exigencies of the case may warrant A near relative shall be defined as first cousin grandfather grandmother aunt uncle niece nephew brother-in-law or sister-in-law

All compensation required to be paid under the provisions of this act shall be paid to the professional employee in the same manner and at the same time said employee would have received his salary if actually engaged in the performance of his duties

Any board of school directors (or any board of public education) may adopt rules or regulations pertaining to the payment of salaries of professional employees when absent from duty extending the period of leave with pay or increasing the amount of compensation payable in excess of that herein provided or authorizing leaves with pay for other purposes This act is not intended to repeal any rule or regulation of any board of school directors now in effect which does provide for such additional compensation or additional period of leave with pay

No professional employee who is absent from duty because of illness or physical disability shall be dismissed nor shall the contract of any such professional employee be terminated because of said illness or physical disability providing such absence from duty does not exceed a period of one calendar year from the first day of absence

[All contracts with teachers shall hereafter contain a covenant providing for their payment in cases arising under the circumstances described in this section and at the same rate as is specified for the time actually engaged in teaching]

[Payments of salaries heretofore or hereafter made for the school year ending June thirtieth one thousand nine hundred and nineteen or any portion thereof in conformity with the provisions of this act are hereby declared to be valid and effectual in law and binding upon the school district]

Section 2 This act shall become effective at the beginning of the school year immediately following its enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Freed,	Lopez,	Reese, R. E.,
Baker,	Frost,	Lovett,	Regan,
Barrett,	Fullerton,	Lyons,	Reidenbach,
Barton,	Gaffney,	Madden,	Reilly,
Baumunk,	Gallagher,	Madigan,	Reynolds,
Bentley,	Gardner,	Mahany,	Riley,
Bentzel,	Getchey,	Matthews,	Robertson,
Boies,	Gibson,	McAtee,	Root,
Bonawitz,	Goodling,	McClester,	Rose,
Boney,	Gore,	McCormack,	Royer,
Boorse,	Grant,	McDowell,	Rudisill,
Boory,	Green,	McKinney,	Salus,
Bower,	Greenwood,	McLanahan,	Scanlon,
Brancato,	Greer,	McMillen,	Schuster,
Breisch,	Guthrie,	McNair,	Serrill,
Brice,	Gyger,	McNally,	Shaffer,
Brothers,	Haberlen,	Mihm,	Shoemaker,
Brown,	Hamilton,	Mikula,	Skale,
Brunner, C. H.,	Hare,	Miller,	Sloan,
Brunner, P. A.,	Haudenshield,	Milliken,	Smith,
Burns,	Heatherington,	Mills,	Snider,
Cadwalader,	Helm,	Modell,	Sollenberger,
Chervenak,	Hennihan,	Mooney,	Sorg,
Chudoff,	Hering,	Moore, C. E.,	Stank,
Cohen,	Herman,	Moore, W. J.,	Stockham,
Coleman,	Hersch,	Moran,	Stonier,
Cook	Hewitt,	Moser,	Stuart,
Cooper,	Hoffman,	Munley,	Tahl,
Corrigan,	Hoggard,	Murray, M. L.,	Tate,
Costa,	Hoopes,	Murray, P. G.,	Tittle,
Coulson,	Howells,	Myhan,	Trachtman,
Coyle,	Hunter,	Nagel,	Trent,
Cullen,	Huntley,	Nelson,	Trout,
Dague,	James,	O'Brien,	Turner,
Dalrymple,	Jones,	O'Connor,	Turbett,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Kolankiewicz,	Owens,	Wagner,
Dougherty,	Komorofski,	Pentrack,	Waterhouse,

Duffy,	Krise,	Petrosky,	Watkins,
Dye,	Kurtz,	Pettigrew,	Welsh,
Elder,	Lane,	Pickens,	Wescott,
Elish,	Laughner,	Polaski,	White,
Erb,	Lee,	Polen,	Wood, N.,
Ewing,	Leisey,	Powers,	Worley,
Finnerty,	Leonard,	Propert,	Wright,
Flack,	Levy,	Readinger,	Yeakel,
Fleming,	Lichtenwalter,	Reagan,	Yester,
Foor,	Loftus,	Reese, D. P.,	Fiss,
Fox,	Longo,		Speaker.

NAYS—4

Hall,	Snyder,	Swope,	Weiss,

NOT VOTING—1

Wood, L. H.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for cocnurrence.

REASONS FOR VOTE

Mr. SNYDER offered the following reasons for his vote on House Bill No. 612:

It could be a financial burden on some School Districts, since the State does not reimburse the District for sick leave.

Further curtails the authority of School Boards, who now have the right to grant sick leave.

No provision for misuse of regulation.

Agreeably to order,

The House proceeded to the third reading and consideration House Bill No. 497, as follows:

An Act fixing the fees of the recorder of deeds in counties of the fourth class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The fees of the record of deeds in counties of the fourth class shall be as follows

For recording and exemplifying deeds mortgages and other writing for every five words two cents ($0.02) The minimum rate for recording same shall be three dollars ($3.00)

For indexing deeds mortgages and other writings twenty-five cents ($0.25) for each additional name after the fourth

For abstracting first description or parcel of land twenty-five cents ($0.25) for each addiitonal description or parcel twenty-five cents ($0.25) extra

For entering satisfaction or partial payment of mortgage one dollar ($1.00)

For taking acknowledgments for each person fifty cents ($0.50)

For certifying deeds mortgages assignments and satisfactioon of record to county commissioners one dollar ($1.00)

For recording discharges of members of the armed forces of the United States to be paid by the county one dollar ($1.00)

For recording powers of attorney by members of the armed forces of the United States to be paid by the county three dollars ($3.00)

Section 2 All fees shall be exclusive of any State tax now provided for by law and said fees and State tax shall be payable in advance

Section 3 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boies,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Huntley,	Nelson,	Trout,
Cullen,	Hunter,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolanklewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood, N.,
Ewing,	Leisey,	Propert,	Worley,
Finnerty,	Leonard,	Readinger,	Wright,
Flack,	Levy,	Reagan,	Yeakel,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yester,
Foor,	Loftus,	Reese, R. E.,	Fiss,
Fox,	Longo,	Regan,	Speaker.
Freed,	Lopez,	Reidenbach,	

NAYS—0

NOT VOTING—1

Wood, L. H.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for cocnurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 845, as follows:

An Act to amend section thirteen of the act approved the twenty-third day of May one thousand nine hundred seven (P. L. 206) entitled "An act to regulate and improve the civil service of the cities of the second class in the Commonwealth of Pennsylvania making viola-

tions of its provisions to be misdemeanors and providing penalties for violations thereof" by further regulating the eligibility lists in cities of the second class "A"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section thirteen of the act approved the twenty-third day of May one thousand nine hundred seven (P. L. 206) entitled "An act to regulate and improve the civil service of the cities of the second class in the Commonwealth of Pennsylvania making violations of its provisions to be misdemeanors and providing penalties for violations thereof" is hereby amended to read as follows

Section 13 The competitive class shall include all positions and employments now existing or hereafter created of whatever functions designations or compensation in each and every branch of the classified service except such positions as are in the exempt class the non-competitive class or the labor class Appointment shall be made to or employment shall be given in all positions in the competitive class that are not filled by promotion reinstatement transfer or reduction under the provisions of this act and the rules made in pursuance thereof by appointment from among those certified to the appointing officer in accordance with the provisions of section fourteen of this act The term of eligibility of an applicant shall be fixed for each list by the Civil Service Commission at not less than one nor more than three years Provided however That in cities of the second class "A" the Civil Service Commission with the approval of the mayor may extend the eligibility lists during the present world war for a term not exceeding the duration of the war and six months thereafter The names of those persons eligible for appointment shall always be listed and certified in the order of their gradings beginning with the highest Appointment shall be made from the eligible list most nearly appropriate and a new and separate list shall be created only when there is no appropriate list existing from which appointments may be made No person shall be appointed or employed under any title not appropriate to the duties to be performed and no person shall be transferred to any position subject to a competitive examination unless he shall have previously passed an open competitive examination equivalent to that required for such position

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Andrews,	Fullerton,	Lovett,	Reidenbach,
Baker,	Gaffney,	Lyons,	Reilly,
Barrett,	Gallagher,	Madden,	Reynolds,
Barton,	Gardner,	Madigan,	Riley,
Baumunk,	Getchey,	Mahany,	Robertson,
Bentley,	Gibson,	Matthews,	Root,
Bentzel,	Goodling,	McAtee,	Rose,
Boies,	Gore,	McClester,	Royer,
Bonawitz,	Grant,	McCormack,	Rudisill,
Boney,	Green,	McDowell,	Salus,
Boorse,	Greenwood,	McKinney,	Scanlon,
Boory,	Greer,	McLanahan,	Schuster,
Bower,	Guthrie,	McMillen,	Serrill,
Brancato,	Gyger,	McNair,	Shaffer,
Breisch,	Haberlen,	McNally,	Shoemaker,
Brice,	Hall,	Mihm,	Skale,
Brothers,	Hamilton,	Mikula,	Sloan,
Brown,	Hare,	Miller,	Smith,
Brunner, C. H.,	Haudenshield,	Mills,	Snider,
Brunner, P. A.,	Heatherington,	Milliken,	Snyder,
Burns,	Hennihan,	Modell,	Sollenberger,
Cadwalader,	Hering,	Mooney,	Sorg,
Chervenak,	Helm,	Moore, C. E.,	Stank,
Chudoff,	Herman,	Moore, W. J.,	Stockham,
Cohen,	Hersch,	Moran,	Stonier,
Coleman,	Hewitt,	Moser,	Stuart,
Cook,	Hoffman,	Munley,	Swope,
Cooper,	Hoggard,	Murray, M. L.,	Tahl,
Corrigan,	Hoopes,	Murray, P. G.,	Tate,
Costa,	Howells,	Myhan,	Tittle,
Coulson,	Hunter,	Nagel,	Trachtman,
Coyle,	Huntley,	Nelson,	Trent,
Cullen,	James,	O'Brien,	Trout,
Dague,	Jones,	O'Connor,	Turbett,
Dalrymple,	Kennedy,	O'Dare,	Turner,
Dennison,	Kirley,	O'Donnell,	Varallo,
Depuy,	Kline,	O'Neill,	Verona,
Dillon,	Krise,	Owens,	Wachhaus,
Dix,	Kurtz,	Pentrack,	Wagner,
Dougherty,	Kolankiewicz,	Petrosky,	Waterhouse,
Duffy,	Komorofski,	Pettigrew,	Watkins,
Dye,	Lane,	Pickens,	Weiss,
Elder,	Laughner,	Polaski,	Welsh,
Elish,	Lee,	Polen,	Wescott,
Erb,	Leisey,	Powers,	White,
Ewing,	Leonard,	Propert,	Wood, N.,
Finnerty,	Levy,	Readinger,	Worley,
Flack,	Lichtenwalter,	Reagan,	Wright,
Fleming,	Loftus,	Reese, D P.,	Yeakel,
Foor,	Longo,	Reese, R. E.,	Yester,
Fox,	Lopez,	Regan,	Fiss,
Freed,			
Frost,			

Speaker.

NAYS—0

NOT VOTING—1

Wood, L. H.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for cocnurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 495, as follows:

An Act authorizing the treasurer in counties of the fourth class to appoint a solicitor prescribing the duties and qualifications of such solicitor fixing his term and providing for the fixing of his salary and the payment thereof by the county

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In all counties of the fourth class the treasurer may appoint one person as his solicitor

Section 2 Said solicitor shall be a person learned in the law who has been qualified for admission to practice as an attorney in the Supreme or Superior Court of this Commonwealth

Section 3 Said solicitor shall advise the treasurer upon all legal matters that may be submitted to him and conduct all litigation connected with the treasurer's office when requested so to do by the treasurer The solicitor shall hold office for the term for which the treasurer was elected His salary shall be fixed by the salary board and shall be paid by the county in the same manner as the salaries of other county employes are paid

Section 4 The provisions of this act shall become effective immediately upon final enactment

Section 5 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Frost,	Longo,	Reese, R. E.,
Baker,	Fullerton,	Lopez,	Regan,
Barrett,	Gaffney,	Levett,	Reidenbach,
Barton,	Gallagher,	Lyons,	Reilly,
Baumunk,	Gardner,	Madden,	Reynolds,
Bentley,	Getchey,	Madigan,	Riley,
Bentzel,	Gibson,	Mahany,	Robertson,
Boles,	Goodling,	Matthews,	Root,
Bonawitz,	Gore,	McAtee,	Rose,
Boney,	Grant,	McClester,	Rudisill,
Boorse,	Green,	McCormack,	Salus,
Boory,	Greenwood,	McDowell,	Scanlon,
Bower,	Greer,	McKinney,	Schuster,
Brancato,	Guthrie,	McLanahan,	Serrill,
Breisch,	Gyger,	McMillen,	Shaffer,
Brice,	Haberlen,	McNair,	Shoemaker,
Brothers,	Hall,	McNally,	Skale,
Brown,	Hamilton,	Mihm,	Sloan,
Brunner, C. H.,	Hare,	Mikula,	Smith,
Brunner, P. A.,	Haudenshield,	Miller,	Snider,
Burns,	Heatherington,	Milliken,	Snyder,
Cadwalader,	Helm,	Mills,	Sollenberger,
Chudoff,	Hennihan,	Modell,	Sorg,
Cohen,	Hering,	Mooney,	Stank,
Coleman,	Herman,	Moore, C. E.,	Stockham,
Cook,	Hersch,	Moore, W. J.,	Stonier,
Cooper,	Hewitt,	Moran,	Stuart,
Corrigan,	Hoffman,	Moser,	Swope,
Costa,	Hoggard,	Munley,	Tahl,
Coulson,	Hoopes,	Murray, M. L.,	Tate,
Coyle,	Howells,	Murray, P. G.,	Tittle,
Cullen,	Hunter,	Myhan,	Trachtman,
Dague,	Huntley,	Nagel,	Trent,
Dalrymple,	James,	Nelson,	Trout,
Dennison,	Jones,	O'Brien,	Turbett,
Depuy,	Kennedy,	O'Connor,	Turner,
Dillon,	Kirley,	O'Dare,	Varallo,
Dix,	Kline,	O'Donnell,	Verona,
Dougherty,	Kolankiewicz,	O'Neill,	Wachhaus,
Duffy,	Komorofski,	Owens,	Wagner,
Dye,	Krise,	Pentrack,	Waterhouse,
Elder,	Kurtz,	Petrosky,	Watkins,
Elish,	Lane,	Pettigrew,	Welsh,
Erb,	Laughner,	Pickens,	Wescott,
Ewing,	Lee,	Polaski,	White,
Finnerty,	Leisey,	Polen,	Worley,
Flack,	Leonard,	Powers,	Wright,
Fleming,	Levy,	Propert,	Yeakel,
Foor,	Lichtenwalter,	Readinger,	Yester,
Fox,	Loftus,	Reagan,	Fiss,
Freed,		Reese, D. P.,	Speaker.

NAYS—4

Chervenak,	Royer,	Weiss,	Wood, N.,

NOT VOTING—1

Wood, L. H.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 5, as follows:

An Act prohibiting political subdivisions from imposing wage income or occupation taxes on non-residents and abolishing such taxes heretofore imposed

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 It shall be unlawful for any political subdision of this Commonwealth to impose any wage income or occupation tax upon any person not a resident of such political subdivision

Section 2 All wage income and occupation taxes imposed by any political subdivision before the effective date of this act on persons who are not residents of the political subdivision are hereby discontinued and abolished after the thirty-first day of December one thousand nine hundred forty-five in so far as they apply to non-residents of the political subdivision imposing the tax

Section 3 All acts and parts of acts inconsistent herewith are hereby repealed

Section 4 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. JAMES. Mr. Speaker, I do not believe that it is going to be necessary to debate House Bill 5 at length. During the long debate on House Bill 726 many things were said that indicated, I think, to all the Members the reason for House Bill 5.

There has been a misapprehension here and there to the effect that House Bill 5 is not necessary if House Bill 726 is passed, but that is truly a misapprehension. House Bill 5 does a very different thing from what House Bill 726 does. House Bill 5 simply makes it unlawful for any political subdivision of this Commonwealth to impose any wage, income or occupational tax upon any person not a resident of such political subdivision. If at some time in the future, Mr. Speaker, there should be adopted by any municipality or any county or any other politicial subdivision in the state a law which passed this House and the Senate, whereby a new sort of wage tax or income tax might be passed, then House Bill 5 would definitely preclude any possibility of that tax being levied upon persons not residents of the political subdivision affected.

House Bill 5 is designed to abolish the doctrine that has grown up under the Philadelphia tax of taxation without representation. House Bill 5 simply reaffirms again here in Pennsylvania what our forefathers in Boston affirmed when they dumped the cargo of British tea into Boston Harbor. They did that because they refused to pay taxes when they were not entitled to the privilege of representation. As far as I can learn the Philadelphia wage tax as it has been levied on non-residents is the first example of taxation without representation in this Commonwealth. Without this bill it might possibly again become easy for the city of Philadelphia to tax workers on a government reservation who are residents of New Jersey or who are residents of Delaware, Montgomery, Bucks, Berks or Lancaster or any county in the state of Pennsylvania. This bill if enacted into law, would safeguard in the future all those persons that might live near to and work in a city, whether that city be Philadelphia, Pitsburgh, Scranton, Wilkes-Barre, Reading or Lancaster, and for that reason, and for the protection of non-residents who work in the community where some sort of tax like the Philadelphia wage tax may in the future be enacted, I ask all the Members of this House to support this bill.

Mr. ANDREWS. Mr. Speaker, I would be untrue to the commission I hold if I did not reaffirm the essentially democratic doctrine just enunciated by the gentleman from Delaware. I fail to understand how any of us trained in the positions of democracy can by virtue of any reason, by virtue of any call of political expediency, repudiate the fundamental doctrine that our people should

not pay taxes without representation. That issue is so basic, so ingrained in our traditions that no one arguing from a democratic standpoint can possibly take any other position.

I believe that I state the position of the Democratic party when I add further that we are opposed to a wage tax anywhere, any time and for any reason. We do not believe in the status of that kind of a tax base, but even though for reason of expediency it might be argued that a municipality should be permitted to impose a wage tax, the statement made by the gentleman from Delaware was so fundamental when he said that no one in this country should be taxed without representation, that I fail to understand how any Democrat or any Republican can take exception to that theory.

Mr. SALUS. Mr. Speaker, this particular piece of legislation, in the discussion here this evening, they say is taxation without representation. Those who come to Philadelphia to be employed there have the same right to represent themselves as any other person in the world. All they have to do is become residents of the city. But when they come to the city of Philadelphia, accept of its hospitality, accept everything, as has been said here tonight, for the good and welfare of their being and for their existence, for their livelihood, for everything they have in the world, and do not care to help in the upkeep of that city, they just became back door moochers, and I do not believe they have a right to complain, nor have they a right to say that it is taxation without representation.

Philadelphia has long been known and properly known as the home of brotherly love. When I say that I mean it. I say that when two Philadelphians get together they assume the right to abuse the city to their heart's content and I think ofttimes they do, but any time an outsider butts in they have two to lick. We love to fight among ourselves and we invite the outsiders to stay on the outside and mind his own business. If he doesn't like that situation then he had better pack up and get out. We have a wonderful city. It has but one door, it opens in and it opens out, it is not locked nor barred. Those who want to stay have a right to stay and in Philadelphia they will find that the latchstring of hospitality hangs lower than in any other city on earth. I think it comes with ill grace and ill feeling and in bad taste for these men coming from the outside to tell us what we shall do and how we shall conduct ourselves. Those that do not like it better take the gate and go out and stay out.

Mr. COHEN. Mr. Speaker, I am glad the gentleman alluded to the fact that we in Philadelphia are known for our great hospitality, and because we are very proud of our hospitality which we dispense we do not like to have it said of anyone in Philadelphia that he is a moocher. We are glad to have people come in from other parts of the country or other places in the world and I do not think we ought to have the reputation of calling people moochers simply because they do not like the wage tax or because they resent that tax. Don't forget that this is a wage tax, whether you call it a wage tax or an income tax it is still a wage tax, and it is a bad tax. A tax by any other name is just as bad. No matter how they classify this tax, wherever it may be, I am against any other or further imposition of this wage tax.

I am afraid, Mr. Speaker, from what has been said here tonight that probably the impression has gotten out that the Philadelphia tail has been wagging the Pennsylvania dog. Now, Mr. Speaker, with all of this assininity we have had tonight I think we ought to sit down here together and do what we started to do, get rid of the wage tax, roots and all; get rid of it, and do away with it.

Mr. JAMES. Mr. Speaker, as a foreigner and a moocher, I do not want to prolong this debate but I would just like to remind the gentleman from Philadelphia, Mr. Salus, that if it were not for some 28,000 moochers from Delaware, from Montgomery and nearby counties, grass would grow in the middle of the streets of Philadelphia. The Market Street area in the east central section would still further deteriorate as a source of income from real estate taxes because then they would not even have a use for the first floor of those properties, they now have no use for the second, third, fourth and fifth floors.

I think the gentleman from Philadelphia has allowed his great love for Philadelphia, engendered over a long period of time, to somewhat becloud his reason. This wage tax is something entirely different from anything else we have been accustomed to in any community in the Commonwealth of Pennsylvania. It is something that is so foreign to our way of thinking that only a city with such a vast lack of imagination and such little gumption could really support it, particularly with reference to persons who are not there to vote on election day for councilmen and the mayor of the city.

I do not particularly resent being called a moocher in that respect. For a number of years I have faithfully contributed daily a very considerable amount of money that has gone by one channel or another into the support of all the good that Philadelphia has ever done to entertain me. I have never gone into Philadelphia and raised a fight that I know of. I do that outside so that the policement in there have never had any charge against me that has been reflected in the records of Philadelphia. I think, Mr. Speaker, that a great many of the men who live out in the other counties surrounding Philadelphia probably are of the same general cast and character I think, Mr. Speaker, if Senator Salus actually had time to reflect and think the matter over he would scarcely call those 28,000 supporters of Philadelphia's industries, its real estate, its shops, its stores, and particularly those that sell enormous quantities of high priced products at a great profit to our wives, moochers.

Mr. SALUS. Mr. Speaker, I still reiterate I am willing to be abused by any member of the C. I. O. or any other resident of Philadelphia, and if that particular person has a vote of his own I am willing to argue with him. I may be wrong or he may be wrong, but he has a perfect right to express his views as to the conduct of Philadelphia. I still say that these outsiders should keep their noses out of our business, and if they don't like it stay out of the city and we will get along well without them. They live on the Main Line, they try to tell everybody in the city how we should run our city. If they don't like the way we run it we will gladly pay their railroad fare and railway fare out and let them stay out.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—159

Andrews,	Fleming,	Lane,	Polaski,
Baker,	Foor,	Laughner,	Polen,
Barrett,	Fox,	Leisey,	Powers,
Barton,	Freed,	Leonard,	Propert,
Baumunk,	Frost,	Levy,	Reese, R. E.,
Bentley,	Fullerton,	Longo,	Regan,
Bentzel,	Gaffney,	Lovett,	Reidenbach,
Boies,	Gallagher,	Lyons,	Reynolds,
Boney,	Getchey,	Madden,	Robertson,
Boorse,	Gibson,	Mahany,	Royer,
Boory,	Goodling,	Matthews,	Rudisill,
Brancato,	Gore,	McAtee,	Schuster,
Breisch,	Grant,	McKinney,	Serrill,
Brice,	Greenwood,	McLanahan,	Shaffer,
Brothers,	Greer,	McMillen,	Shoemaker,
Brown,	Guthrie,	McNair,	Sloan,
Brunner, C. H.,	Gyger,	McNally,	Snider,
Brunner, P. A.,	Hall,	Mihm,	Sollenberger,
Cadwalader,	Hamilton,	Mikula,	Sorg,
Chervenak,	Haudenshield,	Miller,	Stank,
Chudoff,	Heatherington,	Milliken,	Stockham,
Cohen,	Helm,	Mills,	Stuart,
Coleman,	Hennihan,	Modell,	Swope,
Cook,	Hering,	Mooney,	Tittle,
Cooper,	Hersch,	Moore, C. E.,	Trent,
Coulson,	Hewitt,	Moore, W. J.,	Trout,
Coyle,	Hoffman,	Moran,	Turner,
Dague,	Hoggard,	Moser,	Verona,
Dalrymple,	Howells,	Murray, M. L.,	Wachhaus,
Dennison,	Hunter,	Murray, P. G.,	Waterhouse,
Dillon,	Huntley,	Myhan,	Watkins,
Dix,	James,	Nagel,	Weiss,
Dougherty,	Jones,	Nelson,	Wescott,
Dye,	Kennedy,	O'Connor,	White,
Elder,	Kirley,	O'Donnell,	Wood, N.,
Elish,	Kline,	Owens,	Worley,
Erb,	Kolankiewicz,	Pentrack,	Wright,
Ewing,	Komorofski,	Petrosky,	Yeakel,
Finnerty,	Krise,	Pettigrew,	Yester,
Flack,	Kurtz,	Pickens,	

NAYS—32

Bower,	Lichtenwalter,	O'Dare,	Snyder,
Corrigan,	Loftus,	Reese, D. P.,	Stonier,
Costa,	Madigan,	Reilly,	Tahl,
Cullen,	McClester,	Riley,	Tate,
Depuy,	McCormack,	Root,	Varallo,
Green,	McDowell,	Salus,	Wagner,
Hare,	Munley,	Scanlon,	Welsh,
Lee,	O'Brien,	Smith,	Fiss,
			Speaker.

NOT VOTING—16

Bonawitz,	Haberlen,	O'Neill,	Skale,
Burns,	Herman,	Readinger,	Trachtman,
Duffy,	Hoopes,	Reagan,	Turbett,
Gardner,	Lopez,	Rose,	Wood, L. H.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection House Bill No. 321, Printer's No. 297 was passed over at the request of Mr. DEPUY.

BILLS RE-REFERRED

Mr. KRISE, from the Committee on Banking, returned with the recommendation that it be re-referred to the Committee on Building and Loan Associations, Senate Bill No. 262, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" further defining and limiting the rights powers duties liabilities and immunities of building and loan associations and their shareholders and creditors

The SPEAKER. The bill is re-referred to the Committee on Building and Loan Associations.

Mr. McCLESTER, from the Committee on Cities of the Third Class, returned with the recommendation that it be re-referred to the Committee on Counties, House Bill No. 1126, entitled:

An Act prohibiting the sale of lots in a subdivision in counties of the third class unless the subdivision be recorded in the office of the Recorder of Deeds; and providing penalties.

The SPEAKER. The bill is re-referred to the Committee on Counties.

SENATE MESSAGE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 64.

An Act to further amend section twenty-three of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by increasing for a further limited period of time the rate of tax imposed upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons by making further provisions for the report and payment of the tax and by further defining gross receipts

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, by adding after the word "persons" at the end of the title the following: "by making further provisions for the report and payment of the tax and by further defining gross receipts."

Amend Section 1, page 3, line 27, by striking out after the word "forty-four" the words "June thirtieth and" and inserting in lieu thereof the words "and for the twelve months periods ending"; also in line 28, by striking out after the word "forty-five" the words "and June thirtieth"; also in line 8, by inserting before the word "electric" a light faced bracket; also in line 9 by inserting after the word "business" a light faced bracket; also on page 4, line 9, by inserting after the word "business" the words "the sales of electric energy"; also in line 22, by inserting light faced brackets before and after the word "days" after the word "first", and inserting also the word "day";

also in same line by inserting before the word "and" a light faced bracket, and inserting a light faced bracket after the word "August"; also in line 28, by inserting after the word "of" light faced brackets before and after the word "six" and inserting "twelve"; also in line 29, by inserting before and after the word "days" light faced brackets and inserting the word "days"; also in same line by inserting before the word "and" and after the word "July", light faced brackets.

On the question,

Will the House concur in the amendments made by the Senate?

BILL AND MESSAGE LAID ON TABLE

Mr. HARE. Mr. Speaker, I move that the bill together with the message from the Senate be laid on the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 83.

An Act to reenact and amend the title and the act approved the fourteenth day of June one thousand nine hundred thirty-five (P. L. 341) entitled as amended "An act to provide revenue by imposing a State tax upon sales of cigarettes by dealers as herein defined requiring persons engaged in the sale of cigarettes at wholesale and retail to secure premits prescribing the method and manner of collecting such tax conferring powers and imposing duties on the Department of Revenue and persons as herein defined engaged in the sale of cigarettes at retail or wholesale and providing penalties" as previously reenacted and amended by extending the provisions of the act for a further limited period of time

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendment.

The Clerk read the amendment as follows:

Amend Section 1, page 7, line 11, by striking out after the word "cigarettes" the word "are" and inserting in lieu thereof the word "as".

On the question,

Will the House concur in the amendment made by Senate?

BILL AND MESSAGE LAID ON TABLE

Mr. HARE. Mr. Speaker, I move that the bill together with the message from the Senate be laid on the table.

The motion was agreed to.

CONGRATULATIONS

The SPEAKER. The Chair is informed that today marks the thirty-eighth birthday of the gentleman from Indiana, the Honorable William R. McMillen. Will the gentleman rise in his place? Happy birthday to you, dear William.

Mr. McMILLEN. Thank you Mr. Speaker. I did not notice that you announced me. I was engaged in conversation here on a very deep subject, school legislation, which is very important to me, as anyone who understands anything about the matter in this House well knows.

I just wish to thank the Speaker and the Members of the House for their expression of this sentiment.

The SPEAKER. We wish you many, many more happy years of life.

CONDOLENCE RESOLUTION

Mr. McCLESTER offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and unanimously adopted as follows:

In the House of Representatives, March 19, 1945.

As time goes on, those who were members of this House some years ago pass on, one by one, into the life hereafter.

On March 9th, 1945, the Honorable Charles C. Braham, Member from Butler County, during the legislative sessions of 1929 and 1931, and the special sessions of 1931 and 1932, died suddenly at his home in Butler.

Mr. Braham was born July 13 1880, the son of Samuel Luther Braham and Louisa Cochran Braham of Harrisville, Pennsylvania. He attended Slippery Rock State Teachers' College, Michigan Agricultural College and Duff's Business College in Pittsburgh. He served as employment manager of the Pullman-Standard Car Manufacturing Company from 1905 until the time of his death.

A highly respected citizen, active in civic and church affairs, he was also a member of the Board of Elders of the First U. P. Church of Butler, a member of the Kiwanis Club, a member of Masonic Lodge, No. 272 F. and A. M., and a former member of the city council of Butler.

Mr. Braham is survived by his father, who will be 94 years of age on May 26th of this year, and by his wife, Mrs. Minnie C. Braham, one daughter, Mrs. Robert J. Trotter o fEnon Valley, Pennsylvania, one son, Lieutenant Luther C. Braham of the Judge Advocate General's Department, stationed at Deshon General Hospital, Butler, and by three sisters, one brother and five grandchildren; therefore be it

Resolved, That the House of Representatives by these resolutions note the passing of its former member, with sorrow over his sudden death, but with praise and commendation for a fruitful life spent in serving and making a better life for his fellow men. To his venerable father, his widow, his children, his brother and sisters and his grandchildren we offer our sympathy, in token of which it is directed that the Chief Clerk of the House transmit to them a certified copy of these resolutions.

RESOLUTION

Mr. McATEE offered a resolution which was filed with the Clerk.

MEMBERS WELCOMED

The SPEAKER. The Chair is pleased to announce that the Honorable W. Mack Guthrie from Armstrong County who was seriously injured in an automobile wreck, is present again in the House.

The Chair is also pleased to announce that the Honorable Mr. Baumonk from Sullivan County, who was seriously ill for several weeks, is again present in the House.

We welcome these members back and certainly wish them much better health than they have had in the last several weeks.

COMMITTEE MEETINGS

There will be meetings of the committees on:

Aeronautics, Tuesday, March 20, at 10:30 a. m. in Room 327.

Agriculture, Tuesday, March 20, at 10:00 a. m. in Room 331.

Appropriations, Tuesday, March 20, at 12:30 p. m. in Room 246.

Banking, Tuesday, March 20, at 11:30 a. m. in Room 330.

Boroughs, Tuesday, March 20, at 11:30 a. m. in Room 522.

City and County—First Class, Tuesday, March 20, at 10:30 a. m. in Room 521.

Cities—Third Class, Tuesday, March 20, at 12:00 noon in Room 521.

Corporations and Industry, Tuesday, March 20, at 10:30 a. m. in Room 323.

Education, Tuesday, March 20, at 11:00 a. m. in Room 324.

Insurance, Tuesday, March 20, at 11:00 a. m. in Room 330.

Judiciary General, Tuesday, March 20, at 10:00 a. m. in Room 325.

Professional Licensure, Tuesday, March 20, at 12:00 Noon in Room 324.

Public Hearing on House Bill 354 and Senate Bill 444 in the Hall of the House, Tuesday, March 27, at 10.30 a. m.

ADJOURNMENT

Mr. WATERHOUSE. Mr. Speaker, I move that this House do now adjourn until Tuesday, March 20, 1945, at 1 p. m.

The motion was agreed to, and (at 1:10 a. m.) the House adjourned

COMMONWEALTH OF PENNSYLVANIA

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SENATE

TUESDAY, March 20, 1945.

The Senate met at 3:00 o'clock, p. m., Eastern War Time.

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the Chair.

PRAYER

The Chaplain, Rev. EDWIN S. WALLACE, D. D., offered the following prayer:

To the one and only God our Savior, creator of the heavens and the earth, and of all the living, we present ourselves at this time to acknowledge Thy sovereignty and to confess our allegiance. May our acknowledgement and confession be no mere lip service, but expressive of our real faith; then this will be a prayer. Otherwise it will be a few pious phrases, meaning nothing.

We pray that as a nation and as individuals we may have that spiritual endowment that will equip us for the present task of victory over all our enemies, and for the responsibilities that will follow. Help us to remember that these great objectives will not be attained by our manpower or our machine power only, but by the Spirit of the Lord, for "Not by might nor by power, but by my Spirit saith the Lord."

May the men and women on the battle fronts of the world be inspired and directed by Thy Spirit, and may we, here in the homeland unite our efforts and our prayers for a speedy and victorious accomplishment of the purposes of God in our national and individual lives.

And to Thy great name be all the praise, through Jesus Christ, our Lord. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HEYBURN and Mr. TROUTMAN, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. Wade asked and obtained leave of absence for Mr. JAMES.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

CORONER, YORK COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 20, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Elmer S. Stambaugh, 512 West Market Street, York, York County, for appointment as Coroner in and for the County of York, to serve until the first Monday of January, 1946, vice L. U. Zech, deceased.

EDWARD MARTIN.

MEMBER OF THE BOARD OF TRUSTEES OF LOCUST MOUNTAIN HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 20, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Richard A. Lewis, 207 West Columbus Street, Shenandoah, Schuylkill County, for appointment as a Member of the Board of Trustees of Locust Mountain State Hospital, for the term of four years, and until his successor is qualified, vice Donald Boyd, whose term expired.

EDWARD MARTIN.

MEMBER OF THE BOARD OF TRUSTEES OF ASHLAND STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 20, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph Bowman, Frackville, Schuylkill County, for appointment as a Member of the Board of Trustees of Ashland State Hospital, for the term of four years, and until his successor is qualified, vice Ray Delbridge, Girardville, resigned.

EDWARD MARTIN.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 5, entitled:

An Act prohibiting political subdivisions from imposing wage income or occupation taxes on non-residents; and abolishing such taxes heretofore imposed.

Which was committed to the Committee on Finance.

House Bill No. 495, entitled:

An Act authorizing the treasurer in counties of the fourth class to appoint a solicitor; prescribing the duties and qualifications of such solicitor; fixing his term; and providing for the fixing of his salary and the payment thereof by the county.

Which was committed to the Committee on County Government.

House Bill No. 497, entitled:

An Act fixing the fees of the recorder of deeds in counties of the fourth class

Which was committed to the Committee on County Government.

House Bill No. 607, entitled:

An Act to amend section seven of the act approved the second day of April one thousand eight hundred sixty-eight (P. L. 3) entitled "An act to ascertain and appoint the fees to be received by the several officers of this Commonwealth" by changing the fees of Register of Wills

Which was committed to the Committee on Judiciary General.

House Bill No. 608, entitled:

An Act to further amend section six of the act approved the second day of April one thousand eight hundred sixty-eight (P. L. 3) entitled "An act to ascertain and appoint the fees to be received by the several officers of this Commonwealth" by changing the fees of Clerks of Orphans' Court

Which was committed to the Committee on Judiciary General.

House Bill No. 612, entitled:

An Act to amend section 1206 of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," by further providing for leaves of absence of professional employees because of illness or other unavoidable circumstances.

Which was committed to the Committee on Education.

House Bill No. 726, entitled:

An Act prohibiting any city, borough or town from imposing a tax on wages.

Which was committed to the Committee on Finance.

House Bill No. 845, entitled:

An Act to amend section thirteen of the act approved the twenty-third day of May, one thousand nine hundred seven, (P. L. 206) entitled "An act to regulate and improve the civil service of the cities of the second class in the Commonwealth of Pennsylvania; making violations of its provisions to be misdemeanors, and providing penalties for violations thereof," by further regulating the eligibility lists in cities of the second class "A".

Which was committed to the Committee on Municipal Government.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) announced that the Acting Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 39, entitled:

An Act to reenact and amend the title and the act approved the ninth day of June one thousand nine hundred thirty-six (Special Session of 1936 P. L. 13) entitled "An act imposing an emergency State tax for a limited period of time on liquor as herein defined sold by the Pennsylvania Liquid Control Board providing for the collection and payment of such tax and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board" as previously reenacted and amended by extending the provisions thereof for a further limited period of time

Senate Bill No. 123, entitled:

An Act to repeal Section one thousand thirty-three (1033) of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justice of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns township within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the Act approved May twenty-first one thousand nine hundred forty-three (P. L. 559).

Senate Bill No. 138, entitled:

An Act to amend section four hundred thirty-six of the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278, No. 447), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by extending authorization to counties to make appropriations for historical compilations and publications relating to their own counties.

Senate Bill No. 145, entitled:

An Act to amend section three of the act approved the twentieth day of May, one thousand nine hundred twenty-one, (P. L. 938), entitled "An act to provide for the better preservation of the books and papers in the office of the prothonotaries in the counties of this Commonwealth by copying, transcribing, and certification of dilapidated, faded, or injured books or papers," by providing for instances in which originals of said books and papers may be destroyed.

House Bill No. 164, entitled:

An Act to reenact and amend the act approved the twenty-eighth day of July, one thousand nine hundred

forty-one (P. L. 563), entitled "An act to add sections two thousand two and one-tenth to the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled, 'An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith,' providing for cooperation of State Teachers Colleges at the request of the State Council of Defense with other agencies in furthering national defense programs and activities," extending the effective period thereof.

House Bill No. 274, entitled:

An Act to amend clause (g) of section one thousand three hundred four of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by definitely specifying the place where the records of professional examining boards shall be kept.

Senate Bill No. 317, entitled:

An Act providing that all fines and penalties collected in summary proceedings shall be turned over quarterly to the Commonwealth of Pennsylvania for the use of the appropriate state department the county treasurer for the use of the county or the political or municipal subdivision entitled to the payment of said fine penalty or forfeiture and providing a penalty for neglect to comply therewith

Senate Bill No. 333, entitled:

An Act to further amend part of section four hundred thirty-nine of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by changing the name of the veterans' grave registrar appointed by the county commissioners to the director of veterans affairs

House Bill No. 342, entitled:

An Act to amend section one of the act, approved the fifth day of March, one thousand nine hundred and three (P. L. 14), entitled "An act concerning proxies, authorizing representation and voting of shares of capital stock of corporations at meetings and elections thereof" by further regulating the execution of proxies.

House Bill No. 665, entitled:

An Act to further amend the act, approved the twenty-second day of April, one thousand nine hundred nine (P. L. 122), entitled "An act to validate the exercise of franchise of manufacturing corporations and land companies whose charters have expired, and to validate the conveyances and other instruments of said corporations,' making said act apply to any corporation of the Commonwealth of Pennsylvania and extending the time thereof and authorizing certain conveyances

Whereupon,

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the presence of the Senate signed the same.

HOUSE MESSAGES

The Clerk of the House of Representatives being introduced, presented an extract from the Journal of the House of Representatives, which was twice read, considered and agreed to:

CONGRATULATIONS TO PENNSYLVANIA LEGISLATIVE CORRESPONDENTS' ASSOCIATION ON ITS GOLDEN ANNIVERSARY

In the House of Representatives, March 13, 1945.

During the month of January in the year 1895, there was organized in Harrisburg an association which, during the two score and ten years that have passed since its founding, has increased in size, prestige and importance.

This organization and its members have been present and have played a vital part in every regular and special legislative session since its inception, and now that they are about to celebrate their Fiftieth Anniversary, it is fitting that proper consideration should be given by the General Assembly to mark its birth, growth and accomplishments.

It is the oldest organization of its kind in the Nation and its contribution to the General Assembly and to the people of the Commonwealth cannot be over-emphasized.

The Pennsylvania Legislative Correspondents' Association will celebrate its Golden Anniversary at a banquet in the Penn-Harris Hotel on Tuesday, April 3, 1945 at 7:30 o'clock p. m.

In prior anniversary programs emphasis has been on providing entertainment of a lighter vein, however, on this occasion because of the war and the seriousness of the times an outstanding program has been arranged which will be of interest to every Member of the General Assembly and Officials of the State Government.

His Excellency, The Governor of the Commonwealth, Edward Martin will present the guest of honor, The Honorable Robert P. Patterson, Under Secretary of War, who will give an Off-the Record address on the war situation.

John M. McCullough of the Philadelphia Inquirer staff, will tell of his experiences as a War Correspondent in the Pacific Theatre.

Cy Hungerford of the Pittsburgh Post Gazette staff, a cartoonist of National reputation will present an illustrated talk.

Last but not least, John P. Doheny the sole surviving charter member of the Association and a former correspondent for the Pittsburgh Press will be a distinguished guest on this occasion.

Tickets for the banquet can be obtained from any member of the Correspondents' Association.

Resolved (if the Senate concurs), That the General Assembly of the Commonwealth of Pennsylvania extends to the Pennsylvania Legislative Correspondents' Association its heartiest congratulations upon having reached so ripe an age and commends it for its accomplishments in the newspaper world and wishes it a most successful celebration and a continuation of growth and service; be it further

Resolved, That the Members of the House and Senate attend this Golden Anniversary Banquet and join with our Correspondents in properly marking the occasion and respectfully calls the attention of His Excellency, The Governor and the Members of His Cabinet, to the impending celebration and to the opportunity it affords to pay honor to those who help to keep Pennsylvania on the front pages of the newspapers of the State and the Nation.

Ordered, That the Clerk inform the House of Representatives accordingly.

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurred in resolution from the Senate as follows:

TIME OF NEXT MEETING

In the Senate, March 19, 1945.

Resolved (if the House of Representatives concur) That when the Senate adjourns this week, it reconvene on Monday, March 26, 1945, at four o'clock p. m., and when the House of Representatives adjourns this week, it reconvene on Monday, March 26, 1945, at nine o'clock p. m.

ELECTION OF SECRETARY OF THE SENATE

Mr. HEYBURN. Mr. President, I move we proceed to the election of a Secretary of the Senate.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. Nominations for Secretary of the Senate are in order.

Mr. WAGNER. Mr. President, I am very pleased to nominate for the office of Secretary of the Senate a man who has served until very recently in this body and who is exceedingly well fitted by training, experience and his interest in government, to fulfill this job adequately and satisfactorily.

I would like to place in nomination the name of Honorable J. Harold Watkins of Schuylkill County, for Secretary of the Senate.

Mr. CARR. Mr. President, I desire to second the nomination of G. Harold Watkins for the office of Secretary of the Senate, because I believe by reason of his capabilities and his experience he will be a valuable man in that office.

The PRESIDENT. Are there any further nominations.

Mr. BARR. Mr. President, at any other time the Minority Party would have nominated a person for the office of Secretary of the Senate. This office, however, at the beginning of this session, was duly filled by the election of a Republican, now deceased, and for that reason we are not going to present a nominee for the office at this time.

NOMINATIONS CLOSED

Mr. HEYBURN. Mr. President, I move the nominations for Secretary of the Senate be closed.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. On the election of the Secretary of the Senate the Clerk will call the roll. The candidate is G. Harold Watkins of Schuylkill County, unopposed.

The roll was called and was as follows:

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Kephart,	Stevenson,
Becker,	Ealy,	Klein,	Stiefel
Berger,	Edmonds,	Leader,	Tallman,
Glass,	Farrell,	Letzler,	Taylor,
Bowers,	Geltz,	Mallery,	Thomas,
Carr,	Gourley,	Margie,	Troutman,
Chapman,	Haluska,	McCreesh,	Tyler,
Coleman,	Heyburn,	McGinnis,	Wade,
Cox,	Holland,	Rosenfeld,	Wagner,
Crider,	Homsher,	Ruth,	Walker,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Jones,	Snowden,	Woodring,

NAYS—0

The PRESIDENT. G. Harold Watkins having received 48 votes, none opposing, the Chair declares G. Harold Watkins duly elected Secretary of the Senate.

REPORTS FROM COMMITTEES

Mr. CARR, on behalf of Mr. LETZLER, from the Committee on Education, reported as committed, Senate Bill No. 518, entitled:

An Act to amend section two thousand two of, and to add section two thousand thirteen to the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," expanding the activities and extending the courses of instruction at the Cheyney Training School for Teachers; and making an appropriation.

Mr. CARR, from the Committee on Education, reported as committed, House Bill No. 264, entitled:

An Act to amend section three and to further amend section twelve of the act, approved the twentieth day of July, one thousand nine hundred seventeen (P. L. 1143), entitled, "An act relating to free, public, nonsectarian libraries and branch libraries within this Commonwealth; providing for their establishment, maintenance, and regulation, and for the maintenance and regulation of such free, public non-sectarian libraries as may have been already established by the several counties, cities, boroughs, towns, and townships; and providing that all library property, and all gifts, devises, grants or endowments for library purposes, shall be exempt from taxation: and providing that the several counties, cities, boroughs, towns, and townships may levy taxes, condemn private property, and borrow money for library purposes; and imposing penalties for injuring library property and for violations of library regulations; and repealing existing laws in relation to the above subjects," making more specific the power of the municipal authorities of counties, cities, boroughs, towns, and townships to appropriate moneys out of current revenues for library purposes without the levy of a special tax therefor; and validating such appropriations heretofore made.

Mr. McCREESH, from the Committee on Municipal Government, reported as committed, House Bill No. 281, entitled:

An Act to amend section two thousand twenty-two of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," authorizing township commissioners to record certificates denying responsibility for certain roads, streets, lanes, alleys or drainage facilities in connection therewith.

Mr. McGINNIS, from the Committee on Municipal Government, reported as committed, Senate Bill No. 440, entitled:

An Act authorizing cities of the third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities.

He also, from the Committee on Municipal Government, reported as committed, House Bill No. 475, entitled:

An Act requiring cities boroughs towns and townships to notify adjacent political subdivisions of proposed streets roads and highways leading into them

Mr. DiSILVESTRO, from the Committee on Municipal Government, reported as committed, Senate Bill No. 483, entitled:

An Act to add clause fifty-five to section two thousand four hundred three of the act, approved the twenty-

third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," authorizing the acquisition and maintenance of parking lots and the exercise of the power of eminent domain therefor.

He also, from the Committee on Municipal Government, reported as committed, House Bill No. 569, entitled:

An Act to further amend section nine hundred one of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519) entitled, "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," by further regulating the filling of vacancies in elective borough offices.

Mr. STEVENSON, from the Committee on Constitutional Changes, reported as committed, House Bill No. 335, entitled:

A Joint Resolution proposing an amendment to section fourteen, article eight, of the Constitution of the Commonwealth of Pennsylvania.

Mr. BARR, from the Committee on Elections, reported as committed, Senate Bill No. 319, entitled:

An Act to further amend section thirty-two of the act, approved the thirtieth day of March, one thousand nine hundred thirty-seven (P. L. 115), entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, bodies of electors, registration commissions, commissioners, registrars, inspectors, of registration and other appointees of registration commission, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents, certain public service companies, persons, firms, and corporations operating vehicles for moving furniiture and household goods, and boards of school directors; and imposing penalties," by further regulating the check-up of registered electors.

He also, from the Committee on Elections, reported as committed, Senate Bill No. 320, entitled:

An Act to further amend section thirty-one of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 814), entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," by further regulating the check-up of registered electors.

He also, from the Committee on Elections, reported as committed, Senate Bill No. 322, entitled:

An Act to further amend section thirty-one of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849), entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legislation," by further regulating the check-up of registered electors.

He also, from the Committee on Elections, reported as committed, Senate Bill No. 323, entitled:

An Act to further amend section thirty of the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487), entitled "An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," by further regulating the check-up of registered electors.

He also, from the Committee on Elections, reported as committed, Senate Bill No. 321, entitled:

An Act to further amend section thirty-one of the act, approved the seventh day of June, one thousand nine hundred thirty-seven (P. L. 1132), entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspector of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," by further regulating the check-up of registered electors.

He also, from the Committee on Banking, reported as committed, Senate Bill No. 488, entitled:

An Act to amend section 3 of the act, approved the twelfth day of June, one thousand nine hundred thirty-one (P. L. 568), entitled "An act to expedite and simplify the collection and payment by banks of checks and other instruments for the payment of money" by making further provision concerning the revocation of credits given by a bank for items drawn on or payable at such bank.

Mr. FARRELL, from the Committee on Municipal Government, reported as amended, House Bill No. 102, entitled:

An Act to amend section one of an act approved the twenty-sixth day of April, one thousand nine hundred and twenty-one (P. L. 278), entitled "An act providing that in computing the indebtedness of cities of the first class, the word 'indebtedness' shall include all manner of debt, and the net amount thereof shall be ascertained, as in the case of other municipal corporations, by deducting, from the gross amount thereof, the moneys in the treasury, all outstanding solvent debts, and all revenues applicable within one year to the payment of the same" by extending and describing the amounts deductible in determining the net debt of such cities, and providing a method for computing self-sustaining public improvement and public utility debt and non-electoral debt.

Mr. WAGNER, from the Committee on Education, reported as amended, Senate Bill No. 484, entitled:

An Act to amend article six, section six hundred and two of the act approved May 18, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by making further provision relating to the acquisition of real estate for the construction of school buildings.

Mr. COLEMAN, from the Committee on Municipal Government, reported as committed, Senate Bill No. 343, entitled:

An Act to further amend section fifteen of the act, approved the sixteenth day of May, one thousand nine hundred twenty-three (P. L. 207), entitled "An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances, and for water rents or rates, sewer rates, and lighting rates; for the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; the distribution of the proceeds of such sales, and the redemption of the property therefrom; for the lien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed, within six months before the passage of this act; and for the procedure on tax and municipal claims filed under other and prior acts of Assembly," by further providing for and preserving the lien of tax and municipal claims against properties heretofore or hereafter purchased by political subdivisions at sales held for the collection of taxes on municipal claims, or other judicial or statutory sales.

He also, from the Committee on Education, reported as committed, Senate Bill No. 510, entitled:

An Act to amend section four hundred eleven of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by providing for the appointment of two additional members of the Pennsylvania Historical Commission.

He also, from the Committee on Elections, reported as committed, House Bill No. 333, entitled:

An Act to reenact sections five hundred one five hundred two five hundred three five hundred four five hundred five and five hundred six of the act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections

He also, from the Committee on Elections, reported as committed, House Bill No. 334, entitled:

An Act to provide for the appointment of election officers to fill vacancies caused by the expiration of terms of election officers imposing duties on County Boards of Elections and conferring powers on courts of quarter sessions

He also, from the Committee on Municipal Government, reported as committed, House Bill No. 278, entitled:

An Act to further amend the title and section one of the act approved the twenty-eighth day of June, one thousand nine hundred and thirty-five (P. L. 477), entitled "An act providing for the payment of the salary, medical and hospital expenses of policemen and firemen by cities (except of the second class A), boroughs, towns, and townships who are injured in the performance of their duty; and providing that absence during such injury shall not reduce any usual sick leave period," extending the provisions of said act to cities of the second class A.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. EALY, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor, which were laid over for one day under the rules.

MEMBER OF THE BOARD OF TRUSTEES OF PENNSYLVANIA STATE ORAL SCHOOL FOR THE DEAF

Commonwealth of Pennsylvania,
Governor's Office. Harrisburg, March 6, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Elizabeth C. Fries, 1037 Wheeler Avenue, Scranton, Lackawanna County, for appointment as a Member of the Board of Trustees of Pennsylvania State Oral School for the Deaf, until the third Tuesday of January, 1951, and until her successor shall have been appointed and qualified, vice Mrs. Rachel J. Thomas, Dunmore, deceased.

EDWARD MARTIN.

JUSTICE OF THE PEACE UPPER MILFORD TOWNSHIP, LEHIGH COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 14, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Henry M. Miller, R. F. D. No. 1, Zionsville, Lehigh County, for appointment as Justice of the Peace in and for the the Township of Upper Milford, Lehigh Caunty, until the first Monday in January, 1946, vice Jesse W. Miller, deceased.

EDWARD MARTIN.

MEMBERS OF THE STATE BOARD OF UNDERTAKERS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 13, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the State Board of Undertakers:

Charles A. Fitzpatrick, Plymouth, Luzerne County, to serve until August 31, 1949, and until his successor shall have been appointed and qualified. (Reappointment)

Frank Pritchard, South Gibson, Susquehanna County, to serve until August 31, 1945, and until his successor shall have been appointed and qualified, vice George R. Huff, Lansdale, resigned.

EDWARD MARTIN.

MEMBER OF THE STATE BOARD OF OPTOMETRICAL EXAMINERS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 23, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Jerry F. Neill, 1707 Cheltenham Avenue, Montgomery County, Philadelphia P. O., for reappointment as a member of the State Board of Optometrical Examiners, for the term of four years, and until his successor is qualified.

EDWARD MARTIN.

MEMBERS OF THE BOARD OF TRUSTEES OF BLOOMSBURG STATE TEACHER'S COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 5, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Board of Trustees of Bloomsburg State Teachers' College:

R. S. Hemingway, 223 East Street, Bloomsburg, Columbia County, until the third Tuesday of January, 1949, and until his successor shall have been appointed and qualified. (Reappointment)

Mrs. Elsie A. Jones, 249 Market Street, Bloomsburg, Columbia County, for the term of six years, and until her successor is qualified. (Reappointment)

Earl V. Wise, Berwick, Columbia County, until the third Tuesday of January, 1945, and until his successor shall have been appointed and qualified, vice W. Clair Hidlay, Bloomsburg, whose term expired.

Thomas Morton, Berwick, Columbia County, until the third Tuesday of January, 1945, and until his successor shall have been appointed and qualified, vice Frank D. Croop, Berwick, whose term expired.

George L. Weer, 96 West Vaughn Street, Kingston, Luzerne County, until the third Tuesday of January, 1947, and until his successor shall have been appointed and qualified, vice M. Jackson Crispin, Berwick, resigned.

Howard S. Fernsler, 1704 West Norwegian Street, Pottsville, Schuylkill County, until the third Tuesday of January, 1949, and until his successor shall have been appointed and qualified, to fill a vacancy.

Fred W. Diehl, Danville, Montour County, until the third Tuesday of January, 1947, and until his successor shall have been appointed and qualified. (Reappointment)

Charles D. Steiner, Shamokin, Northumberland County, until the third Tuesday of January, 1947, and until his successor shall have been appointed and qualified, to fill a vacancy.

EDWARD MARTIN.

OATH OF OFFICE ADMINISTERED TO SECRETARY OF THE SENATE

Mr. HEYBURN. Mr. President, a short time ago we elected a Secretary of the Senate; the election having come as a complete surprise to the gentleman in question, he was absent, but he is now here.

I suggest, Mr. President, that the oath of office be now administered to the newly elected Secretary of the Senate.

Whereupon, in the presence of the Senate, oath of office was administered to G. Harold Watkins by Honorable John C. Bell, Jr., President of the Senate, Commonwealth of Pennsylvania.

REMARKS BY SECRETARY OF SENATE

Mr. WATKINS. Mr. President and Members of the Senate, I want to thank you from the bottom of my heart for the very high honor that has been bestowed upon me today. I have been away from the Senate for a few months and I feel that today I have returned. I thank you very much.

PERMISSION TO ADDRESS SENATE

Mr. CROWE asked and obtained unanimous consent to address the Senate.

Mr. CROWE. My distinguished colleagues Senators Wade, Carr, Cox and several other members of this body have already spoken at length in regard to the need of increased financial support for the Teachers Colleges of this Commonwealth. These Colleges are in need of this support because they are and have been in the past the "Peoples Colleges", where a poor person could get a higher education at a very lost cost. An education at a Teachers College is often obtained at a cost of one-half

or even one-third of what the expenses run at other institutions. Increased financial support is needed. During the past 20 years, using year 1929 as a base, state-aided institutions other than state teachers colleges have steadily received increased state appropriations until the appropriation for the 1943-1945 biennium was 142.4 per cent of the 1929 base. Such institutions are requesting an extension of this figure to 166 per cent of the 1929 allocation for the biennium 1945-1947.

If this request is granted, state-aided institutions other than state teachers colleges will receive the sum of $11,974,500 against $7,209,000 in 1929.

During the past 20 years, using the year 1929 as a base, state teachers colleges have received decreased state appropriations until the appropriation for the 1943-1945 biennium was 60.6 per cent of the 1929 base.

It is now proposed that this same sum be appropriated for 1945-947, with a minor differential of $100,000. The state teachers colleges would, therefore, receive $4,100,000 against $6,600,000 in 1929.

I am asking to be placed on the record the following:

Data in graphical and tabular form showing the above picture and marked "Exhibit A."

Suggested bases for appropriations during the biennium 1945-1947 and marked "Exhibit B".

Comparative figures showing state appropriations allocated to teachers colleges and other state-aided institutions from 1923 to 1945 and marked "Exhibit C".

Veterans and defense workers: For Vocational Education and Rehabilitation of Veterans and workers in defense plants all work along educational lines should be on a college level.

I am introducing at this time Legislation that will take care of that phase as far as the Teachers Colleges are concerned.

A Scholarship Bill has been introduced in the House to which I make the following objections:

That the bill discriminates against state teachers colleges unless scholarships can be used to defray all expenses incident to a college education.

That students who normally attend college would most likely be the ones benefited so that the needy student will not be materially helped.

That the selection of such large numbers of students on a purely scholastic basis is undemocratic.

That the elimination of the contingent fee at state teachers colleges, thereby extending the public school system into the field of higher education, would help the needy student the most and provide equalization of educational opportunity at the higher level.

That the bill permits liberal arts colleges and universities to eliminate students who are not acceptable, thereby establishing the principle of class legislation with the possibility of discrimination against students representing certain social groups.

That the principle of equal rights is definitely and specifically violated.

That the cost is out of all proportion to the benefits derived.

In my judgment such scholarships should be granted to graduate students only, this group being concerned with advanced study and research.

I also suggest that the Commission appointed to study the School System, extend its endeavors since the teachers colleges are the subject of controversy each two years, the matter of their number, the character of the work they should do, and their proper financial support should be settled permanently. To clarify their status, the present School Commission of the General Assembly should be assigned the task of studying the entire problem, assembling all pertinent facts, and making recommendations to the legislature in 1947.

And so Mr. President I read in place and present to the Chair three Bills: 1. Making an appropriation of $7,100,000 for the use of Teachers Colleges as outlined under "Exhibit B" that has been filed for the record and also a Bill making available 1,000 Scholarships of $500.00 each for a college year to cover tuition and other fees regularly charged to graduate students. And a bill making training available at teachers colleges to Veterans and Workers in Defense Plants.

"EXHIBIT B"

THE BUDGETARY NEEDS OF THE STATE TEACHERS COLLEGES FOR THE BIENNIUM 1945-1947 AS PRESENTED TO THE JOINT SUB-COMMITTEE OF THE SENATE AND HOUSE APPROPRIATION COMMITTEES BY THE PRESIDENTS, FEBRUARY 27, 1945

Bases For the Appropriation
(1945-1947)

		Amount
I.	Appropriation for 1943-1945	$4,000,000
II.	Net income from contracts reported by the Presidents for board, lodging, instruction, or any combination of these services, to civilian and/or armed forces personnel under Section 2002.1 during 1943-1945 which will not be available for 1945-1947	1,469,000
III.	Funds needed to classify faculty and other personnel in keeping with the state classification schedule as approved by the Executive Boards, effective September 1, 1944	1,070,000
		$6,539,000

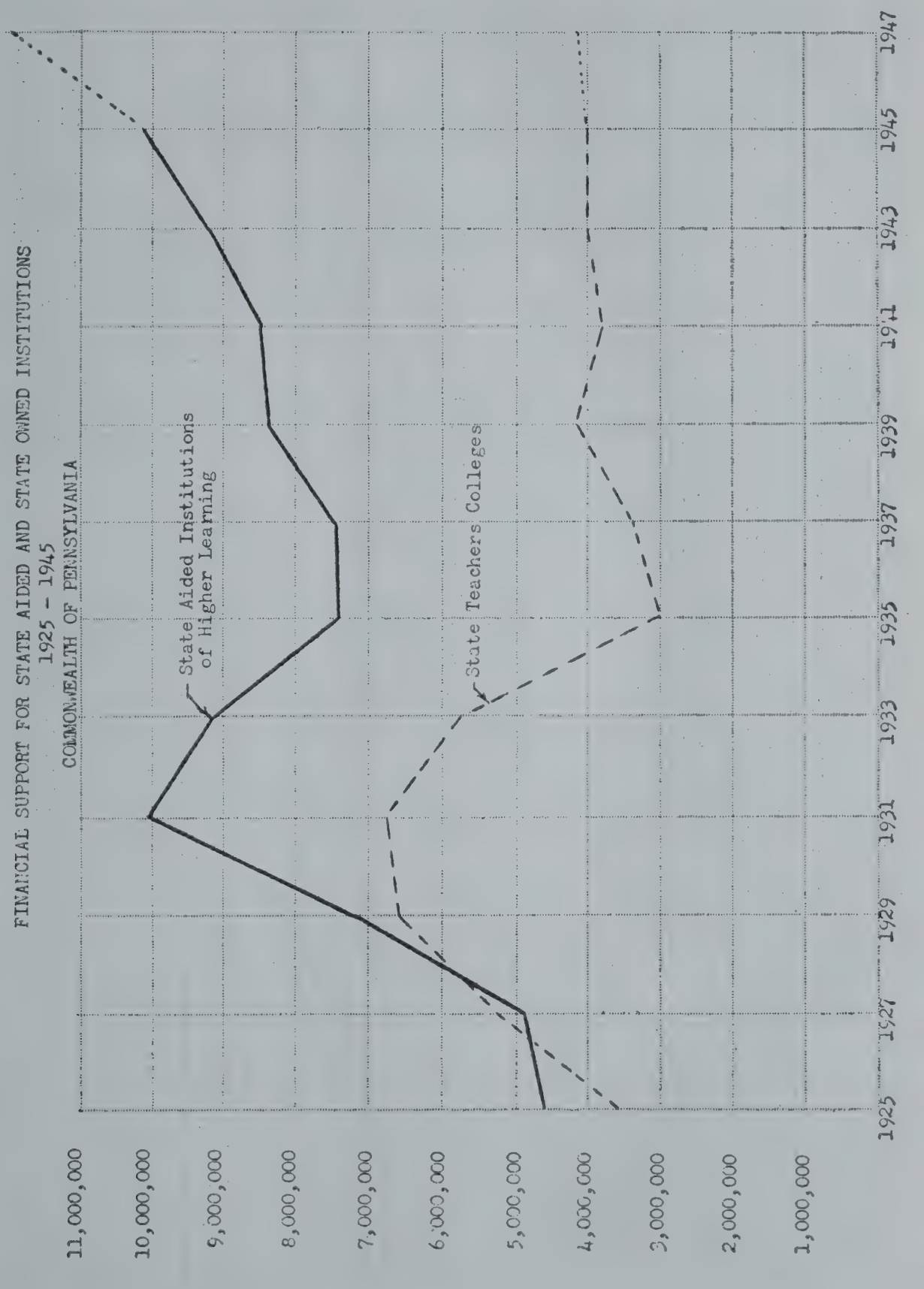
Notes

1. If contingent fees are to be eliminated in keeping with the intent of Section 2009, the amount needed is indicated as an additional sum to the foregoing total $720,000
2. It was apparent in the discussions that deferred maintenance items should be held in abeyance until the close of the war. It also seemed pertinent that, after deferred items are met, an amount equal to two percent (2%) of the value of property as shown in audits should be appropriated thereafter to provide adequately for the maintenance of the Colleges.

"EXHIBIT C"

State Appropriations (STC)		State Appropriations Other state-aided institutions	
Biennium	Appropriation	Biennium	Appropriation
1923-1925	$3,500,073	1923-1925	$4,628,000
1925-1927	5,297,000	1943-1945	10,179,000
1927-1929	6,600,000	1945-1947	11,600,000
1929-1931	6,856,000		
1931-1933	5,857,000		
1933-1935	3,000,000		
1935-1937	3,350,000		
1937-1939	4,152,000		
1939-1941	3,820,000		
1941-1943	4,000,00		
1943-1945	4,000,000		
1945-1947	4,100,000		

"EXHIBIT A"


FINANCIAL SUPPORT FOR STATE AIDED AND STATE OWNED INSTITUTIONS
1925 - 1945
COMMONWEALTH OF PENNSYLVANIA
State Aided Institutions of Higher Learning
State Teachers Colleges
11,000,000
10,000,000
9,000,000
8,000,000
7,000,000
6,000,000
5,000,000
4,000,000
3,000,000
2,000,000
1,000,000
1925
1927
1929
1931
1933
1935
1937
1939
1941
1943
1945
1947

STATE APPROPRIATIONS GRANTED TO INSTITUTIONS OF HIGHER LEARNING

for the Biennal Periods from June 1, 1923 to May 31, 1945

STATE AIDED Institution	1925	1927	1929	1931	1933	1935	1937	1939	1941	1943	1945
Hahneman Medical College	.....	.....	50,000	100,000	110,000	99,000	99,000	110,000	100,000	150,000	165,000
Jefferson Medical College.	.....	.....	135,000	150,000	180,000	162,000	75,000	125,000	125,000	150,000	165,000
Lincoln University	.....	.....	.....	.....	.....	.....	.....	50,000	50,000	75,000	100,000
Moore Institute	15,000	20,000	30,000	40,000	44,000	40,000	20,000	20,000	.....	30,000	33,000
Penn State College	2,168,000	2,358,000	4,000,000	6,311,000	5,060,000	3,708,000	3,708,000	4,275,000	4,460,000	5,050,000	5,290,000
Philadelphia Museum	25,000	25,000	30,000	35,000	35,000	30,000	30,000	30,000	27,000	27,000	30,000
Temple University	270,000	270,000	400,000	600,000	660,000	594,000	750,000	900,000	900,000	900,000	1,250,000
University of Pennsylvania	1,230,000	1,291,000	1,500,000	1,500,000	1,650,000	1,485,000	1,485,000	1,585,000	1,485,000	1,485,000	1,650,000
University of Pittsburgh .	900,000	900,000	1,000,000	1,200,000	1,320,000	1,188,000	1,188,000	1,188,000	1,238,000	1,238,000	1,376,000
Women's Medical College .	20,000	50,000	64,000	70,000	90,000	81,000	81,000	100,000	100,000	120,000	120,000
TOTAL	4,628,000	4,914,000	7,209,000	10,006,000	9,149,000	7,387,000	7,436,000	8,383,000	8,458,000	9,225,000	10,179,000
Per cent of 1929	64.2	68.1	100.0	138.9	126.9	102.3	103.3	116.4	118.3	129.0	142.4
STATE OWNED											
Combined State Teachers Colleges	3,573,000a	5,297,000b	6,600,000c	6,856,000d	5,857,000e	3,000,000	3,350,000f	4,152,000g	3,820,000h	4,000,000	4,000,000
Per cent of 1929	54.1	80.0	100.0	103.8	88.7	45.4	50.7	62.9	57.8	60.6	60.6

(a) Includes $73,000 Indebtedness.
(b) Includes $750,000 Construction and $47,000 Indebtedness.
(c) Includes $2,000,000 Construction.
(d) Includes $1,902,000 Construction.
(e) Includes $350,000 Construction.
(f) Includes $150,000 Construction.
(g) Includes $432,000 Construction.
(h) Includes $100,000 reduction in appropriation by Act 40A-1940.
All data verified by the Comptroller, Department of Public Instruction, Commonwealth of Pennsylvania

APPROPRIATIONS PROPOSED 1945—1947

STATE AIDED INSTITUTIONS	—	$11,974,500
Per cent of 1929	—	166.0
STATE TEACHERS COLLEGES	—	$ 4,100,000
Per cent of 1929	—	62.0

BILLS INTRODUCED AND REFERRED

Mr. CROWE read in his place and presented to the Chair Senate Bill No. 554, entitled:

An Act authorizing trustees of State Teachers Colleges to cooperate in certain vocational rehabilitation education programs.

Which was committed to the Committee on Education.

He also read in his place and presented to the Chair Senate Bill No. 555, entitled:

An Act to assist young men and women of the Commonwealth to obtain a higher education; providing for competitive examinations; placing certain duties upon the Department of Public Instruction; making an appropriation; and repealing certain laws.

Which was committed to the Committee on Education.

He also read in his place and presented to the Chair Senate Bill No. 556, entitled:

An Act making an appropriation to the Department of Public Instruction for the maintenance of scholarships in State Teacher's Colleges.

Which was committed to the Committee on Appropriations.

Mr. WALKER read in his place and presented to the Chair Senate Bill No. 557, entitled:

An Act to further amend subsection (c) of section one thousand three hundred five of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collecct taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by providing for reports and payment into the State Treasury of unclaimed funds in the hands of all county, borough, municipal and township officers upon the termination of their terms of office

Which was committed to the Committee on State Government.

Mr. FARRELL read in his place and presented to the Chair Senate Bill No. 558, entitled:

An Act to amend the title and the act, approved the twenty-first day of June, one thousand nine hundred thirty-seven (P. L. 1948), entitled "An act providing for the regulation by the Insurance Department of nonprofit corporations organized to provide hospitalization for subscribers; prescribing legal investments for the funds of such corporations, and the hospitals with which such corporations may enter into contracts for hospitalization; conferring powers on the Insurance Department and the Department of Welfare; exempting such corporations from taxation; and providing penalties," by authorizing such nonprofit corporations to provide, in addition to hospitalization, medical services for subscribers, prescribing limitations as to the control over all matters, disputes or controversies relating to medical services and the fees to be paid doctors of medicine, and to the medical representatives on the board of directors of such corporation providing medical services.

Which was committed to the Committee on Public Health.

He also read in his place and presented to the Chair Senate Bill No. 559, entitled:

An Act to further amend section four and to amend section two hundred eighteen of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289), entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by providing for, and regulating the incorporation of, nonprofit corporations organized to provide hospitalization, or hospitalization and medical service for subscribers; and conferring powers on the Insurance Department with respect thereto; and further defining the scope of the act.

Which was committed to the Committee on Public Health.

Mr. WAGNER read in his place and presented to the Chair Senate Bill No. 560, entitled:

An Act to amend sections two hundred five, two hundred six, five hundred one, five hundred two, five hundred five, five hundred six and eight hundred seven of the act, approved the fifth day of August, one thousand nine hundred forty-one (P. L., 752), entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth; vesting in the State Civil Service Commission and a Personnel Director certain powers and duties; providing for classification of positions, adoption of compensation schedules and certification of payrolls; imposing duties upon certain officers and employes of the Commonwealth; authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service; defining certain crimes and misdemeanors; imposing penalties; making certain appropriations, and repealing certain acts and parts thereof," by further regulating and improving the civil service of certain departments and agencies of the Commonwealth.

Which was committed to the Committee on State Government.

Mr. SNOWDEN read in his place and presented to the Chair Senate Bill No. 561, entitled:

An Act to amend section one of the act, approved the twenty-eighth day of May, one thousand nine hundred forty-three (P L. 796), entitled "An act establishing as state highways, certain highways and requiring their construction, repair and maintenance as such," by limiting the highways and structures which may become the responsibility of the Commonwealth thereunder.

Which was committed to the Committee on Highways.

Mr. BOWERS read in his place and presented to the Chair Senate Bill No. 562, entitled:

An Act to further amend section two of the act, approved the first day of June, one thousand nine hundred thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways, and providing for their construction and maintenance at the expense of the Commonwealth," by changing a certain route.

Which was committed to the Committee on Highways.

Mr. KEPHART read in his place and presented to the Chair Senate Bill No. 563, entitled:

An Act prohibiting the sale of surplus property as defined in the Federal Surplus Property Act of 1944 by or to certain persons using words or names indicating an official relationship with the United States government; making exceptions in certain cases and imposing penalties.

Which was committed to the Committee on Judiciary Special.

PERMISSION TO ADDRESS SENATE

Mr. HOLLAND asked and obtained unanimous consent to address the Senate.

Mr. HOLLAND. Mr. President, in presenting this bill to the Senate I would like to speak briefly on its purpose.

As members of the Senate know, this morning a meeting of the committee on Judiciary General was called, to hold a public hearing in connection with a man by the name of A. O. Vorse, of the city of Harrisburg, who has been for some time sending throughout the state of Pennsylvania anti-Semetic literature, about a class of people. Most of it, in fact all of it, was based on lies and propaganda over a period of years, and it has no basic fact or truth

Unfortunately, the committee did not meet at the exact hour and Mr. Vorse, being there at nine o'clock, did not wait until the chairman of the committee arrived at nine-fifteen.

In the discussion that followed, the legal minds of the members of the Judiciary General Committee expressed the opinion there was not very much you could do in Pennsylvania against a man who would use either the mails, the radio, or any means of communication for attacking a class of people, or a race, creed or color.

I believe today, on top of this meeting, what is happening at the fronts in Europe, that it is pertinent to present a bill that would give power to the authorities of Pennsylvania to stop once and for all those people who believe they belong to a superior race because they belong to a certain religion or their skin is a certain color.

Today we learned in the press that for the first time in the history of the United States Army, black and white men are fighting side by side in the same outfit.

I want to read for the benefit of the Senators a release out of Paris, which appeared in the Pittsburgh Press yesterday evening. It is as follows:

"NEGROES VOLUNTEER FOR COMBAT DUTY

"PARIS, March 19 (UP)—A Stars and Stripes dispatch from the First Army front said today that Negro and white troops are fighting side by side in infantry companies of the First and Seventh Armies.

"The Army newspaper said this resulted from repeated requests by Negro units to enter the combat zone. The Negro units were selected from thousands of rear supply zone applicants who volunteered, it added.

"The Stars and Stripes report said Lt. Gen. John C. H. Lee, Service of Supply commander, told the Negro volunteers:

"It is planned to assign you without regard to race or color to units where your assistance is most needed. Comrades at the front are anxious to share the glory and victory with you.

"Your relatives and friends are urging that you be granted the privilege. The Supreme Commander is confident that many of you will take advantage of the opportunity to carry on in keeping with the glorious record of colored troops in former wars."

So, Members of the Senate, we find black and white, Jew and Gentile, fighting for a cause, fighting for a way of life we all enjoy. I say to you it is time that we in the state of Pennsylvania place on our statute books ways and means to bring into court and punish those people who are trying to destroy the American way of life by an attack on any group or groups of people.

Therefore I am reading in place and presenting to the Chair a bill making anyone liable, any group, subject to prosecution.

BILLS INTRODUCED AND REFERRED

Mr. HOLLAND read in his place and presented to the Chair Senate Bill No. 564, entitled:

An Act to add section four hundred twelve point one to the act approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," defining a group libel; making it unlawful to publish it; and providing penalties.

Which was committed to the Committee on Judiciary General.

Mr. BARR read in his place and presented to the Chair Senate Bill No. 565, entitled:

An Act to further amend subsection (f) of section three, and the first paragraph of section four of the act approved the thirty-first day of July, one thousand nine hundred forty-one (P L. 644), entitled "An act to authorize housing authorities to undertake the development or administration of projects to provide safe and sanitary dwellings for persons engaged in national defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof; to limit the initiation of the development of such projects until December 31, 1943; to authorize housing authorities to cooperate with or act as agent of the Federal Government in the development and administration of such projects of the Federal Government, to acquire or lease such projects and to sell or lease certain projects to the Federal Government; to authorize public bodies to assist such proj-

ects of housing authorities and of the Federal Government to provide safe and sanitary dwellings for persons engaged in national defense activities," by extending the time in which the development of projects may be initiated thereunder.

Which was committed to the Committee on State Government.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President, on behalf of Senators Rosenfeld, Holland and myself, I am about to present to the Chair a bill, with the request that it be sent to the same committee that now has the fair employment practice act—it is the Senate version of the so-called Brown bill—in order that the Senate may at a public hearing take up both bills.

The PRESIDENT. The only prerogative of the President of the Senate is the placing of bills in committees, but the request of the gentleman from Westmoreland will receive the usual careful consideration to which it is entitled.

BILLS INTRODUCED AND REFERRED

Messrs. DENT, ROSENFELD and HOLLAND read in place and presented to the Chair Senate Bill No. 566, entitled:

An Act to eliminate and prevent discrimination in employment because of race, creed, color, national origin or ancestry, by employers, labor organizations, or other persons; creating the State Fair Employment Practice Commission as an independent administrative commission of the State Government; prescribing its powers and duties; defining discriminatory employment practices; authorizing the issuance and enforcement of cease and desist orders; providing for appeals to and conferring powers and imposing duties on the Court of Common Pleas and the Superior Court; and prescribing penalties.

Which was committed to the Committee on Labor and Industry.

Messrs. STEVENSON, MALLERY and GOURLEY read in place and presented to the Chair Senate Bill No. 567, entitled:

An Act to further amend section two of the act, approved the twenty-eighth day of June, one thousand eight hundred and ninety-five (P. L. 408), entitled "A supplement to the twenty-fourth section of an act, entitled 'An act to provide revenue by taxation, approved the seventh day of June, one thousand eight hundred and seventy-nine,' approved the first day of June, one thousand eight hundred and eighty-nine, amending the twenty-fourth section, by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth," by providing a method for the allocation of the tax on premiums of foreign fire insurance companies to cities, boroughs, towns and townships for firemen's relief fund associations uses.

Which was committed to the Committee on Municipal Government.

Mr. GELTZ read in his place and presented to the Chair Senate Bill No. 568, entitled:

An Act regulating the appointment promotion, suspension, reduction, and reinstatement of certain employes in bureaus of police and park police in the bureau of parks in cities of the second class; defining the powers and duties of civil service commissions for such purpose in said cities; and repealing inconsistent legislation.

Which was committed to the Committee on Municipal Government.

Mr. KEPHART read in his place and presented to the Chair Senate Bill No. 569, entitled:

An Act to further amend sections three and four of the act, approved the twentieth day of May, one thousand nine hundred fifteen (P. L. 566), entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities, and all county or other public employes, if any, paid by appropriation of the city councils thereof, and out of the treasury of said cities; and regulating the administration and the payment of such pensions," making employes eligible for pensions after twenty years of service.

Which was committed to the Committee on Municipal Government.

REPORT FROM COMMITTEE

Mr. WALKER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER on behalf of Mr. WOODWARD, from the Committee on Municipal Government, reported as committed, Senate Bill No. 523, entitled:

An Act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts, and vocational school districts; conferring powers and imposing duties on tax collectors, courts and various officers and said political subdivisions; and prescribing penalties.

RESOLUTION

EMPLOYE OF THE SENATE

Mr. TALLMAN offered the following resolution which was twice read, considered and agreed to:

In the Senate, March 20, 1945.

Resolved, that the following persons be elected officers and employees of the Senate, as is provided for by the Act of Assembly:

CLERK TO COMMITTEE

Margaret Bloomberg, vice C. Howard Tilly, Kennett Square, Pa., resigned.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. EALY. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by

His Excellency, the Governor of the Commonwealth, on March 20, 1945.

Mr. CHAPMAN. Mr. President, I second the motior

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 20, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

ALLEGHENY COUNTY

Harry Grove, Glassport, March 24, 1945.

LUZERNE COUNTY

Bert R. Ardoline, Pittston, March 24, 1945.

INDIANA COUNTY

R. E Walbeck, Homer City, March 26, 1945.
C. L. Longwill, Clymer, April 1, 1945.

WESTMORELAND COUNTY

O. C. Harrold, Greensburg, April 1, 1945.

PHILADELPHIA COUNTY

Miss Catharine C. McKenna, Phila., 5141-43 Chestnut St., April 11, 1945.

WASHINGTON COUNTY

Mrs. Alma Wagner, Cecil Twp., Cecil, April 11, 1945.

EDWARD MARTIN.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 20, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Eliza Jane Fraser, Pittsburgh, 220 Shiloh St, (11).
C. R. Murphy, Pittsburgh, 1600 Grant Bldg.

BLAIR COUNTY

Mrs. Margaret T. Crider, Altoona.
Miss Beverlee Hayes, Hollidaysburg.

BUTLER COUNTY

Howard Merland Greenawalt, Evansburg.

CAMERON COUNTY

Mrs. Mildred H. Spence, Emporium.

CUMBERLAND COUNTY

Frederick J. Templeton, Carlisle.

INDIANA COUNTY

Miss Bessie McIntire, Blairsville.

LACKAWANNA COUNTY

Preston Badger, Scranton
Miss Dorothy E. Judge, Carbondale.

LANCASTER COUNTY

Leo Halpern, Manheim Twp., R. D. No. 1, Prince and Chestnut Sts., Lancaster.
Walter A. Herr, Lancaster.

NORTHAMPTON COUNTY

Placid Mammana, Easton.
Paul P. Ruyak, Bethlehem.

PHILADELPHIA COUNTY

Miss Ruth M. Emerson, Phila, Lasher Bldg., 1309 Noble St.
Morris Kauffman, Phila., 2919 W. Oxford St. (21)
Mrs. Isabel Powell Pinket, Phila., Powell Funeral Home, 2417 N. 27th St.

WARREN COUNTY

Miss A. Callie Mead, Warren.
Frank B. Miller, Warren.

WASHINGTON COUNTY

Harold A. Pete, Donora

WESTMORELAND COUNTY

Mrs. Nellie M. Harrold, Greensburg.

YORK COUNTY

Miss A. Jane Schellhaas, York.

EDWARD MARTIN.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. EALY and M. CHAPMAN, That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Kephart,	Stevenson,
Becker,	Ealy,	Klein,	Stiefel,
Berger,	Edmonds,	Leader,	Tallman,
Blass,	Farrell,	Letzler,	Taylor,
Bowers,	Geltz,	Mallery,	Thomas,
Carr,	Gourley,	Margie,	Troutman,
Chapman,	Haluska,	McCreesh,	Tyler,
Coleman,	Heyburn,	McGinnis,	Wade,
Cox,	Holland,	Rosenfeld,	Wagner,
Crider,	Homsher,	Ruth,	Walker,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Jones,	Snowden,	Woodring,

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 224, as follows:

An Act to extend the lien of taxes and municipal claims and the period for the redemption of real property where the commencement of proceedings or actions for the collection of taxes or municipal claims or sales for the collection thereof are stayed by a court pursuant to the Soldiers' and Sailors' Civil Relief Act of 1940

or the period for the dedemption of real property expires before the end of six months after termination of the military service of a person having the right to redeem such real property

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever pursuant to the provisions of the Soldiers' and Sailors' Civil Relief Act of 1940 enacted by the Congress of the United States and the amendments thereto a sale of any real property owned and occupied for dwelling professional business or agricultural purposes by a person in military service or his dependents at the commencement of his period of military service and still so occupied by his dependents or employes to enforce the collection of a delinquent tax or municipal claim or the commencement of any proceeding or action for such purposes is stayed by any court of record of this Commonwealth the lien of the tax or of a tax or municipal claim affected thereby shall not be lost In all such cases the time fixed by statute for any such sale or the commencement of any such proceeding or action and the lien of the tax or the tax or municipal claim is hereby extended for a period equal to the time during which the stay of the court was effective

Section 2 Whenever the real property owned and occupied for dwelling professional business or agricultural purposes by a person in the military service or his dependents at the commencement of his military service and still so occupied by his dependents or employes has been sold to enforce the collection of any tax or municipal claim and such person in military service has the right to redeem the same and the period of redemption shall expire at any time before the expiration of six months after the termination of the military service of such person the period of redemption as to such real property shall be extended and such person in military service shall have the right to redeem such property at any time not later than six months after the termination of the military service of such person

Section 3 This act shall become effective immediately upon final enactment and shall remain in force so long as the United States is engaged in the present war and for six months after such war has been terminated by a treaty of peace proclaimed by the President of the United States

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Kephart,	Stevenson,
Becker,	Ealy,	Klein,	Stiefel,
Berger,	Edmonds,	Leader,	Tallman,
Blass,	Farrell,	Letzler,	Taylor,
Bowers,	Geltz,	Mallery,	Thomas,
Carr,	Gourley,	Margie,	Troutman,
Chapman,	Haluska,	McCreesh,	Tyler,
Coleman,	Heyburn,	McGinnis,	Wade,
Cox,	Holland,	Rosenfeld,	Wagner,
Crider,	Homsher,	Ruth,	Walker,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Jones,	Snowden,	Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 320, as follows:

An Act to amend the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 319) entitled "An act authorizing the waiver of trial by jury in certain criminal cases and the trial of such cases by a judge without a jury regulating such trials and conferring a jurisdiction upon the judges of the several courts in such cases" by extending the act to all cases except murder and treason

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 319) entitled "An act authorizing the waiver of trial by jury in certain criminal cases and the trial of such cases by a judge without a jury regulating such trials and conferring a jurisdiction upon the judges of the several courts in such cases" is hereby amended to read as follows

Section 1 That in all criminal cases except [where a sentence of death or imprisonment of ten years or more may be imposed] murder and treason the defendant shall have the privilege with the consent of his attorney of record the judge and the district attorney to waive trial by jury Such waiver must be in writing signed by the defendant and shall operate as an election by the defendant to be tried by a judge without a jury

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Kephart,	Stevenson,
Becker,	Ealy,	Klein,	Stiefel,
Berger,	Edmonds,	Leader,	Tallman,
Blass,	Farrell,	Letzler,	Taylor,
Bowers,	Geltz,	Mallery,	Thomas,
Carr,	Gourley,	Margie,	Troutman,
Chapman,	Haluska,	McCreesh,	Tyler,
Coleman,	Heyburn,	McGinnis,	Wade,
Cox,	Holland,	Rosenfeld,	Wagner,
Crider,	Homsher,	Ruth,	Walker,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Jones,	Snowden,	Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 373, as follows:

An Act to further amend the act approved the nineteenth day of June one thousand nine hundred thirty-one (P. L. 589) entitled as amended "An act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering regulating barber shops and barber schools and apprentices and students therein regulating compensation for service rendered conferring certain powers and duties on the Department of Public Instruction and providing penalties" by further regulating the practice of barbering and the registration of barber shops managers and owners of barber shops barbers teachers of barbering students and apprentices

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections three four and five of the act ap-

proved the nineteenth day of June one thousand nine hundred thirty-one (P. L. 589) entitled as amended "An act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering regulating barber shops and barber schools and apprentices and students therein regulating compensation for service rendered conferring certain powers and duties on the Department of Public Instruction and providing penalties" as last amended by the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1689) are hereby further amended to read as follows

Section 3 Any person not holding a certificate of registration under the provisions of the preceding section and desiring to obtain a license under this act shall make application under oath or affirmation in such form as the department shall prescribe Such application shall be accompanied by an affidavit which shall be made by a practicing physician and shall set forth that the applicant was examined that a test of his or her blood was made and that he or she is free from all contagious and infectious disease is a citizen of the United States or has filed a declaration of intention The applicant at the time of filing such application and affidavit shall pay to the department an examination fee of five dollars or such other fee as may be fixed by the department and shall present himself or herself at the next examination of applicants as hereinafter provided The department shall thereupon proceed to examine such person after being satisfied that he or she is above the age of sixteen years free from contagious and infectious disease has a certificate showing graduation from an eighth grade school or its equivalent and has either (a) studied the occupation for a period of two years covering a period of at least 2500 hours as a registered apprentice under a qualified and practicing barber as hereinafter provided or (b) studied the occupation and trained as a registered student in a registered and properly appointed and conducted barber school under the instruction of a registered teacher for a period of at least six months and served at least eighteen months covering a period of at least 1500 hours as an apprentice with a registered barber Under no circumstances shall a student or apprentice receive wages directly or indirectly for service rendered If the department is satisfied as a result of the examination the applicant is possessed of requisite skill in said occupation to properly perform all the duties thereof including his or her knowledge and ability in the antiseptic preparation of tools shaving hair cutting and all the duties and services incident thereto and is possessed of sufficient knowledge concerning the common diseases of the fact and skin to avoid the aggravation and spreading thereof in the practice of said occupation and the knowledge of the Barber's Licensing Laws and rules and regulations of the department adopted thereunder it shall enter his or her name in the register hereinafter provided for and shall issue a certificate of registration to him or her authorizing him or her to practice such occupation in registered barber shops or to practice such occupation as an owner or manager of a registered barber shop or shops or to teach in registered barber schools as the case may be Any person holding a certificate as a teacher or as an ower or manager may practice as a barber in any registered barber shop

Any person who has been honorably discharged from service with the armed forces of the United States and who takes an examination for licensure under the provisions of this act shall have ten per centum added to his or her examination score

Any person registered as an apprentice barber prior to induction into the armed forces of the United States may be admitted to an examination for licensure under the provisions of this act upon presentation of his or her certificate of honorable discharge from such service within one year from date thereof

For any person to be registered as an owner or manager of a barber shop he must be at least twenty-one years of age and have had at least two years experience as a registered barber in the State of Pennsylvania The examination for a certificate as an owner or manager shall differ from the examination for a barber's certificate in that it shall endeavor to determine in addition to the applicant's qualifications as a barber whether or not he is qualified to properly train apprentices and to conduct a shop in accordance with the provisions of this act and the rules and regulations adopted by the department under the provisions of this act Nothing contained in this act shall be so construed as to require a non-practicing owner of a barber shop to be personally registered under the act

For any person to be registered as a teacher in a barber school he must be at least twenty-three years of age a graduate from an approved high school or its equivalent and have had either (a) at least five years' experience as a registered barber in a registered barber shop in the State of Pennsylvania or (b) training in a registered barber school of at least fifteen hundred hours in not less than ten months and in addition thereto two years' experience as a registered barber in the State of Pennsylvania or in lieu of [subsections (a) and (b) hereof] the aforesaid requirements he must have had fifteen years experience as a barber five years of which experience shall have been as a registered barber in a registered barber shop in this State The examination for a teacher's certificate shall differ from the examination for a barber's certificate in that it shall be of a more exacting nature and require higher standards of knowledge of the practice and theories of barbering including ability to teach properly the various practices and theories of barbering physiology hygiene elementary chemistry relating to sterilization and antiseptics massaging and manipulating the muscles of the face neck scalp hair cutting bobbing shaving and trimming the beard dyeing the hair and the Barber Laws of this State and the rules and regulations adopted by the department and advisory committee The registration fee for teachers shall be five dollars and the annual renewal fee shall be five dollars

Section 4 (a) Any person who is at least eighteen years of age and of good moral character and temperate habits and has a certificate showing graduation from an eighth grade school or an equivalent education as determined by an examination conducted by the department and either (1) Has a license or certificate of registration as a practicing barber from another state or country which has substantially the same requirements for licensing or registering barbers as required by this act or (2) can prove by sworn affidavits that he has practiced as a barber in another state or country for at least five years immediately prior to making application in this State shall upon the payment of the required fee be granted permission to take an examination to determine his fitness to receive a certificate of registration to practice barbering Should he fail to pass the examination upon payment of the required fee he may take one other examination if he so desires In no event shall he or she be permitted to practice barbering until he or she has received a certificate of registration as a registered barber

Section 5 Nothing in this act shall prohibit any person from serving as an apprentice in such occupation under registered [barber of] owner or manager of a barber shop in this Commonwealth or from serving as a student in any barber school for the training of students in said occupation under the training of a duly registered teacher authorized to teach such occupation in this Commonwealth Provided That such apprentice or student shall apply to the department to have his or her name registered with the department in a book which shall be kept by the department and secure a permit upon the payment of a fee of [one dollar] two dollars which permit shall be valid for two years to practice as an apprentice under a duly registered [barber] owner or manager or as a student under a duly registered teacher such permit to be displayed in front of his or her working chair Students upon graduation from a registered barber school and having served eighteen months' apprenticeship in a barber shop and apprentices upon completion of two years' apprenticeship in a barber shop as hereinbefore

specified shall make application for examination at the next regular period specified in this act In case the applicant fails to pass such examination he or she shall secure a new apprentice permit upon the payment of a fee of one dollar which shall be valid until the next succeeding examination

Apprentice permits not exceeding two to practice as an apprentice barber may be issued at the discretion of the department

Section 2 Section six of said act is amended to read as follows

Section 6 The department shall hold public examinations on the [first Tuesdays] second Mondays in March June September and December in the city of Philadelphia Pittsburgh Scranton Harrisburg and Erie at such hours as the board shall prescribe

Section 3 Section seven of said act as last amended by the act approved the fifth day of June one thousand nine hundred thirty-seven (P L. 1689) is hereby further amended to read as follows

Section 7 The department shall furnish to each person to whom a certificate of registration is issued a certificate stating that the holder thereof is entitled to practice the occupation of barbering in any registered barber shop or to practice the occupation of barbering as an owner or manager of a registered barber shop or to teach in registered schools of barbering as the case may be The holder of such certificate shall display the same in a conspicuous place in front of his or her working chair where it may be readily seen by all persons whom he or she may serve A separate shop registration certificate shall be furnished to the owner of each barber shop registered under this act which shall be displayed with the certificate of the owner or manager actually conducting such shop

Section 4 Section eight of said act as last amended by the act approved the ninth day of May one thousand nine hundred thirty-five (P. L. 158) is hereby further amended to read as follows

Section 8 [The certificate] Each of the aforesaid certificates shall be renewed on or before the first day of [January] April in each year and the holders of said certificates of registration shall pay to the department the sum of two dollars or such other sum as may be fixed by the department for a renewal card Any holder of a certificate of registration who shall fail to apply for a renewal of his or her certificate or of a shop certificate as the case may be on or before the first day of [January] April in each year and who continues the practice of barbering or any of its branches or continues the operation of such shop shall on conviction thereof before any magistrate alderman or justice of the peace be subject to a fine of not more than ten dollars to be collected by summary conviction as like fines are collected by law or in case of non-payment of the fine to undergo an imprisonment for a period not exceeding ten days Any such person shall have the right of appeal as in other cases of summary conviction

Section 5 Sections nine and ten of said act as last amended by the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1689) are hereby further amended to read as follows

Section 9 The department may suspend or revoke any permit or certificate of registration granted by it under this act to any person who (a) habitually indulges in the use of ardent spirits narcotics or other stimulants to such an extent as in the opinion of the department incapacitates such person from the duties of a barber (b) has or imparts any contagious or infectious disease to any recipient of such person's services as a barber (c) performs work in any unsanitary or filthy manner or place of business (d) who is grossly incompetent (e) who conducts his business of barbering on Sundays (f) who displays any price list for barber services in or upon any part of premises of a barber shop in such manner that such list shall be visible from the outside of the barber shop [section] (g) unethical or dishonest practice or conduct (h) employing an unlicensed person Before any such permit or certificate shall be suspended or revoked for any of the reasons contained in this section the holder thereof shall have notice in writing of the charge or charges against him or her and shall at a day specified in said notice which shall be at least five days after the service thereof be given a public hearing before a duly authorized representative of the department with a full opportunity to produce testimony in his or her behalf and to confront the witnesses against him or her Any person whose permit or certificate of registration has been so suspended or revoked may [after the expiration of ninety days] on application have the same reissued to him or her upon satisfactory showing that the disqualification has ceased except where such certificate was suspended or revoked for having or imparting any contagious or infectious disease in which case a new certificate shall not be issued for a period of at least one year and then only after the provisions of this act have been fully complied with by such person in the same manner as if he or she had never been registered

Section 10 The department may adopt reasonable rules and regulations prescribing the sanitary requirement of each barber shop or barber school in cooperation with the Department of Health and shall cause the rules and regulations so approved to be printed in a suitable form and may transmit a copy thereof to the proprietor or person operating such barber shop or school which shall at all times be kept conspicuously displayed in such shop or school It shall be unlawful for any person to own or manage a barber shop open for business unless such shop is registered for the current year or to open either a new barber shop or move his shop to another place or take over as owner an existing barber shop until he or she has filed an application with the department for the inspection [and] approval and registration of such shop It is further provided that no barber shop may open for business until said inspection has been had and the shop approved and registered It shall be unlawful for any person to sleep in or for any owner or manager to permit any person to sleep in or use for residential purposes any room used as a barber shop or a school of barbering All rooms used for such purposes shall be used for barbering purposes [exclusively] manicuring shoe shining and such allied business as may be approved by the department Any officer or duly authorized agent of the department may enter and make reasonable examination of any barber shop or barber school during the business hours for the purpose of ascertaining the sanitary conditions thereof and ascertaining whether the shop or school and all persons working therein are properly licensed and registered Any barber shop barber school or tools appliances and furnishings in use therein kept in an unclean and unsanitary condition as to be a danger to health or to the creation and spreading of infectious and contagious diseases is hereby declared to be a public nuisance and the department may suspend or revoke the certificate of the proprietor thereof or any person operating in such barber shop or school or the [permit] certificate hereinafter required for such shop or school or [both the certificate and permit] any or all of said certificates

Section 6 Section eleven of said act is hereby amended to read as follows

Section 11 The department shall keep a register in which shall be entered the names and addresses of the barber shops to which and the names of all persons to whom certificates of registration or permits for serving apprenticeship or as students are issued under this act which register shall be open to public inspection during the business hours of the department

Section 7 Sections twelve and thirteen of said act as last amended by the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1689) are hereby further amended to read as follows

Section 12 In no barber shop shall there be more than one apprentice who must be at all times under the supervision of a barber authorized under this act to practice such occupation All barber schools shall keep

prominently displayed at every entrance to said school a sign reading "Barber School" Any copartnership corporation or person desiring to operate or conduct a barber shop or barber school shall first secure from the department a [permit or] registration certificate [to do so] for such shop or school and shall keep the same prominently displayed The fee for registration of each barber shop shall be two dollars and the annual renewal fee shall be one dollars and the fee for registration of each barber school shall be fifty dollars and the annual renewal fee therefor shall be twenty-five dollars The department may pass upon the qualifications appointments and course of study in said school which shall be not less than six months All barber schools shall have not less than one registered teacher for every twenty students and in no case less than one full-time teacher who shall be in attendance at all times during the hours the school is open for instruction

No school of barbering shall be granted a certificate of registration unless it requires as a prerequisite to admission thereto graduation from an eighth grade school or its equivalent as determined by an examination conducted by the department and it shall attach to its staff as a part-time teacher a person licensed by the Commonwealth to practice medicine and employ and maintain a sufficient number of competent teachers registered as such and shall possess apparatus and equipment sufficient for the proper and full teaching of all subjects of its curriculum shall keep a daily record of the attendance of each student shall maintain regular class and instruction hours which shall not be less than seven nor more than eight hours per day the school is open for instruction shall establish grades and hold examination before issuance of diplomas and shall be required to maintain a course of study requiring not less than one thousand hours for completion in not less than six months and shall comprise all of the subjects pertaining to barbering the barber laws of this State and the rules and regulations adopted by the department and shall include practical demonstrations and theoretical studies and studies in sanitation sterilization and the use of antiseptics cosmetics and electrical applicanes consistent with the practical and theoretical requirements as applicable to barbering or any practice thereof

No school of barbering shall permit its students to practice barbering on the public under any circumstances except by way of clinical work upon persons willing to submit themselves to such practice after first being properly informed that the operator is a student No school of barbering shall directly or indirectly charge any money whatsoever for treatment by its students or for materials used in such treatment

Section 13 To shave or trim the beard to cut hair and to shape the eyebrows to give facial and scalp massaging facial and scalp treatment with any preparations made for this purpose either by hand or by mechanical or electrical appliances to singe and shampoo the hair or apply any makes of hair lotions or hair tonics and to dye hair of any person for compensation direct or indirect the person performing such service shall be construed as practicing the occupation of [barber] barbering within the meaning of this act No person shall practice or attempt to practice barbering for compensation directly or indirectly in any place other than a registered barber shop except that any registered barber in a registered barber shop may furnish barber services to persons at their place of residence or in institutions in cases of sickness incapacitation confinement and other emergencies Provided however That nothing contained in this section shall be construed to include hospitals or colleges and private schools for children so-called beauty shops or hair-dressing parlors or schools of beauty culture except that it shall be unlawful and a violation of this act for any person to employ or to accept employment in any such shops parlors or schools who has been refused a certificate by the department

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Kephart,	Stevenson,
Becker,	Ealy.	Klein.	Stiefel,
Berger,	Edmonds,	Leader,	Tallman,
Blass,	Farrell,	Letzler,	Taylor,
Bowers,	Geltz,	Mallery,	Thomas,
Carr,	Gourley,	Margie,	Troutman,
Chapman,	Haluska,	McCreesh,	Tyler,
Coleman,	Heyburn,	McGinnis,	Wade,
Cox,	Holland,	Rosenfeld,	Wagner,
Crider,	Homsher,	Ruth,	Walker,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Jones,	Snowden,	Woodring,

NAY—0

A majority of all the Senator having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 374, as follows:

An Act to further amend the third paragraph of section five of the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "'An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" making counties in which deceased service persons are buried liable for the cost of headstones

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The second paragraph of section five of the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" as amended by section one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 294) is hereby further amended to read as follows

Section 5 Markers for Graves Headstones

* * * * *

It shall also be the duty of the county commissioners of such county in which a deceased service person is buried upon or at any time subsequent to the death of [any] such deceased service person [who at the time of his or her death had his or her legal resident in the County] on application as hereinafter provided to cause a headstone or bronze memorial tablet to be placed at the head of or on the grave of each such deceased service person containing his or her name and the rank and organization to which he or she belonged or in which he or she served in letters raised or cut in at least three-sixteenths of an inch deep on such headstone to be of either marble or granite and to be placed or set in a concrete base at least three feet deep or if a headstone has been provided for such grave by the United States government the county commissioners shall provide such concrete base therefor or if lettering only on an existing memorial is desired by the family the county commissioners shall provide such lettering Application therefor shall in each case be made on forms prescribed by the

Department of Military Affairs and may be made by any relative of the deceased service person or by a friend provided in the latter case there is no objection by the nearest relative and the application is approved by an organization of veterans of any war in which the United States has been is now or shall hereafter be engaged The expenses in each case shall be borne by the county in which the deceased service person is buried without regard to the county in which he or she had his or her legal resident at the time of his or her death or whether or not he or she died in the county [and whether or not he or she was buried in the county] Provided however That the expenses shall not exceed the sum of fifty dollars ($50) for each headstone or concrete base or lettering or bronze memorial tablet and the county commissioners of each such county acting under this section shall draw a warrant on the treasurer of their county for the payment of said expenses in favor of the party or parties furnishing such headstone or concrete base or lettering or bronze memorial tablet No such payment or payments shall be made unless the application therefor shall be approved before the commencement of the project by the county commissioners

Section 2 The provisions of this act shall become effective ten days after its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Kephart,	Stevenson,
Becker,	Ealy	Klein,	Stiefel,
Berger,	Edmonds,	Leader,	Tallman,
Blass,	Geltz,	Letzler,	Taylor,
Bowers,	Gourley,	Mallery,	Thomas,
Carr,	Haluska,	Margie,	Troutman,
Chapman,	Farrell,	McCreesh,	Tyler,
Coleman,	Heyburn,	McGinnis,	Wade,
Cox,	Holland,	Rosenfeld,	Wagner,
Crider,	Homsher,	Ruth,	Walker,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Jones,	Snowden,	Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Mr. WADE. Mr. President, I ask unanimous consent that Senate Bill No. 376, on third reading, entitled:

An Act relating to investments by fiduciaries and repealing acts or parts of acts inconsistent herewith

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 382 on third reading, entitled:

An Act to amend section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by authorizing such townships to regulate parking

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 414 on third reading, entitled:

An Act to provide protection in all cases secured or to be secured by individual surety or sureties in courts of record or proceedings therein by specifying the requirements of such suretyship and the qualifications of such surety

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 423 on third reading, entitled:

An Act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities, counties and townships as herein defined; prescribing the rights, powers and duties of such Authorities; authorizing such authorities to acquire, construct, improve, maintain, and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such authorities, authorizing such authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof, conferring exclusive jurisdiction on certain courts over rates

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 425 on third reading, entitled:

An Act authorizing individual co-fiduciaries, in certain cases to consent to holding of investments in the name of their corporate co-fiduciaries' nominee, and validating such consents heretofore given

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 631 on third reading, entitled:

An Act approving ratifying and enacting into law the Ohio River Valley Sanitation Compact for the prevention abatement and control of pollution of the rivers streams and waters in the Ohio River drainage basin and making the State of Pennsylvania a party thereto creating the "Ohio River Valley Water Sanitation Commission" providing for the members of such commission from the State of Pennsylvania and providing for the carrying out of said compact after the conclusion of hostilities of the present war

go over in its order.

The PRESIDENT. Is there objection?

Mr. DENT. Mr. President, I do not object to this bill going over in its order, but I just want to clarify a statement made in the public press. It has been stated that the Democratic Minority has been holding up the Ohio River Compact. I am privileged to announce by our caucus that the entire minority group of eighteen votes stands ready to vote for this Ohio River Compact at any time the Majority is ready.

Mr. HEYBURN. As of this date?

Mr. DENT. Even yesterday, if you can go back.

The PRESIDENT. Is there any objection to the request that the bill go over in order? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 36, entitled:

An Act to add section seven hundred thirty-four to the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of this Commonwealth" making wilful abandonment or nonsupport of an aged or indigent person a misdemeanor and prescribing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 115 on second reading, entitled:

An Act to exempt from taxation for all local purposes certain property of hospitals universities colleges seminaries academies associations and institutions of learning benevolence or charity and declaring the public policy of the Commonwealth with respect to the exemption of said property from such taxation

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 170 on second reading, entitled:

An Act to amend section seven hundred one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" abolishing capital punishment in the case of murder of the first degree

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 222, entitled:

An Act abating certain tax penalties interest and costs on unpaid county city borough town township school district poor district and county institution district taxes with certain exceptions prohibiting the sale of real property for the non-payment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. DiSILVESTRO offered the following amendments:

Amend Sec. 1, Clause (a), page 2, line 15, by striking out the word "four", and inserting in lieu thereof the word "three". Amend Sec. 1, Clause (a), page 2, line 15, by striking out the hyphenated word "one-fourth", and inserting in lieu thereof the hyphenated word "one-third". Amend Sec. 1, Clause (a), page 2, line 17, by striking out the hyphenated word "one-fourth, and inserting in lieu thereof the hyphenated word "one-third". Amend Sec. 1, Clause (a), page 2, line 19, by inserting a lightfaced bracket before the hyphenated word "one-fourth", Amend Sec. 1, Clause (a), page 2, line 20, by inserting a lightfaced bracket after the hyphenated word "forty-seven". Amend Sec. 1, Clause (a), page 2, line 21, by striking out the hyphenated word "one-fourth", and inserting in lieu thereof the hyphenated word "one-third". Amend Sec. 1, Clause (a), page 2, line 22, by striking out the hyphenated word "forty-eight" and inserting in lieu thereof the hyphenated word "forty-seven".

They were agreed to.

The section was agreed to as amended.

The second, third, fourth, fifth,, sixth and seventh sections and title were read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading?

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 222 on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 225, on second reading, entitled:

An Act to amend sections one and two of the act approved the twenty-second day of May one thousand eight hundred and ninety-five (P. L. 111) entitled "An act providing for the divestiture of liens of taxes levied or assessed against lands sold at judicial sales and for the payment of the same out of the proceeds of such sales" requiring officers and persons conducting judicial sales to notify political subdivisions to file statements of taxes due on real estate to be sold at such sales; imposing duties on political subdivisions and certain officers having taxes for collection and on county commissioners providing for the discharge of tax liens where tax statements are not filed and clarifying the provisions of said act

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 296, on second reading, entitled:

An Act providing that taxes levied by political subdivisions of the Commonwealth on real estate of service persons shall not bear interest or be subject to penalties and providing for abatement of certain accrued interest and penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 344 on second reading, entitled:

An Act to further amend section five hundred and forty of the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" further defining the duties of the secretary to the board of supervisors and providing for the preservation and turning over to the successor in office of township records and for the destruction of certain records

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

PERMISSION TO ADDRESS SENATE

Mr. WALKER asked and obtained unanimous consent to address the Senate.

Mr. WALKER. Mr. President, I have been requested by the Republican Caucus to move that Senate Bill No. 371 be recommitted to the Senate Committee on County Government. I would like to say that this bill came out of the Committee on Judiciary General. I understand there are several bills which deal with various fee offices of the counties, in the Senate Committee on Judiciary General, and they are pooling it all into one bill so that they will all go through in one statute.

So for that purpose we are sending this bill back to the Chairman of the Committee on County Government, so that he will have it together with the other county fee office bills.

BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 371 on second reading, entitled:

An Act to further amend section two of the act approved the twelfth day of May one thousand nine hundred twenty-one (P. L. 548) entitled "An act providing for the depositing of money with the clerk of the several courts of quarter sessions and oyer and terminer or other courts of record having jurisdiction in this Commonwealth in lieu of bail and recognizances with surety or sureties in criminal or quasi criminal prosecutions desertion or nonsupport and surety of the peace cases pending in said courts and fixing the fees of the said clerk of the courts" by increasing the commission of clerks of courts on moneys held by them

be recommitted to the Committee on County Government.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 385, entitled:

An Act to amend clause two of subsection (b) and to further amend clause six of subsection (c) of section two hundred two of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by authorizing domestic stock and mutual fire and marine and casualty insurance companies to make insurance against all risk of loss of or damage to personal property

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. CROWE offered the following amendments:

Amend Sec. 1, page 2, line 1, by striking out the word "Clause" and inserting in lieu thereof: "Paragraph." Amend Sec. 1, page 2, line 1, by striking out the word "subsection" and inserting in lieu thereof "subdivision". Amend Sec. 1, (Sec. 202), page 2, line 18 by striking out the words "personal property". Amend Sec. 1, (Sec. 202), page 2, lines 21 and 22, by striking out the words "including all personal property floater risks". Amend Sec. 1, (Sec. 202), page 3, line 3, by inserting after the word "person" the following: "upon personal property owned by any individual other than

(a) motor vehicles, aircraft or water-craft (excepting canoes, rowboats, sail-boats less than twenty-one feet in length and outboard motor boats) or (b) personal property pertaining to the business, trade or profession of the insured, excepting professional books, instruments and other professional equipment owned by the insured) against all risks of loss or damage".

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. CROWE offered the following amendments:

Amend Sec. 2, page 3, line 5, by striking out the words "Clause six of subsection" and inserting in lieu thereof "Subdivision." Amend Sec. 2, page 3, lines 6, 7 and 8, by striking out the words "as last amended by the act" in line 6, all of line 7, and the words "dred forty-three (Pamphlet Laws 181)" in line 8. Amend Sec. 2, page 3, line 8, by striking out the word "further." Amend Sec. 2, page 3, line 9, by inserting after the word "amended" the following: "by adding thereto paragraph thirteen." Amend Sec. 2, (Sec. 202), page 3, line 13, by inserting a light face bracket before the figure "(6)." Amend Sec. 2 (Sec. 202), page 3, line 27, by inserting a light face bracket after the word "hazard." Amend Sec. 2. (Sec. 202), page 3, line 27, by striking out the words "and all personal property floater risks." Amend Sec. 2 (Sec. 202), page 3, by adding after line 27 the following:

(13) To insure against all risks of loss of or damage to personal property owned by any individual other than (a) motor vehicles, aircraft or water-craft, (excepting canoes, rowboats, sailboats less than twenty-one feet in length and outboard motor boats) or (b) personal property pertaining to the business, trade or profession of the insured (excepting professional books, instruments and other professional equipment owned by the insured).

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. CROWE offered the following amendments:

Amend title, page 1, first line of title, by striking out the word "clause" and inserting in lieu thereof "paragraph." Amend title, page 1, first line of title, by striking out the word 'subsection" and inserting in lieu thereof "subdivision." Amend title, page 1, lines 1 and 2, by striking out the words "further amend clause six of subsection" and inserting in lieu thereof "add a new paragraph thirteen to subdivision."

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 434, on second reading, entitled:

An Act to further amend sections twenty-one and thirty-one of and to add section twenty-one and one-tenth to the act approved the sixth day of August one thousand nine hundred forty-one (P. L. 861) entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth; establishing the 'Pennsylvania Board of Parole' conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases providing for the method of appointment of its members regulating the appointment removal and discharge of its officers clerks and employes dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the board and of certain other officers and employes thereof making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation" by further defining the jurisdiction duties powers and functions of the Pennsylvania Board of Parole

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 435, on second reading, entitled:

An Act to repeal certain sections of the act approved the nineteenth day of June one thousand nine hundred eleven (P. L. 1055) entitled "An act authorizing the release on probation of certain convicts instead of imposing sentences the appointment of probation and parole officers and the payment of their salaries and expenses regulating the manner of sentencing convicts in certain cases and providing for their release on parole their conviction of crime during parole and their rearrest and reconviction for breach of parole and extending the powers and duties of boards of prison inspectors of penitentiaries" as amended and supplied

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 455, on second reading, entitled:

An Act to amend section twenty-one of and add section twenty point one to the act approved the second day of June one thousand nine hundred thirty-three (P. L. 1433) entitled "An act defining the powers of the courts of quarter sessions the Municipal Court of Philadelphia and the County or Juvenile Court of Allegheny County with respect to the care guidance control trial placement and commitment of delinquent dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency neglect and dependency of children and amending revising and consolidating the law relating therto by defining the jurisdiction of the juvenile courts and making parents responsible for delinquency of children under the age of fourteen years and prescribing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 456, on second reading, entitled:

An Act to amend section four hundred nineteen of and to add section four hundred eighteen point one to the act approved the third day of June one thousand nine hundred thirty-three (P. L. 1449) entitled "An act establishing a court of record in the county of Allegheny for control care guidance treatment trial placement and commitment of delinquent neglected and dependent children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging delinquency neglect or dependency of children defining the jurisdiction and powers of the court and regulating procedure therein providing for the transfer thereto of certain powers functions and duties from other courts providing for the election of judges thereof the appointment of probation officers other necessary staff officials and assistants providing for housing of same and providing for detention facilities making the contributing to or encouraging of the delinquency neglect or dependency of children a misdemeanor and providing penalties" by defining the jurisdiction of the juvenile courts making parents responsible for delinquency of children under the age of fourteen years and prescribing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KEPHART. Mr. President, I ask unanimous consent that Senate Bill No. 457, on second reading, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" further revising and changing the penal laws of the Commonwealth

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KEPHART. Mr. President, I ask unanimous consent that Senate Bill No. 459, on second reading, entitled:

An Act to amend section six of the act approved the twelfth day of June one thousand eight hundred seventy-eight (P. L. 196) entitled "An act to consolidate revise and amend the penal laws of this Commonwealth" by fixing the time for the commencement and prosecution of indictments for certain felonies committed by certain persons

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JASPAN. Mr. President, I ask unanimous consent that Senate Bill No. 462, on second reading, entitled:

An Act establishing a mode of selecting and drawing jurors for counties of the first class and imposing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 468, entitled:

An Act authorizing the alteration, improvement and construction of buildings, equipment and facilities for the Pennsylvania Maritime Academy by the Navigation Commission for the Delaware River, and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 468 the bill just read, be recommitted to the Committee on Appropriations.

Mr. THOMAS. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 552, entitled:

An Act to further amend section two hundred twenty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth"' authorizing the use of eel chutes in the Delaware River above Easton

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

SENATE BILL No. 414 CALLED UP

Mr. KEPHART. Mr. President, I call up for consideration at this time Senate Bill No. 414, on the Third Reading Calendar.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 414, entitled:

An Act to provide protection in all cases secured or to be secured by individual surety or sureties in courts of record or proceedings therein by specifying the requirements of such suretyship and the qualifications of such surety

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. KEPHART. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the Amendments as follows:

Amend Act page 3, Section 2, lines 6 and 7 by striking out the entire lines. Amend Act page 3, Section 2, line 8, by striking out (h) and placing in lieu thereof (g). Amend Act page 3, Section 2, line 10, by striking out (i) and placing in lieu thereof (h). Amend Act page 3, Section 2, line 14, by striking out (j) and placing in lieu thereof (i). Amend Act page 3, Section 2, line 17, by striking out (k) and placing in lieu thereof (j). Amend Act page 3, Section 4, lines 24 and 25 by striking out the entire lines.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

BILL OVER IN ORDER

Mr. KEPHART. Mr. President, I ask unanimous consent that Senate Bill No. 414 on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

RESOLUTION

Mr. KEPHART. Mr. President, I move we return to the order of business of resolutions.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

SENATE CONCURRENT RESOLUTION CALLED UP

Mr. KEPHART. Mr. President, I call from the table Senate Concurrent Resolution, Serial No. 109, on page 137 of the Senate History.

The Clerk read the resolution as follows:

MEMORIALIZING CONGRESS TO PROPOSE AN AMENDMENT TO THE UNITED STATES CONSTITUTION LIMITING TENURE OF OFFICE OF PRESIDENT

In the Senate, February 7, 1945.

Be it Resolved (if the House of Representatives concur), That the General Assembly of the Commonwealth of Pennsylvania does hereby memorialize and petition the Congress of the United States to propose an amendment to the Constitution of the United States of America limiting the tenure of office of a President of the United States to not more than two consecutive terms, and be it

Resolved, That certified copies of this resolution properly authenticated be sent forthwith to the presiding officer of each house of the National Congress and to each of the United States Senators and Representatives from Pennsylvania

RESOLUTION ADOPTED

Mr. KEPHART. Mr. President, I move the adoption of Senate Concurrent Resolution, Serial No. 109.

Mr. EALY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

PARLIAMENTARY INQUIRY

Mr. COX. Mr. President, I rise on a parliamentary inquiry.

The PRESIDENT. The gentleman from Allegheny will proceed.

Mr. COX. Mr. President, if the Senate History is correct this resolution is in the Rules Committee, it has not been reported out of the rules committee, and therefore is improperly brought before the Senate for action at this time.

The PRESIDENT. Does the gentleman from Philadelphia, Senator Kephart, desire to make any reply.

Mr. KEPHART. Mr. President, about two weks ago this resolution was reported out from the Committee on Rules, and since that time it has been lying on the table. Therefore the History evidently is in error.

Mr. COX. Mr. President, I suggest that the matter be taken up with the office of the Secretary of the Senate, where, of course, any action by this body will be noted in the minutes.

(The Senate was at ease)

The PRESIDENT. The Chair announces that the stenographic records of the Senate stenographer show that on the ninteenth day of February, 1945, this resolution, previously introduced by Senator Kephart, memorializing Congress to propose an amendment to the United States Constitution limiting tenure of office of the President, was reported from the Rules Committee and now lies on the table. The Legislative Journal likewise shows exactly the same set of facts.

And the question recurring,

Will the Senate agree to the resolution?

Mr. McGINNIS. Mr. President, I have just picked up from my desk a copy of todays' Philadelphia Record, from which I will now read an article, as follows:

48 BILLIONS SAVED BY PUBLIC IN 1944

"The American public last year saved $48,000,000,000—more than ever before in the nation"s history.

"The unprecedented total, disclosed yesterday in a report of the Securities and Exchange Commission, includes money in banks, in bonds and stocks, in insurance reserves and 'under the mattress.'

"Forty billions of it are ready to spend—in the form of cash on hand or on deposit, Government bonds or other easily convertible holdings."

That is welcome news, I hope, to my friends on the other side, who have been worrying for twelve years about the New Deal, to learn here today that the income saved by the American people this year is more than the entire income of the United States under the last year of Herbert Hoover, and therefore I feel that this resolution is entirely out of place and that we ought to keep Roosevelt there for life, if our country is going to be lifted out of the dog's place where is was—it had gone to the dogs under Harding, Coolidge and Hoover—and when our country has been lifted up.

Before the war started it was 90 billions, more than double the income under the last year of the Hoover administration, and so I feel that limiting a president to two terms is not right; I might agree to five but nothing less than five.

Mr. DENT. I desire to interrogate the sponsor of this resolution.

The PRESIDENT. Will the gentleman from Philadelphia permit himself to be interrogated.

Mr. KEPHART. I will, Mr. President.

Mr. DENT. Will the gentleman from Philadelphia, Senator Kephart, tell the Senate of Pennsylvania the purpose of this resolution.

Mr. KEPHART. Mr. President, it seems to me that the purpose of the resolution is obvious; it is to limit the term of a president of the United States to two terms.

Mr. DENT. Will the gentleman from Philadelphia tell the Senate of Pennsylvania the purpose of this resolution.

Mr. KEPHART. Perhaps, Mr. President, if the interrogator would make his question more clear I could answer—I think I have already answered—but the resolution proposes to limit a President of the United States to two terms. If that is not clear to the gentleman from Westmoreland, I am unable to make myself clearer.

Mr. DENT. It is not clear, Mr. President, because I do not see how this resolution by the Senate of Pennsylvania could do anything about it.

Mr. KEPHART. To answer that, Mr. President, in the Constitution of the United States it provides two methods of amendment; one is by the Congress of the United States and the other is upon petition by a certain number of states, and if a certain number of states pass this same resolution, the Constitution of the United States could be amended in this fashion. The Congress must call a constitutional convention, certainly. I think the required number of states is two-thirds, and under such circumstances, if that convention is called, then this amendment can be ratified.

Mr. DENT. Mr. President, the reason I asked the question two times was because, in the first answer that I received, I was not satisfied with the answer and in the second answer that I received I still am not satisfied, because as I understand the resolution it is a memorializing resolution, petitioning the Congress of the United States to amend the Constitution.

Mr. KEPHART. I doubt whether the Senator from Westmoreland is going to be satisfied with this resolution anyhow.

Mr. DENT. I thank the gentleman from Philadelphia. I desire to further interrogate the gentleman from Philadelphia.

The PRESIDENT. Will the gentleman from Philadelphia permit himself to be further interrogated.

Mr. KEPHART. Mr. President, I will.

Mr. DENT. Does the gentleman from Philadelphia, Mr. Kephart, believe that this democracy is based upon sovereignty of the people and that a majority of the people of this democracy ought to rule.

Mr. KEPHART. Well, Mr. President, in general I think the majority ought to rule. I think a majority should not be permitted to do certain things which would take away certain private rights, the right of liberty of speech, the right of liberty of the press You can not say a majority is always going to be right and its will should be

untrammelled. That is the reason why we have the safe-guard of the Constitution; the reason why we have the safe-guard of a Constitution is so that a majority in a legislature can not walk over certain rights the people have.

Mr. DENT. When a majority lives up to the prescription of the Constitution, does the gentleman from Philadelphia, Senator Kephart, believe that a majority has a right to rule.

Mr. KEPHART. I believe so.

Mr. DENT. Does the gentleman from Philadelphia believe that a majority of these people of this nation lived up to the prescription of the Constitution when they elected a president for four terms.

Mr. KEPHART. There is nothing in the Constitution to prohibit such an election, and that is the purpose of this resolution, and I hope if a majority of the people feel the same way I do, the Constitution can be changed.

Mr DENT. Does the gentleman from Philadelphia believe, by passing this resolution with a majority of the Republican Senators and a Republican House, that that represents majority thought of the people of Pennsylvania upon the contents of this resolution.

Mr. KEPHART. I think it probably does, and I will go further and say if a majority of the people of this nation do not favor this resolution it will certainly never be passed, because two-thirds of the state legislatures must petition Congress for it, and then Congress must pass a resolution calling a convention, and then it must be ratified by, I believe, at least three-fourths of the states, and if that is done, certainly the will of the majority would be expressed in favor of this resolution.

Mr. DENT. Is it not true, Mr. President, when this resolution passes by a majority vote as represented by the Republican Party, which was the Minority Party, on the question of how many terms a president can serve—when that question was put directly to the people of Pennsylvania—is it not true that emphasis will be placed on the fact that the great Commonwealth of Pennsylvania believes that the terms of a president should be limited to two terms, because this so-called majority, which was the minority in the election, will have said that this state believes in a constitutional amendment limiting terms of the President of the United States to two.

Mr. KEPHART. I do not think the people voted on that question as stated by the gentleman from Westmoreland.

Mr. DENT. I thank the gentleman from Philadelphia. I can see that he does not believe that a majority of the people have the sovereign rights that they are entitled to under the Constitution of the United States and the Constitution of the Commonwealth of Pennsylvania

Mr. President and Members of the Senate, there are many important things that must be done by this Legislature, there are many problems that must be solved; we had hoped that we would be so busy trying to take care of the affairs of the Commonwealth of Pennsylvania that we would not have time to try to take care of the affairs of the Congress of the United States.

A majority of the people of this nation, on four occasions, have gone to the polls, and in spite of ninety-five per cent of the press of this nation using every editorial trick and every editorial policy that they could place into play, they drove into the minds of people that George Washington refused a third term because he thought it was wrong; they deliberately lied about what George Washington said in a letter to Lafayette about a third term; they said that Thomas Jefferson made a statement that two terms were sufficient, and that no person ought to seek more than two terms.

The people of this great nation of ours emphatically denied that there was any unwritten or written limitation upon the number of years a man may serve as the president of the United States.

This group now that represents a majority in the Senate of Pennsylvania has thirty-two votes against eighteen in the minority. I told you yesterday how that was accomplished. The eighteen members sitting in the Senate on the Democratic side represent a greater number of votes in the Commonwealth of Pennsylvania than the thirty-two members who are supposed to represent a majority of the people in the Commonwealth of Pennsylvania. More votes were cast for the eighteen members on this side than for the thirty-two members on that side. Is that the kind of majority that they believe in?

They say to the great peoples of this nation, you do not know, you do not have the right, you are the multitude, only a certain class is entitled to rule in this nation. We do not believe that the majority knows how to vote because a majority elected Roosevelt four times.

I would say very frankly to the gentleman from Philadelphia that he would probably be pleased if we would have limited President Roosevelt to no term as President of the United States.

You know, my father told me when I was a kid you could whistle in a barrel and if it was empty it threw out a hollow sound. That is what your laughs sound like to me, especially you men who are supposed to have a Christian spirit in your hearts.

This man is President of the United States, and, in spite of how you laugh, he is your President of the United States, and to the millions of Americans who are dying on foreign battlefields, he is their President of the United States. You men have no right—no right—to express a majority opinion upon a question when you do not represent a majority thought.

A majority of the people of Pennsylvania voted last year for Roosevelt for a fourth term. They then gave you an answer to this resolution. They told you then that they believe not in one term or two terms or three terms, but by emphasis they told you they believe in four, and may the good Lord above him spare his health and keep his mind as clear as it is today, his body as sound as it is today, and his ideals as high as they are today, that he may again be called to serve his people, the common people of this nation.

Mr. KEPHART. I have not very much to say in answer to the gentleman from Westmoreland, but I would like to point out that in the History of Senate Resolutions he will find there have been probably more resolutions introduced by the gentleman from Westmoreland himself, memorializing Congress to do this that and the other thing, than any other Senator has presented.

I would like to go back into history just for a moment and read a few quotations from a few of our former presidents on this subject, in answer to the statement by

the gentleman from Westmoreland that they have been misquoted.

Washington said: "Rotation in office accords with the representative spirit of our Constitution and the ideas of safety and liberty entertained by our people" and he refused to run for more than two terms.

President Jefferson in like circumstances said: "Indulgence and attachments of the people will keep a man in the Chair so that re-election through life shall become habitual, and election for life follows that George Washington set the example for voluntary retirement after eight years. I shall follow it and a few more presidents (doing so) will impose the obstacle of habit to anyone after a while who shall endeavor to extend his term."

Grover Cleveland—there were other Democratic presidents in between who took the same attitude—Grover Cleveland said in 1884: "No man ought to seek to disturb the public usage and unwritten law which prescribes that a third term, whether or not consecutive, is dangerous to the Republic."

In 1896 the Democratic platform said: "We declare it to be the unwritten law of the Republic that by custom and usage of one hundred years, and sanctioned by the example of the greatest and wisest of those who founded and maintained our government, no man shall be eligible for a third term of the presidential office."

Mr. President, the present President of the United States was enabled to be returned to the White House for more than two terms by the very conditions that those wise presidents criticized, and by the patronage which he had at his command.

I do not really believe that they expressed the will of the majority, if they had been unfettered to vote according to their convictions.

Mr. BARR. Following up what has been stated by my colleague from Westmoreland, Senator Dent, about eighteen of us representing a greater majority of the people in the state than thirty-two Republicans, I just want to quote a few figures. My majority in the last election, and the one before, over my opponent, was over twenty-five thousand. I want to tell the gentleman from Philadelphia, Senator Kephart, that my majority was more than the vote it took for him to be elected. I want him also to know the same thing is true with respect to other counties: Senator James, 18,000—I still had a majority of 25,000. Going down the list we find that the same thing exists with respect to Senator Crowe; the same thing exists with respect to Senator Tallman; the same thing exists with respect to Senator Jones, the same thing exists with respect to Senator Snowden; the same thing exists with respect to Senator Stevenson; the same thing exists with respect to Senator Mallery; the same thing exists with respect to Senator Bowers; the same thing exists with respect to Senator Letzler; the same thing exists with respect to Senator Ealy; the same condition exists with respect to Senator Thomas and Senator Carr.

My majority and the majority of every Democrat on this side that comes from any of the larger districts—where the Democrats come from; the Republicans come from the small districts—our majorities are more over their opponents than the total votes the Republicans got to be elected to the Senate.

Mr. EALY. Mr. President, the members on the Democratic side of this Senate do not seem to understand the purpose of a Constitution. A Constitution is a compact among people by which they limit their powers of government; it is to protect the people against a government and to protect the people against themselves.

This resolution is not directed towards President Roosevelt, because an amendment to the Constitution could not be passed before he has a chance to run for a fifth term, if he wants to run.

If you want to consider merely the popularity of a man, as an evidence of his worth, we have lots of examples in the world of popularity, and history has recorded the fact that they have not been good for their countries.

I admire President Roosevelt for a number of things. Anyone who could overcome his physical handicap the way he has deserves a great deal of praise and credit. I remember I was down in Philadelphia the day he passed through the city in an open car and I grudgingly admired his fortitude. He certainly has popularity, and in one sense he is a great man, but it will depend on the future judgment of history as to whether his record has been one of benefit to the country or not. Our historians fifty years or more from now will be able to tell us whether this reign of Roosevelt has been good.

There was no man who had more popularity in his country than Napoleon, the first. He was considered a great man, and he is now considered a great man by the French, but he led millions of his fellow countrymen to death to forward his own personal ambition.

Napoleon, the third, was considered a great man, and he was very popular in his time, but he led his country to the most humiliating defeat it ever suffered.

If we must consider popularity, why, Hitler had that, because he induced a country of eighty million people to swear unswerving obedience to him, whether he was right or whether he was wrong.

I am not comparing our President with any of those men, but I say that the fact that he got the votes of the people is no evidence that future historians will put him down as a great man or good for his country. I feel quite the contrary. I feel that, as the Jewish historians wrote down, that Jereboam the first led his people into sin—moral and religious sin, so our future historians will write down that this man led us into political and economic sin.

I am not in favor of this resolution exactly. I think that a President of the United States should be limited to one term, perhaps of six years. A great French writer who came here and went all over the United States in the 1830's—De Tocqueville was his name—pointed out that the great thing in our form of government which was going to make trouble was the fact that a president could succeed himself and that he would devote all the powers of a first term in order to get a chance to run for office for four years more.

Take our little office of state senator. We have no power but yet it was decided to throw safeguards around senators so that they could not be appointed to any state office during their term as state senator.

All of our great men, all of our presidents prior to the present President, pointed out the dangers which come

rom a man having a right to succeed himself. Senator Kephart referred to some of them.

Grover Cleveland, a Democratic President, put it in words when he said: "When we consider the patronage of this great office, the allurements of power, the temptation to retain public office once gained, and—more than all—the availability a party finds in an incumbent whom horde of officeholders, with a zeal born of benefits received and fostered by the hope of favors yet to some, and ready to aid with money and trained political assistance, we recognize in the eligibility of the President for re-election the most serious danger to that calm, deliberate, and intelligent action which must characterize government by the people."

That was Grover Cleveland, and although he was rected by the Democratic party and crticized by the Republican Party, I think history will put him down as one of the very greatest presidents this country ever had.

A Democratic plank in their 1896 convention declared, as Senator Kephart has said, that this principle has become an unwritten plank in our Constitution, and it was thought to be such until the present time.

Andrew Jackson, one of the gods of the Democratic Party, was so much impressed with the thought that to allow a president to succeed himself was dangerous, that in seven of his messages to Congress he asked them to pass an amendment proposing to limit the president to one term of perhaps six or seven years.

We had an example in a president of Mexico. They had a constitution which provided for only one term and Diaz became president and had the constitution changed, and, after an interim of one term, he went back into office and stayed there all-told a period of thirty years, I believe it was, until he was put out only by revolution.

This resolution, as I said, is not aimed at the present president, because the amendment could not be passed in time, but if we have any regard for the future of this country we surely must put into our Constitution an amendment to limit a president to one term or at the most two

Mr. DENT. Mr. President, I want to state to the sarcastic gentleman from Philadelphia that I know I have put in a lot of resolutions memorializing Congress. I am not condemning the practice of putting in resolutions memorializing Congress; I am only saying this, that you do not represent a majority thought of Pennsylvania, and when this resolution passes it will imply that you do represent a majority thought and I do not believe you do.

So, speaking of patronage, keeping political officeholders in office, I do not think there are many Democrats on the payroll in Pennsylvania; I do not believe that you allow a policy of bi-partisianism. I might say this, Mr. President, that there is no difference in an individual being elected for three or four terms than there is in a party being elected for three or four terms; there is no difference at all, between Harding, Coolidge and Hoover representing the Republican Party for twelve years, and in President Roosevelt representing the Democratic Party for sixteen years.

In Pennsylvania for sixty some odd years the Republicans controlled the governorship; there was no difference in the philosophy of thought—they had office because they had the patronage to give, they had the resources and te means of getting revenue to run their campaigns, which were so ably disclosed here yesterday afternoon.

There is no difference between a man being in power and a party being in power. I ask all of you to sit down and clearly analyze the twelve years of Republicanism that preceeded the thirteen years of the Democratic Party's ascendency to power into the administrative offices in Washington, beginning with the comparative security of the boom years when Harding became President of these United States and which ended in the trying days of the Hoover administration, with this nation tottering upon the brink of catastrophe, one that almost sapped the very life blood out of this democracy that these gentlemen do not believe in, these gentlemen who say the people must be protected from themselves.

What kind of idealolgy is that, what type of government is that, when a majority of the people have to be protected by a minority, if you please—the tail wagging the dog. What type of government would you have? I know you would like to have the type of government that was operated by the well renowned Bois Penrose, who worked out a safe deposit box instead of out of ballot boxes.

Gentlemen, you do not represent a majority of thought; you have no right to think you do or let it be thought that you do.

Mr. COLEMAN. Mr. President, I have a forty-five minute speech citing the reasons why we should not limit a good president to two terms, but the hour is late and I shall not impose it on the members of the Senate. I have just one or two observations to make.

The presentation of this resolution by the gentleman from Philadelphia betrays an astounding blindness to public opinion. Coming from the City of Brotherly Love, where an overwhelming majority of the qualified electors are members of his party but on three occasions cast majorities for President Roosevelt, ranging from 150,000 up, obviously he does not represent a majority opinion of the people in Philadelphia.

If we could get the gentleman from Philadelphia to disassociate himself from his party allegiance and drop the cloak of Republicanism just temporarily and indulge in some rather serious and profound thinking and compare the humanizing character and the able leadership of the man who now guides the destiny of America with Hoover and Coolidge and Harding, all apostles of inaction, I can not see how he can even vote for the amendments, let alone present it to the Senate of Pennsylvania.

May I say, Mr. President, in closing, that when we have out-ridden the tempest, as we shall, and we reflect in tranquility on what it was that saved us, we shall see with clarity the towering figure of Franklin Delano Roosevelt, and I am against anything that would limit a man of his character to two terms as President of the United States.

Mr. HOLLAND. Mr. President, I believe the gentleman from Philadelphia did not make a very careful study of the vote cast by the soldiers who are fighting to preserve the way of life and the government which we enjoy. His resolution would condemn the vote of the soldier because the soldiers voted so unanimously for

re-election of Franklin Roosevelt. Sixty-six per cent of the vote cast by the soldiers was for Roosevelt.

But I want to go a little further in analyzing the thinking of the gentleman from Philadelphia, because I believe after a great deal of study and listening to a great deal of lectures on Fascism, that the Fascist mind believes that a people can not be trusted, that a people should not be given rights, that a people should be ruled with an iron hand.

The gentleman from Philadelphia does not have confidence in the people of America. He quoted—I would like to have Mr. Geltz listen to this because I too have read a little bit about the founders of our country—I heard Jefferson's name used and Jefferson always said you must always believe in the people, the people are always right.

Therefore, Mr. President, I think this comes at a very inopportune time, when ten million men are in service, a man from Philadelphia who does not recognize the soldier vote—I could add a little more to that too—does not recognize the man who wears a uniform, who voted for Roosevelt for a fourth term, and if this man's resolution had been in effect it would even have denied him the right to vote.

I say to you, Mr. President, I hate to say it, but it is Fascist thinking right here in America.

Mr. WALKER. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Kephart.

The PRESIDENT Will the gentleman from Philadelphia permit himself to be interrogated.

Mr. KEPHART. I will, Mr. President.

Mr. WALKER. I would like to ask the gentleman from Philadelphia if this resolution is retroactive.

Mr. KEPHART. It is not, Mr. President. It was beyond my fondest dream to have it applied to President Roosevelt.

Mr. WALKER May I say, Mr. President, it would be impossible for me to vote for this resolution because I have a public interest and a personal interest. I do not think, if it is not retroactive, that it is going to help us very much on this side of the Senate, and if it is not retroactive, all we are going to do is to penalize some good Republican who some day will get to the place where he also can fool the people for four consecutive terms, and I do not propose to limit any Republican in Pennsylvania like that.

Some day I may stand on the threshhold of saying that I will agree to run for a third term, and I do not want any vote that I cast in this Senate to stop me. I think every Democrat in the Senate has been recorded here this afternoon as saying something nice on behalf of our Chief Executive, and I think that is fitting and proper.

I do wish that the gentleman from Philadelphia would refrain from calling up these controversial resolutions just when we are on the verge of withdrawing from the Senate Chamber and going down to eat. Why do we always get involved in these silly arguments—that is something I can not understand—but we are into this thing and eventually we are going to vote and I want to say I am going to vote "no" on this resolution, first, because it is not retroactive and, secondly, I refuse to be penalized in my fondest desire, that is, to be President of the United States for more than two terms.

Mr. KEPHART. Mr. President, I desire to interrogate the gentleman from Allegheny, Mr. Walker.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be interrogated.

Mr. WALKER. I will, Mr. President.

Mr. KEPHART. Will the gentleman from Allegheny state whether he has just launched another campaign?

Mr. WALKER. Mr. President, the gentleman will have to explain what he means by the word "another"—I never stopped. If he is referring to my disappointment over not being offered that Superior Court appointment, may I say that I think it is rather ill-timed in this Senate Chamber to bring up the words Superior Court.

Mr. BARR. Mr. President, I think there is only one man in this Chamber who should be disappointed, that is, G. Harold Watkins—he does not know what it is all about.

Mr. DENT Mr. President, I realize we can not talk forever, and did not expect to change any votes, and was very much surprised that we have converted our good friend from Allegheny, Senator Walker—but he is unpredictable, of course. I appreciate his right as an American to hope to be President of the United States, and I for one would never taken from him his right to run three times for president, but I will try to take from him the right to serve a third term in the Senate.

We believe, of course, in the principle of rotation of office, but it is a peculiar thing that we do not believe in it for ourselves, as we Senators are willing to take three, four or five, or as many as it is possible to inveigle away from the people. Senator Ealy is a very fine gentleman, but he did not make any statement that it was time he quit and let somebody else come into his place in the Senate, someone who is young, fresh and with vigorous blood—not that he is not vigorous, but he is not young any more. Senator Woodward is a fine gentleman and long a Member of this Body, but I could think of some other fellow that might add a little to the Senate, someone a little younger and with more vigor and vitality, a little more vim in striving to understand problems of the day, and who would recognize we are in a changing world, where philosophies have changed, where people believe now that the common man has come to the front, as was so ably stated by that great humanitarian, Henry Wallace, who said this is the century of the common man all over the world, all over the world the common man has expanded and grown up and become a part of the picture politically, civically, economically, he has become part of the great world that we live in, but these old dodoes and dunderheads do not want to come around to that philosophy of mind; they want to do by insinuation what they can not do by actual receiving of the number of votes with which to win an election.

I only want to state, Mr. President, in closing, that this is another example of the short, business-like session that the Governor asked for, dealing only in the essentials, because things that do not belong here would be a travesty and the soldiers might be hurt if we dilly-dallied down here.

And the question recurring,

Will the Senate agree to the motion?

Mr. JASPAN. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. JASPAN and were as follows, viz:

YEAS—27

Becker,	Crowe,	Kephart,	Thomas.
Berger,	Ealy.	Mallery,	Troutman,
Blass,	Farrell,	Scarlett,	Tyler,
Bowers,	Geltz,	Snowden,	Wade,
Carr,	Heyburn,	Stevenson,	Wagner,
Chapman,	Homsher,	Tallman,	Wilson,
Crider,	Jones,	Taylor,	

NAYS—19

Barr.	Edmonds,	Leader,	Ruth,
Coleman,	Gourley,	Margie,	Stiefel.
Cox,	Holland,	McCreesh,	Walker,
Dent,	Jaspan,	McGinnis,	Woodring,
DiSilvestro,	Klein,	Rosenfeld,	

So the question was determined in the affirmative.

Ordered, That the Clerk present the same to the House of Representatives for concurrence

BILLS ON FIRST READING

Mr. HEYBURN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. SCARLETT. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 102, entitled:

An Act to amend section one of an act approved the twenty-sixth day of April, one thousand nine hundred and twenty-one (P. L. 278), entitled "An act providing that in computing the indebtedness of cities of the first class, the word 'indebtedness' shall include all manner of debt, and the net amount thereof shall be ascertained, as in the case of other municipal corporations, by deducting, from the gross amount thereof, the moneys in the treasury, all outstanding solvent debts, and all revenues applicable within one year to the payment of the same," by extending and describing the amounts deductible in determining the net debt of such cities, and providing a method for computing self-sustaining public improvement and public utility debt and non-electoral debt.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 264, entitled:

An Act to amend section three and to further amend section twelve of the act approved the twentieth day of July one thousand nine hundred seventeen (P. L. 1143) entitled "An act relating to free public nonsectarian libraries and branch libraries within this Commonwealth providing for their establishment maintenance and regulation and for the maintenance and regulation of such free public nonsectarian libraries as may have been already established by the several counties cities boroughs towns and townships and providing that all library property and all gifts devises grants or endowments for library purposes shall be exempt from taxation and providing that the several counties cities boroughs towns and townships may levy taxes condemn private property and borrow money for library purposes and imposing penalties for injuring library property and for violations of library regulations and repealing existing laws in relation to the above subjects" making more specific the power of the municipal authorities of counties cities boroughs towns and townships to appropriate moneys out of current revenues for library purposes without the levy of a special tax therefor and validating such appropriations heretofore made

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 278, entitled:

An Act to further amend the title and section one of the act approved the twenty-eighth day of June one thousand nine hundred and thirty-five (P. L. 477) entitled "An act providing for the payment of the salary medical and hospital expenses of policemen and firemen by cities (except of the second class A) boroughs towns and townships who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period" extending the provisions of said act to cities of the second class A

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 281, entitled:

An Act to amend section two thousand twenty-two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" authorizing township commissioners to record certificates denying responsibility for certain roads streets lanes alleys or drainage facilities in connection therewith.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 319, entitled:

An Act to further amend section thirty-two of the act, approved the thirtieth day of March, one thousand nine hundred thirty-seven (P. L. 115), entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, bodies of electors, registration commissions, commissioners registrars, inspectors of registration and other appointees of registration commission, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents, certain public service companies, persons, firms, and corporations operating vehicles for moving furniture and household goods, and boards of school directors; and imposing penalties," by further regulating the check-up of registered electors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 320, entitled:

An Act to further amend section thirty-one of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 814), entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," by further regulating the check-up of registered electors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 321, entitled:

An Act to further amend section thirty-one of the act, approved the seventh day of June, one thousand nine hundred thirty-seven (P. L. 1132), entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," by further regulating the check-up of registered electors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 322, entitled:

An Act to further amend section thirty-one of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849), entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties ar a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens. parties. political bodies, registration commissions, commissioners. registrars, inspectors of registration and other appointees of registration commissions. county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legislation," by further regulating the check-up of registered electors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 323, entitled:

An Act to further amend section thirty of the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487), entitled "An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," by further regulating the check-up of registered electors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 333, entitled:

An Act to reenact sections five hundred one, five hundred two, five hundred three, five hundred four, five hundred five and five hundred six of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 334, entitled:

An Act to provide for the appointment of election officers to fill the vacancies caused by the expiration of terms of election officers; imposing duties on County Board of Elections; and conferring powers on courts of quarter sessions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 335, entitled:

A Joint Resolution proposing an amendment to section fourteen Article VIII of the Constitution of the Commonwealth of Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 343, entitled:

An Act to further amend section fifteen of the act, approved the sixteenth day of May, one thousand nine hundred twenty-three (P. L. 207), entitled "An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances, and for water rents or rates, sewer rates, and lighting rates; for the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; the distribution of the proceeds of such sales, and the redemption of the property therefrom; for the lien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed, within six months before the passage of this act; and for the procedure on tax and municipal claims filed under other and prior acts of Assembly," by further providing for and preserving the lien of tax and municipal claims against properties heretofore or hereafter purchased by political subdivisions at sales held for the collection of taxes on municipal claims, or other judicial or statutory sales.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 440, entitled:

An Act authorizing cities of the third class to establish an optional retirement system for officers and employees independently of any pension system or systems existing in such cities.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 475, entitled:

An Act requiring cities, boroughs, towns and townships to notify adjacent political subdivisions of proposed streets, roads and highways leading into them.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and coneration of Senate Bill No. 483, entitled:

An Act to add clause fifty-five to section two thousand four hundred three of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," authorizing the acquisition and maintenance of parking lots and the exercise of the power of eminent domain therefor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 484, entitled:

An Act to amend Article six, Section six hundred and two of the act approved May 18, one thousand nine hundred and eleven, (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith", by making further provision relating to the acquisition of real estate for the construction of school buildings.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 488, entitled:

An Act to amend Section 3 of the act, approved the twelfth day of June, one thousand nine hundred thirty-one (P. L. 568) entitled "An act to expedite and simiplify the the collection and payment by banks of checks and other instruments for the payment of money" by making further provision concerning the revocation of credits given by a bank for items drawn on or payable at such bank.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 510, entitled:

An Act to amend section four hundred eleven of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by providing for the appointment of two additional members of the Pennsylvania Historical Commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 518, entitled:

An Act to amend section two thousand two of, and to add section two thousand thirteen to the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," expanding the activities and extending the courses of instruction at the Cheyney Training School for Teachers; and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 523, entitled:

An Act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts, and vocational school districts; conferring powers and imposing duties on tax collectors, courts and various officers of said polical subdivisions; and prescribing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 569, entitled:

An Act to further amend section nine hundred one of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by further regulating the filling of vacancies in elective borough offices.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. HEYBURN. Mr. President, I move that the Senate do now adjourn until Wednesday, March 21, 1945, at 11:00 o'clock a. m., Eastern War Time.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:23 o'clock p. m., Eastern War Time until Wednesday, March 21, 1945, at 11:00 o'clock a. m., Eastern War Time.

HOUSE OF REPRESENTATIVES

TUESDAY, March 20, 1945.

The House met at 1 p. m.

The SPEAKER (Ira T. Fiss) in the Chair.

PRAYER

The Rev. Oscar Andrew Hyden, Pastor, Park Street Evangelical Church, Harrisburg, a guest of the Chaplain, offered the following prayer:

Creator and Sustainer of all life, whose argosies of power and grace are the resource of all men, we give Thee hearty thanks for Thy benevolent providences in these present desperate days—for the good earth, verdant and fertile, the wealth of crops, the beauty and bounty of growing things. Push out the walls of our minds, incline our hearts unto wisdom and the keeping of Thy commandments. Let us not lose faith in our fellowman.

May we cultivate charity, magnanimity, generosity, diligence in service, fidelity to every trust, a childlike faith in God. Be Thou the cup of strength to our intrepid warriors. Bring us to sanity and peace again. May Thy mind and spirit prevail in this assemblage. Make us all instruments of Thy peace and righteousness. Through Jesus Christ, our Lord. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Monday, March 19, 1945.

The Clerk proceeded to read the Journal of Monday, March 19, 1945, when, on motion of Mr. MIKULA unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. LEVY. HOUSE BILL No. 1173.

An Act providing for the vocational rehabilitation and education of United States World War II veterans, resident of Pennsylvania; imposing certain duties on the Department of Public Instruction; making an appropriation; and providing penalties.

Referred to the Committee on Education.

By Messrs. HARE and HELM. HOUSE BILL No. 1174.

An Act constituting certain standing committees of the Senate and of the House of Representatives as interim committees of the General Assembly; prescribing their powers and duties; providing for joint actions; and making an appropriation.

Referred to the Committee on State Government.

By Mr. NORMAN WOOD. HOUSE BILL No. 1175.

A Supplement to the act approved the fourth day of June, one thousand nine hundred forty-three (Appropriation Acts, page 59) entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and forty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and forty-three" providing for a deficiency in an appropriation made by the act for the fiscal biennium ending May thirty-first, one thousand nine hundred forty-five.

Referred to the Committee on Appropriations.

By Mr. McNALLY. HOUSE BILL No. 1176.

An Act imposing a tax in cities of the second class on the gross receipts of public utilities providing for the collection and payment of such tax requiring certain reports and penalties if they are not made.

Referred to the Committee on Cities and Counties—Second Class.

By Mr. DILLON. HOUSE BILL No. 1177.

An Act to further amend section nine of the act, approved the thirtieth day of March, one thousand nine hundred seventeen (P. L. 21), entitled "An act defining optometry; and relating to the right to practice optometry in the Commonwealth of Pennsylvania, and making certain exceptions; and providing a Board of Optometrical Education, Examination, and Licensure, and means and methods whereby the right to practice optometry may be obtained; and providing for the means to carry out the provisions of this act; and providing for revocation or suspension of licenses given by said board, and providing penalties for violations thereof; and repealing all acts or parts of acts inconsistent therewith by prohibiting certain advertising.

Referred to the Committee on Professional Licensure.

By Mr. KIRLEY. HOUSE BILL No. 1178.

An Act to further amend section two hundred one of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 853), entitled "An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws" by making the real estate of public service companies subject to taxation by cities of the second class and providing certain exceptions.

Referred to the Committee on Cities and Counties—Second Class.

By Mr. SCHUSTER. HOUSE BILL No. 1179.

An Act to further amend section two hundred one of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 853) entitled "An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws" by making the real estate of public service companies subject to taxation by cities of the second class and providing certain exceptions.

Referred to the Committee on Cities and Counties—Second Class.

By Mr. DENNISON. HOUSE BILL No. 1180.

An Act to amend section one of the act, approved the first day of June, one thousand nine hundred forty-three (App. Acts page 49), entitled "An act providing for refunds by the Pennsylvania Board of Finance and Revenue of state personal property taxes paid upon certain person property by liquidating trustees, receivers or other fiduciaries of banks, trust companies and savings institutions, and making an appropriation," extending the time for the filing of refunds and making an additional appropriation.

Referred to the Committee on State Government.

By Mr. LEE. HOUSE BILL No. 1181.

An Act providing a method for enforcing orders of maintenance and support, in all cases where an order has been made for the support of a husband, wife, parent, child, grandparent, or grandchild, defining what constitutes contempt in such cases, and punishment for contempt in such cases.

Referred to the Committee on Judiciary General.

By Mr. LEE. HOUSE BILL No. 1182.

An Act to provide for the support of poor persons by the father, grandfather, mother, grandmother, children and grandchildren and under certain circumstances authorizing the arrest and imprisonment of persons liable for such support.

Referred to the Committee on Judiciary Special.

By Mr. LEE. HOUSE BILL No. 1183.

An Act to add clause Seven B to section one thousand two hundred ten of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof, providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing minimum salaries and increments for special class elementary school teachers and special class center elementary school principals.

Referred to the Committee on Education.

By Mr. LEE. HOUSE BILL No. 1184.

An Act to amend section two of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2045), entitled "An act relating to the support of indigent persons publicly cared for or assisted; providing for the support of such persons by certain relatives, and for the recovery of public moneys expended for care and assistance from the property and estates of such persons; providing for guardians of person and property of such persons; providing for the arrest and seizure and sale of the property of deserters; and providing procedure," by giving jurisdiction to the Municipal Court of Philadelphia County.

Referred to the Committee on Welfare.

By Messrs. ROSE and LEE. HOUSE BILL No. 1185.

An Act to amend section one of the act approved the fourteenth day of May, one thousand nine hundred twenty-five (P. L. 729), entitled "An act fixing the salary of the clerks of the courts of common pleas in counties of the first class," by increasing the salaries of such clerks.

Referred to the Committee on Cities and Counties—First Class.

By Mr. DAGUE. HOUSE BILL No. 1186.

An Act providing for the discharge of mortgages, judgments and other liens given in favor of the Commonwealth by persons receiving assistance by sheriff's sales, tax sales and other judicial sales.

Referred to the Committee on Judiciary General.

By Mr. JAMES. HOUSE BILL No. 1187.

An Act to further amend subsection (a) of section twelve of the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 447), entitled, as amended, "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds,

rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substituaion of executors and administrators therein, the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor, appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," by increasing the widow's or children's exemption.

Referred to the Committee on Judiciary General.

By Mr. DAGUE. HOUSE BILL No. 1188.

An Act providing for proceedings by petition in certain nonsupport and desertion cases.

Referred to the Committee on Judiciary Special.

By Mr. JAMES. HOUSE BILL No. 1189.

An Act to further amend the act approved the twenty-fourth day of July, one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities; regulating the sale thereof; and providing penalties for violation hereof," defining further words and terms used herein; further regulating the sale of commodities; authorizing the Secretary of Internal Affairs to adopt rules and regulations to carry into effect the provisions of the act and granting additional powers to inspectors of weights and measures.

Referred to the Committee on State Government.

By Mr. FLEMING. HOUSE BILL No. 1190.

An Act empowering cities of the second class to levy, assess and collect, or to provide for the levying, assessment and collection of, certain additional taxes for general revenue purposes; authorizing the establishment of bureaus, and the appointment and compensation of officers and employes to assess and collect such taxes; and permitting penalties to be imposed and enforced.

Referred to the Committee on Cities and Counties—Second Class.

By Mr. FLEMING. HOUSE BILL No. 1191.

An Act to further amend clause (g) and to amend clause (1) of section two hundred four of the act, approved the twenty-second day of May, one thousand nine hundred thirty-three (P. L. 853), entitled "An act relating to taxation; designating the subjects, property and persons subject to and exempt from taxation for all local purposes; providing for and regulating the assessment and valuation of persons, property and subjects of taxation for county purposes, and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations; amending, revising and consolidating the law relating thereto; and repealing existing laws," by providing for the exemption of certain public property from taxation.

Referred to the Committee on Counties.

By Messrs. MARTIN L. MURRAY and WILLIAM J. MOORE. HOUSE BILL No. 1192.

An Act authorizing cities, boroughs, towns and townships to pay hospitals for the treament and care of indigent persons suffering from contagious diseases.

Referred to the Committee on Municipal Corporations.

By Messrs. COOPER and MIHM. HOUSE BILL No. 1193.

An Act to amend the title and section one of the act, approved the twentieth day of May, one thousand nine hundred thirty-seven (P. L. 755) entitled, "An act providing for the fixing of the salaries and compensation of officers, clerks, stenographers, and employes appointed by judges of the courts of this Commonwealth in counties of the second class where salary boards exist by law," by extending the provisions of the act to include court criers and tipstaves; and repealing certain inconsistent acts.

Referred to the Committee on Cities and Counties—Second Class.

By Mr. ROYER. HOUSE BILL No. 1194.

An Act authorizing the Pennsylvania Historical Commission to accept on behalf of the Commonwealth certain real estate in, and an endowment fund for, the Mt. Zion Cemetery which is part of the historic Ephrata Cloister land, located in Ephrata, Lancaster County, Pennsylvania.

Referred to the Committee on State Government.

By Mr. JAMES. HOUSE BILL No. 1195.

An Act to amend section ten of the act, approved the fourth day of June, one thousand nine hundred forty-three (P. L. 886), entitled "An act creating a Municipal Employes' Retirement System for the payment of retirement allowances to officers and employes of political subdivisions and institutions supported and maintained by them, and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor; imposing certain duties on the State Employes' Retirement Board and the actuary thereof; providing the procedure whereby political subdivisions may join such system, and imposing certain liabilities and obligations on such political subdivisions in connection therewith, and as to certain existing retirement and pension systems, and upon officers and employes of such political subdivisions and institutions supported and maintained by them; providing certain exemptions from taxation, execution, attachment, levy and sale; and making an appropriation," including any service as a member of the General Assembly in the period of service of a contributor upon his making certain back payments.

Referred to the Committee on Municipal Corporations.

By Mr. FLEMING. HOUSE BILL No. 1196.

An Act to amend sections one and three of the act, approved the twenty-eighth day of May, one thousand nine hundred forty-three (P. L. 793), entitled "An act authorizing counties of the second class to regulate the production of smoke from chimneys, smokestacks or other source, including provisions for the payment of inspection and certificates of compliance fees incident thereto;

authorizing the expenditure of money for the employment of persons, and the acquisition of property for effectuating such regulations; and providing penalties for the violation thereof," by including the regulation of smoke from railroad locomotives and changing the penalty for violation.

Referred to the Committee on Cities and Counties—Second Class.

By Mr. DEPUY. HOUSE BILL No. 1197.

An Act to amend section four of the act, approved the thirty-first day of May, one thousand nine hundred thirty-three (P. L. 1116), entitled "An act for the protection of the public health and to prevent fraud and deception in the manufacture, sale, offering for sale, exposing for sale, and having in possession with intent to sell, of adulterated or deleterious ice cream, custard ice cream, french ice cream, french custard, frozen custard, sherbet, ice and fruit ice, including coated ice cream and the coating thereof; fixing standards for ice cream, custard ice cream, french ice cream, french custard, frozen custard, sherbet, ice and fruit ice, and to prevent the sale of imitation ice cream and defining said imitation ice cream; providing for the enforcement thereof," further regulating the fraudulent sale of ice cream in containers and the fraudulent use of refrigerators for the storage thereof and imposing penalties.

Referred to the Committee on Judiciary Special.

By Mr. MAHANY. HOUSE BILL No. 1198.

An Act to amend the second paragraph of section two of the act, approved the seventh day of June, one thousand nine hundred one (P. L. 493), entitled "An act providing for the examination, licensure, and registration of persons, firms, or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations, and requirements for the construction of plumbing, house drainage, and cesspools in cities of the second class: and imposing fines, penalties, and forfeitures for violation thereof," providing for the appointment of plumbing inspectors in cities of the third class.

Referred to the Comittee on Cities and Counties—Third Class.

By Mr. POLEN. HOUSE BILL No. 1199.

An Act to further amend section four hundred one of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," requiring the preservation of certain records.

Referred to the Committee on Education.

By Mr. HAMILTON (by request). HOUSE BILL No. 1200.

An Act prescribing certain qualifications for the office of alderman and justice of the peace hereafter elected or appointed; fixing salaries for aldermen and justices of the peace; providing for their payment of all fees collected by aldermen and justices of the peace into the State Treasury; imposing certain powers and duties upon county boards of election and the Department of Revenue; placing aldermen and justices of the peace under the jurisdiction of the courts; providing for the payment of pensions to aldermen and justices of the peace; and prescribing penalties.

Referred to the Committee on Judiciary General.

By Messrs. HAMILTON and GOODLING. HOUSE BILL No. 1201.

An Act authorizing townships of the second class to appropriate, out of general road funds and out of special funds for future road and sewer construction and development, a sum each year not to exceed one mill for the purpose of preparing plans and engineering for road, and sewer projects scheduled for future development; and providing for the ultimate payment of the cost thereof by assessment against real estate benefited.

Referred to the Committee on Townships.

By Mr. POLEN. HOUSE BILL No. 1202.

An Act requiring school boards in all school districts, and boards of directors of all vocational school districts, to grant leaves of absence to all school employes who are compelled to enter war industry in time of war or during a state of national emergency; preserving certain contracts, salaries, increments, retirement rights, seniority rights, seniority, State contributions and grants to local school boards, eligibility lists, reemployment, authorizing school boards and boards of directors of vocational schools to employ substitutes in place of such employes; reserving all rights and privileges of employes granted leaves of absence under the provisions herein, and superseding or repealing all contrary laws.

Referred to the Committee on Education.

By Messrs. HAMILTON and McLANAHAN. HOUSE BILL No. 1203.

An Act to add article VII-A to the act approved the first day of May, one thousand nine hundred thirty-three (P. L. 103) entitled, "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," providing for the establishment and powers and duties of boards of health and health officers.

Referred to the Committee on Townships.

By Mr. FLACK. HOUSE BILL No. 1204.

An Act to add subsection (e) to section two hundred three of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," further regulating the sale of motor vehicles with liens or encumbrances upon them.

Referred to the Committee on Motor Vehicles.

By Messrs. O'BRIEN and KOLANKIEWICZ. HOUSE BILL No. 1205.

An Act to further amend the first paragraph, and

clause (b) of section nine of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse money received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," further providing for and regulating assistance to aged persons; and redefining aged persons and their eligibility for assistance.

Referred to the Committee on Welfare.

By Messrs. O'BRIEN and KOLANKIEWICZ.

HOUSE BILL No. 1206.

An Act to further amend section four hundred ten of the act approved the twenty-ninth day of November, one thousand nine hundred thirty-three (P. L. 15, 1933-34) entitled, as amended, "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of, alcohol and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government courts and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in connection with and transactions in such beverages by licenseees and others making disposition of the receipts from State stores, and of fees and imposing penalties," providing that no licensee shall be cited to appear before the board or its examiners nor have his license suspended or revoked for any alleged violation or regulation for which prosecution has been brought and no conviction found.

Referred to the Committee on Liquor Control.

By Mr. FLACK. HOUSE BILL No. 1207.

An Act to further amend clause A of section two and section four of the act approved the twenty-sixth day of May, one thousand nine hundred thirty-three (P. L. 1076) entitled "An act to provide for the organization, incorporation, operation, and supervision of cooperative savings and credit associations, to be termed credit unions, designating such credit unions as corporations, and defining their powers and duties; conferring certain powers and duties on the Department of Banking; and providing penalties," by further regulating membership in credit unions.

Referred to the Committee on Corporations and Industry.

By Mr. LEONARD. HOUSE BILL No. 1208.

An Act to amend section seven hundred twenty-four of the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justice of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissable as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by providing for payment to cities of the second class of a part of the registration and license fees collected and appropriating moneys in the Motor License Fund therefor.

Referred to the Committee on Motor Vehicles.

By Mr. REAGAN. HOUSE BILL No. 1209.

An Act relating to and regulating the business of the use and disposition of the bodies of dead animals; providing for the licensing of such business and the cancellation of such license; authorizing the Department of Agriculture to promulgate rules and regulations therefor and imposing certain duties upon said department; and providing penalties.

Referred to the Committee on Agriculture.

By Mr. WATKINS. HOUSE BILL No. 1210.

An Act to amend sections one and two of the act, approved the twenty-fifth day of July, one thousand nine hundred thirty-two (P. L. 10), entitled "An act authorizing counties, cities, boroughs, towns, townships, school districts, and poor districts to install, by ordinance or resolution, a system for the collection of taxes in instalment and specifying certain conditions and penalties in such cases," by limiting such collection system to quarterly instalments extending the provisions of said act to institution districts and authorizing extra compensation for tax collectors.

Referred to the Committee on Municipal Corporations.

By Mr. WATKINS. HOUSE BILL No. 1211.

An Act to further amend section six hundred sixteen of the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justice of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissable as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, for-

feitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by further prescribing the time when certain penalties imposed under the said act shall become effective.

Referred to the Committee on Motor Vehicles.

By Mr. WATKINS. HOUSE BILL No. 1212.

An Act to prohibit persons from coercing teachers, principals and supervising principals to make political contributions and teachers, principals and supervising principals from making such contributions as the result of coercion.

Referred to the Committee on Education.

By Mr. WATKINS. HOUSE BILL No. 1213.

An Act to amend section two hundred six of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws, general, special or local, or any parts thereof that are or may be inconsistent therewith," providing for the election of school directors for independent school districts and terminating the terms of office of the present school directors in such districts.

Referred to the Committee on Education.

By Mr. SHAFFER. HOUSE BILL No. 1214.

An Act to further amend sections two hundred twenty and two hundred twenty-one of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by increasing the compensation of the issuing agents of fish licenses.

Referred to the Committee on Fisheries.

By Mr. SHAFFER. HOUSE BILL No. 1215.

An Act to further amend sections three, five and eleven of the act, approved the eleventh day of May, one thousand nine hundred twenty-one (P. L. 522), entitled, as amended "An act relating to dogs, and the protection of live stock, poultry, and game birds raised in captivity from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dags, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock, poultry, and game birds by dogs, and for live stock killed by, or dying from, rabies, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes, directing the payment of all moneys collected into the State Treasury; and providing penalties," by further increasing the fee to be retained by county treasurers.

Referred to the Committee on Agriculture.

By Mr. SHAFFER. HOUSE BILL No. 1216.

An Act to further amend the first paragraph of section nine hundred one of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs; and revising, amending, and consolidating the law relating to boroughs," further regulating vacancies in elected offices.

Referred to the Committee on Boroughs.

By Mr. COHEN. HOUSE BILL No. 1217.

An Act to further amend paragraph (a) of section ten of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1216), entitled "An act to define real estate brokers and real estate salesmen; and providing for the licensing, regulation, and supervision of resident and nonresident real estate brokers and real estate salesmen and their business," by providing that the representation of both sides of any transaction by a broker, a ground for revocation of license.

Referred to the Committee on Professional Licensure.

By Mr. COHEN. HOUSE BILL No. 1218.

An Act to further amend section four hundred three of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three Special Session (P. L. 15) entitled, as amended, "To regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State Government, courts, and districts attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises; and the granting of licenses, subject to local option to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by providing for the granting of temporary licenses as to site only.

Referred to the Committee on Liquor Control.

By Miss BRANCATO and Mr. SCANLON.
HOUSE BILL No. 1219.

An Act making an appropriation to the Department of Public Instruction for the purpose of expanding the recreational and health facilities of the public school system of Pennsylvania.

Referred to the Committee on Appropriations.

By Messrs. O'DONNELL and GRANT.
HOUSE BILL No. 1220.

An Act making an appropriation to the Department of Welfare for the purpose of enlarging the facilities of state hospitals for the hospitalization of veterans.

Referred to the Committee on Appropriations.

By Mr. DALRYMPLE. HOUSE BILL No. 1221.

An Act to further amend section one thousand eighty-one of the act approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," by providing that the tax collector shall give but one bond for the term of his office, for the collection of borough, county, institution district and school taxes; and providing for the joint payment of the premiums for such bond.

Referred to the Committee on Boroughs.

By Mr. DALRYMPLE. HOUSE BILL No. 1222.

An Act to further amend section five hundred seventy-one of the act approved the first day of May, one thousand nine hundred thirty-three (P. L. 102), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by providing that the tax collector shall give but one bond for the term of his office for the collection of township, county, school and institution district taxes, and providing for the joint payment of the premiums for such bond.

Referred to the Committee on Townships.

By Mr. DALRYMPLE. HOUSE BILL No. 1223.

An Act to add section two thousand one hundred three point one to the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by providing for the payment of firemen, for duties performed on days they were entitled to be off duty.

Referred to the Committee on Cities—Third Class.

By Mr. DALRYMPLE. HOUSE BILL No. 1224.

An Act making an appropriation to the Pennsylvania Historical Commission for the improvement of the Flagship Niagara Park memorial.

Referred to the Committee on Appropriations.

By Mr. DALRYMPLE. HOUSE BILL No. 1225.

An Act making an appropriation to the Pennsylvania Historical Commission for the improvement, development and maintenance of the plot of ground in the city of Erie, Pennsylvania acquired for the location of the Flagship Niagara.

Referred to the Committee on Appropriations.

By Mr. HUNTER. HOUSE BILL No. 1226.

An Act to reenact and amend the title and the act, approved the ninth day of June, one thousand nine hundred thirty-six (P. L. 13) entitled as amended "An act imposing an emeregency State tax for a limited period of time on liquor, as herein defined, sold by the Pennsylvania Liquor Control Board; providing for the collection and payment of such tax; and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board," by extending the provisions thereof for an unlimited period of time, and providing for the payment of the taxes collected under said act to the various political subdivisions.

Referred to the Committee on Liquor Control.

By Messrs. LEE and O'BRIEN. HOUSE BILL No. 1227.

An Act to amend Subsection A of section five hundred four, section six hundred seven and subsection A of section six hundred eight of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 565), entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over, and taking possession of and conducting or liquidating the business and property of, corporations, associations, and persons receiving deposits or otherwise transacting a banking business, corporations, acting as fiduciaries, and building and loan associations; providing for the payment of the expenses of the Department of Banking by supervised corporations, associations, or persons, and appropriating the Banking Department Fund; authorizing the Department of Banking, under certain circumstances, to examine corporations, associations, or persons affiliated, or having business transactions with supervised corporations, associations or persons; authorizing appeals to the Supreme Court, and prescribing and limiting the powers and duties of certain other courts and their prothonotaries, register of wills, recorders of deeds, and certain State departments, commissions and officers; authorizing certain local officers and State departments to collect fees or services rendered under this act; providing penalties; and repealing certain acts and parts of acts," providing for the taking of possession of the business and property of building and loan associations and savings and loan associations and savings and loan associations the shares of which are insured in the State Building and Loan Insurance Fund.

Referred to the Committee on Building and Loan Association.

By Messrs. O'BRIEN and LEE. HOUSE BILL No. 1228.

An Act to further amend section four hundred two of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriation from the Commonwealth and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," exempting the affairs of the State Building and Loan Insurance Board from audit by the Auditor General.

Referred to the Committee on Building and Loan Association.

By Messrs. O'BRIEN and LEE. HOUSE BILL No. 1229.

An Act providing for the creation and for the administration by a State Building and Loan Insurance Board created by this act, of a state fund for the insurance of shares in building and loan associations and saving and loan associations, and prescribing penalties.

Referred to the Committee on Building and Loan Association.

By Mr. ELISH. HOUSE BILL No. 1230.

An Act to further amend section one thousand two hundred two of the act, approved the fifteenth day of May, one thousand nine hundred thirty-there (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with

or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," empowering savings banks to write life and industrial insurance policies upon request.

Referred to the Committee on Insurance.

By Messrs. BENTLEY and McNALLY.

HOUSE BILL No. 1231.

An Act to abolish taxes for State purposes on scrip bonds, certificates and evidences of indebtedness issued, assumed, or on which interest is paid by any county, city, borough, township, school district, or incorporated district of this Commonwealth, and repealing all laws providing for such taxes.

Referred to the Committee on Ways and Means.

By Mr. STONIER. HOUSE BILL No. 1232.

An Act to amend section nine hundred ten of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidate primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by providing that in the case of a candidate for nomination as a judge of a court of record who is in the armed service in time of war, the affidavit to his nomination petition may be made by the chairman of the political party.

Referred to the Committee on Elections.

RESOLUTION INTRODUCED AND REFERRED

By Mr. McATEE. RESOLUTION No. 42.

In the House of Representatives, March 19, 1945.

These are the days when men of great courage can and do distinguish themselves in the services they perform on behalf of their country.

There are many men of great courage whose courageous deeds are not noted by the world but we do know there are many such men and to them we do in part pay due honor.

Then there are those men of heroic courage of whom the world does take notice and to one of such men it is our privilege tonight to honor by a few words of commendation.

That man is General Carl Spaatz.

Carl Spaatz, a few years back, was just a country boy over there in Berks County, a Boyertown boy like hundreds of other boys, but somehow or other he got the spark that soon set him apart as a leader. First, as a leader locally and later as a national figure in his famous endurance flight in the plane, "Question Mark."

Then the war came along and we found him right up in front and in both the most active field and in the most dangerous field as the Commander of the Air Forces, where he made and is making history every day of his life. The human mind cannot comprehend modern air war, as the speed, the number, the ferocity is too great and the human mind has hardly gone beyond the kite-flying stage. So, therefore, the greatness and the courageousness of Carl Spaatz is something that time and many words and personal experiences can alone possibly unfold for us and give us some meager understanding of what has happened and who made it happen; therefore be it

Resolved, That the House of Representatives extend to General Carl Spaatz its congratulations upon his being made a full General. It also congratulates him upon his forceful, courageous and heroic leadership of the United States Air Forces and it takes a genuine pleasure in paying in this small way, honor to him as a great patriot and a great soldier; and be it further

Resolved, That a copy of this resolution be sent to General Carl Spaatz.

Referred to the Committee on Rules.

COMMUNICATION

The SPEAKER laid before the House a communication which was read by the Clerk as follows:

91, Carey Street, Ashley, Pa.
March 16, 1945.

To the Speaker of the House of Representatives
Harrisburg, Pennsylvania

My dear Mr. Fiss:

Your recent action in regard to the resolution passed by the House of Representatives honoring my husband, Walter Grey Gryskewicz, a former member of the legislature has aroused in me a feeling of deep appreciation which I wish to express to you, asking you to convey this feeling to the members of the House.

I am sincerely grateful for the sympathy they have offered me in my sorrow and loss. The formal expression of that sympathy which was sent to me fills me with pride. I am sure it will have the same effect on my children when they arrive at an age to comprehend that their father was so much respected and esteemed by your honorable body of legislators.

Very sincerely yours,

(Signed) DELLA GRYSKEWICZ
(Mrs. Walter G. Gryskewicz)

amp

SENATE MESSAGES

The Clerk of the Senate, Mr. Steinfeld, being introduced, presented extracts from the Journal of the Senate:

Senate Bill for concurrence 279, 393, 403, 421, 482.

House Bills concurred in by Senate 164, 274, 342, 665.

Amended House Bill returned for concurrence 52 and 80.

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 164.

An Act to reenact and amend the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 563), entitled "An act to add section two thousand two and one-tenth to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309), entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all

laws general special or local or any parts thereof that are or may be inconsistent therewith' providing for cooperation of State Teachers Colleges at the request of the State Council of Defense with other agencies in furthering national defense programs and activities" extending the effective period thereof.

HOUSE BILL No. 274.

An Act to amend clause (g) of section one thousand three hundred four of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by definitely specifying the place where the records of professional examining boards shall be kept.

HOUSE BILL No. 342.

An Act to amend section one of the act, approved the fifth day of March, one thousand nine hundred and three (P. L. 14), entitled "An act concerning proxies, authorizing representation and voting of shares of capital stock of corporations at meetings and elections thereof" by further regulating the execution of proxies.

HOUSE BILL No. 665.

An Act to further amend the act, approved the twenty-second day of April, one thousand nine hundred nine (P. L. 122), entitled "An act to validate the exercise of franchise of manufacturing corporations and land companies whose charters have expired, and to validate the conveyances and other instruments of said corporation," making said act apply to any corporation of the Commonwealth of Pennsylvania and extending the time thereof and authorizing certain conveyances.

With the information that the Senate has passed the same without amendment.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 164.

An Act to reenact and amend the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 563) entitled "An act to add section two thousand two and one-tenth to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' providing for cooperation of State Teachers Colleges at the request of the State Council of Defense with other agencies in furthering national defense programs and activities" extending the effective period thereof

HOUSE BILL No. 274.

An Act to amend clause (g) of section one thousand three hundred four of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by definitely specifying the place where the records of professional examining boards shall be kept

HOUSE BILL No. 342.

An Act to amend section one of the act approved the fifth day of March one thousand nine hundred and three (P. L. 14) entitled "An act concerning proxies authorizing representation and voting of shares of capital stock of corporations at meetings and elections thereof" by further regulating the execution of proxies.

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An Act to further amend the act approved the twenty-second day of April one thousand nine hundred nine (P. L. 122) entitled "An act to validate the exercise of franchise of manfacturing corporations and land companies whose charters have expired and to validate the conveyance and other instruments of said corporations" making said act apply to any corporation of the Commonwealth of Pennsylvania and extending the time thereof and authorizing certain conveyances

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

LEAVES OF ABSENCE

By consent of the House leave of absence was granted as follows:

Mr. MODELL for himself for tomorrow's session.

Mr. BROWN for himself for tomorrow's session.

Mr. RUSSELL E. REESE for himself for tomorrow's session.

COMMITTEE REPORTS

Mr. COHEN from the Committee on Appropriations reported as committed House Bill No. 86, entitled:

An Act making an appropriation to the several fire companies of the City of Harrisburg Pennsylvania.

Mr. LYONS from the Committee on Appropriations reported as committed House Bill No. 87, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania located at East Falls Philadelphia Pennsylvania.

Mr. BAKER from the Committee on Appropriations reported as committed House Bill No. 88, entitled:

An Act making an appropriation to the Cresson Volunteer Fire Company for the protection of State property.

Mr. CHARLES H. BRUNNER, Jr. from the Committee on Appropriations reported as committed House Bill No. 91, entitled:

An Act making an appropriation to the National Farm School at Doylestown Pennsylvania.

Mr. COOPER from the Committee on Appropriations reported as committed House Bill No. 112, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of Indiana State Teachers' College, to acquire a certain tract of land for the use of said school; and making an appropriation therefor.

Mr. TURNER from the Committee on Appropriations reported as committed House Bill No. 145, entitled:

An Act making an appropriation to The Glen Mills Schools situate in Delaware County Pennsylvania.

Mr. SERRILL from the Committee on Appropriations reported as committed House Bill No. 151, entitled:

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania.

Mr. CHARLES H. BRUNNER, Jr. from the Committee on Appropriations reported as committed House Bill No. 153, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania.

Mr. NORMAN WOOD from the Committee on Appropriations reported as committed House Bill No. 158, entitled:

An Act making an appropriation to the Trustees of the College of Lincoln University Chester County.

Mr. READINGER from the Committee on Appropriations reported as committed House Bill No. 160, entitled:

An Act making an appropriation to the Department of Forests and Waters for the use of the Valley Forge Park Commission for payment of lands acquired by condemnation and of the necessary expenses incurred incident thereto.

Mr. McDOWELL from the Committee on Appropriations reported as committed House Bill No. 168, entitled:

An Act making an appropriation for aid to free public non-sectarian county libraries and for the purchase and transportation of books.

Mr. STANK from the Committee on Appropriations reported as committed House Bill No. 215, entitled:

An Act making an appropriation to the Orlando S. Johnson Industrial School of Scranton, Pennsylvania.

Mr. O'BRIEN from the Committee on Appropriations reported as committed House Bill No. 216, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania.

Mr. WAGNER from the Committee on Appropriations reported as committed House Bill No. 494, entitled:

An Act making an appropriation to the Local Government Commission to continue its work.

Mr. STOCKHAM from the Committee on Appropriations reported as committed House Bill No. 511, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of maintaining dikes along Darby Creek in Tinicum and Darby Townships, Delaware County, and in Philadelphia.

Mr. McCLESTER from the Committee on Appropriations reported as committed House Bill No. 869, entitled:

An Act making an appropriation to the Trustees of the George Jr. Republic Association, Grove City, Pennsylvania, for the payment of costs of new construction and repairs.

Mr. McKINNEY from the Committee on Appropriations reported as committed House Bill No. 1170, entitled:

An Act making an appropriation to the Department of Property and Supplies for the installation of an electric roll call system in the Hall of the House of Representatives.

Mr. MOSER from the Committee on Judiciary General reported as committed House Bill No. 517, entitled:

An Act increasing the fees of Justices of the Peace and Aldermen in cases of summary conviction relating to motor vehicles.

Mr. TAHL from the Committee on Insurance reported as committed House Bill No. 553, entitled:

An Act to amend section two hundred twelve of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 789), entitled, as amended, "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and interinsurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties, and repealing existing laws," changing the retaliatory provisions of law so as to equalize the burdens and prohibitions, as herein defined, placed on and relating to the insurance business and the insurance of motorists and motor vehicles between other states and this Commonwealth.

Mr. GRANT from the Committee on Cities—Third Class reported as committed House Bill No. 633, entitled:

An Act to add section 1402.1, and to further amend section 2556 of the act approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," providing that the city treasurer shall appoint the assistants and employes of his office, and requiring the various taxing authorities to pay the cost of insuring the city treasurer against losses of money through no fault of his own.

Mr. HAUDENSHIELD from the Committee on Corporations and Industry reported as committed House Bill No. 717, entitled:

An Act further amending and supplementing the act approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business croporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commission, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by adding to Article III, Section three hundred two thereof a new subsection to be designated as (sixteen), empowering every business corporation to make contributions, out of its income in any taxable year, for public and charitable purposes, to an amount which does not exceed fifteen per centum (15%) of the net income of such business corporation for such taxable year, as returned by it to the Federal Government for income tax purposes.

Mr. STUART from the Committee on Aeronautics reported as committed House Bill No. 795, entitled:

An Act to further amend clause (f) of section two hundred one, and to add clause (n) to section two hundred one of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-three (P. L. 1001), entitled, as amended, "An act providing for the regulation of aeronautics within this Commonwealth; conferring powers and imposing duties upon the Pennsylvania Aeronautics Commission and the Department of Revenue in respect thereto; providing for the licensing and registration of airman and aircraft; establishing the legal status of air navigation; providing for sovereignty in, and ownership of, space; providing for lawfulness of flights; regulating civil causes of action arising out of operation of aircraft; fixing the status of contracts, crimes, and torts in, by or by means of operation of aircraft; imposing duties upon officers, burgesses, magistrates, aldermen, justices of the peace, and courts and clerks thereof; providing for denial or revocation of licenses; providing for certain penalties and their disposition; and repealing certain existing laws," by authorizing the commission to assist in the construction of airports and landing fields and to expend moneys appropriated to it for such purposes and to accept moneys from the Federal Government and other sources.

Mr. KRISE from the Committee on Judiciary General reported as committed House Bill No. 880, entitled:

An Act providing for the condemnation of lands by nonprofit hospitals incorporated under the laws of this Commonwealth and prescribing the procedure therefor.

Mr. READINGER from the Committee on Judiciary General reported as committed House Bill No. 917, entitled:

An Act to validate certain acknowledgments and to regulate the effect thereof.

Mr. STUART from the Committee on Boroughs reported as committed House Bill No. 984, entitled:

An Act to amend section one thousand eighty of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," authorizing collection by the tax collector of moneys other than taxes levied or assessed against real property.

Mr. GREER from the Committee on Judiciary General reported as committed House Bill No. 1087, entitled:

An Act to amend section one of the act, approved the eighteenth day of March, one thousand eight hundred seventy-five (P. L. 32), entitled "An act requiring recorders of deeds to prepare and keep in their respective offices general, direct and ad sectum indexes of deeds and mortgages recorded therein, prescribing the duty of said recorders and declaring that the entries in said general indexes shall be notice to all persons," further prescribing the entries to be made by recorders of deeds in the indexes for deeds and indexes for mortgages.

Mr. DALRYMPLE from the Committee on Cities—Third Class, reported as committed House Bill No. 1098, entitled:

An Act authorizing cities of the third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities.

Mr. LEE from the Committee on Professional Licensure reported as committed House Bill No. 1099, entitled:

An Act to add section seventeen point one to the act approved the third day of May, one thousand nine hundred thirty-three, (P. L. 242), entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture; defining beauty culture, and regulating beauty culture shops, schools, students, apprentices, teachers, managers and operators; conferring powers and duties upon the Department of Public Instruction; providing for appeals to certain courts by applicants and licensees; and providing penalties," by declaring the right of municipalities to adopt ordinances for the regulation of beauty shops and beauty schools.

Mr. MILLIKEN from the Committee on Boroughs reported as committed House Bill No. 1111, entitled:

An Act to amend section one thousand two hundred two of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs, and revising, amending and consolidating the law relating to boroughs," authorizing borough councils to make appropriations of certain sums for community nursing and ambulance service.

Mr. WATERHOUSE from the Committee on Aeronautics reported as committed Senate Bill No. 72, entitled:

An Act to further amend section six hundred one of the act approved the twenty-fifth day of May, one thousand nine hundred thirty-three (P. L. 1001), entitled "An act providing for the regulation of aeronautics within this Commonwealth conferring powers and imposing duties upon the Pennsylvania Aeronautics Commission and the Department of Revenue in respect thereto providing for the licensing and registration of airman and aircraft establishing the legal status of air navigation providing for sovereignty in and ownership of space providing for lawfulness of flights regulating civil causes of action arising out of operation of aircraft fixing the status of contracts, crimes and torts in, by or by means of operation of aircraft imposing duties upon officers, burgesses, magistrates, aldermen, justices of the peace, the courts and clerks thereof, providing for denial or revocation of licenses providing for certain penalties and their disposition and re-

pealing certain existing laws" by reducing the amount of the minimum fine which may be imposed for certain violations.

Mr. FREED from the Committee on Aeronautics reported as committed Senate Bill No. 113, entitled:

An Act to empower political subdivisions to promulgate administer and enforce airport zoning regulations limiting the height of structures and objects of natural growth and otherwise regulating the use of property in the vicinity of airports and to acquire by purchase grant or condemnation air rights and other interests in land to authorize penalties and remedies for vioaltions of this act or of any ordinances or regulation made under the authority conferred herein and to authorize appropriations.

Mr. YEAKEL from the Committee on Banking reported as committed Senate Bill No. 115, entitled:

An Act to repeal Section forty-five of the Act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 447) entitled, as amended "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointement, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents."

Mr. DILLON from the Committee on Insurance reported as committed Senate Bill No. 188, entitled:

An Act to amend section four hundred twenty as added to the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled, "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by including annuity policy contracts.

Mr. LAUGHNER from the Committee on Corporations and Industry reported as committed Senate Bill No. 195, entitled:

An Act relating to suits by shareholders against officers or directors in a corporation, domestic or foreign, to enforce a secondary right because the corporation refuses to enforce rights which may be asserted by it; requiring that plaintiff be a shareholder at the time of the transaction of which he complains or that his shares thereafter devolved upon him by operation of law; requiring security for defendant's expenses, including attorneys' fees; and providing for the assessment and recovery of such expenses, and including attorneys' fees.

Mr. PROPERT from the Committee on Banking reported as committed Senate Bill No. 356, entitled:

An Act to further amend Section 411, subsection B of Section 512, Section 1012, Section 1108 and subsection B of Section 1109, of the act approved the fifteenth day of May, one thousand nine hundred and thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts" by further providing for the powers and duties and limitations upon powers of corporations and persons authorized to engage in a banking or fiduciary business or both.

Mr. GIBSON from the Committee on Banking reported as committed Senate Bill No. 424, entitled:

An Act to amend section 686 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by providing that a cashier of a bank who engages in any gainful profession, occupation, or calling other than that of his duty as cashier shall not be guilty of a misdemeanor.

Mr. PAUL G. MURRAY from the Committee on Banking reported as committed Senate Bill No. 460, entitled:

An Act to further amend subsection A of section one thousand one of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduiciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National Banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions and officers; imposing penalties; and repealing certain acts

and parts of acts," by regulating the making of certain classes of loans and clarifying the powers and limitations on powers of banks and bank and trust companies.

Mr. SOLLENBERGER from the Committee on Rules reported as committed House Resolution No. 40.

Mr. FINNERTY from the Committee on Appropriations reported as amended House Bill No. 90, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school.

Mr. TURNER from the Committee on Appropriations reported as amended House Bill No. 141, entitled:

An Act making an appropriation to Sleighton Farm School for Girls situate in Delaware County Pennsylvania.

Mr. COHEN from the Committee on Appropriations reported as amended House Bill No. 214, entitled:

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia.

Mr. LEE from the Committee on Education reported as amended House Bill No. 375, entitled:

An Act to further amend the first paragraph of section one thousand seven hundred one of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing for the issuance of equivalent high school diplomas in certain cases.

Mr. KURTZ from the Committee on Insurance reported as amended House Bill No. 850, entitled:

An Act to further amend sections five hundred twenty-two and five hundred twenty-four, and to repeal section five hundred twenty-three of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureau, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by providing regulations relating to standard fire insurance policies.

Mr. BAKER from the Committee on Insurance reported as amended Senate Bill No. 143, entitled:

An Act to amend clause (a) of section six hundred twenty-one and one-tenth of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by further regulating group, accident and health insurance.

Mr. FREED from the Committee on Banking re-reported as amended House Bill No. 718, entitled:

An Act to further amend section five hundred twelve of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by removing the restriction against cashiers and treasurers being gainfully employed in activities outside of the institution by which they are employed.

Mr. DEPUY from the Committee on Aeronautics reported as committed House Bill No. 1172, entitled:

An Act to further amend the first six paragraphs of section four hundred seven of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined," increasing the membership of the Pennsylvania Aeronautics Commission.

Mr. MOSER from the Committee on Judiciary General reported as amended, House Bill No. 898, entitled:

An Act conferring the power to administer oaths on minute clerks in the court of common pleas or the courts of quarter Sessions of the Peace, Oyer and Terminer and General Jail Delivery in counties of the second class.

BILLS RE-REFERRED

Mr. CLARENCE E. MOORE from the Committee on Banking returned with the recommendation that it be re-referred to the Committee on Building and Loan Associations, Senate Bill No. 263, entitled:

An Act to further amend subsection B of section one thousand eleven of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 565) entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession of and conducting or liquidating the business and property of corporations associations and persons receiving deposits or otherwise transacting a banking business corporations acting as fiduciaries and building and loan associations providing for the payment of the expenses of the Department of Banking by supervised corporations associations or persons and appropriating the Banking Department Fund authorizing the Department of Banking under certain circumstances to examine corporations associations or persons affiliated or having business transactions with supervised corporations associations or persons authorizing appeals to the Supreme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries registers of wills recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services rendered under this act providing penalties and repealing certain acts and parts of acts" further regulating distribution of the assets of building and loan associations in liquidation by the Secretary of Banking.

The SPEAKER. The bill is re-referred to the Committee on Building and Loan Associations.

RESOLUTION

CERTIFIED COPY OF HOUSE BILL No. 100

Mr. LEE asked and obtained unanimous consent to offer a resolution which was read, considered and adopted as follows:

In the House of Representatives, March 20, 1945.

Whereas House Bill No. 100, Printer's No. 26 entitled: "An act providing that in cities of the first class in all cases where taxes are due and unpaid upon a single tract of land and it is desired to divide such tract into separate parcels, the Board of Revision of Taxes may apportion such taxes ratably between or among the parcels so divided; provided that upon payment of the taxes and proper costs on any such parcel it shall be released from the lien" the original official copy of which was recommitted to the Committee on City and County—First Class Monday, February 26, 1945 has been lost

Be It Resolved, That the Chief Clerk of the House is hereby directed to furnish to the Committee on City and County—First Class a certified copy of House Bill 100, Printer's No. 26 which copy shall be substituted for the original.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the State, which was read as follows:

In the Senate, March 19, 1945.

Resolved (if the House of Representatives concur) That when the Senate adjourns this week, it reconvene on Monday, March 26, 1945, at four o'clock p. m., and when the House of Representatives adjourns this week, it reconvene on Monday, March 26, 1945, at nine o'clock p. m.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question.

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

MIDDLEBURG HIGH SCHOOL WELCOMED

The SPEAKER. The Chair welcomes to the House this afternoon students of the Middleburg High School, accompanied by their principal Mr. Kuntzelman, and their teacher Mrs. Shara Schindler, who are the guests of the Speaker.

RECESS

The SPEAKER. If there is no objection the Chair will declare a recess until 2:15 p. m. for the purpose of holding a Democratic caucus. There will also be a meeting of committee chairmen in the new House Caucus room. Is there objection? The Chair hears none and a recess is declared.

AFTER RECESS

The House reconvened at 2:15 p. m.

The SPEAKER (Ira T. Fiss) in the Chair.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 356.

An Act to further amend Section 411, subsection B of Section 512, Section 1012, Section 1108 and subsection B of Section 1109, of the act, approved the fifteenth day of May, one thousand nine hundred and thirty-three (P. L. 624) entitled, "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties liabilities, and immunities of such corporations; of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated coporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or persons, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts" by further providing for the powers and duties and limitations upon powers of corporations and persons authorized to engage in a banking or fiduciary business or both.

Referred to the Committee on Banking.

SENATE BILL No. 381.

An Act to further amend section nine of the act, approved the thirty-first day of May, one thousand nine hundred thirty-three (P. L. 1108), entitled "An act providing for the appointment, promotion, reduction, removal and reinstatement of paid officers; firemen and employes of fire departments and of fire alarm operators and fire box inspectors in the bureaus of electricity in cities of the second and third class; defining the powers and duties of civil service commissions for such purposes; and fixing penalties," raising the age limit for applicants who are honorably discharged war veterans in cities of the third class.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 424.

An Act to amend Section 686 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth" by providing that a cashier of a bank who engages in any gainful profession, occupation, or calling other than that of his duty as cashier shall not be guilty of a misdemeanor.

Referred to the Committee on Banking.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 181, entitled:

An Act to amend section one of the act, approved the twelfth day of June, one thousand nine hundred twenty-three (P. L. 692, No. 288), entitled "An act fixing the salary of county commissioners in counties of the first class," by increasing the salaries of such commissioners.

The first section was read.

On the question,

Will the House agree to the section?

BILL POSTPONED

Mr. LEE. Mr. Speaker, I move that this bill be placed on the postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 183, entitled:

An Act fixing the salary of the controller in counties of the first class.

The first section was read.

On the question,

Will the House agree to the section?

BILL POSTPONED

Mr. LEE. Mr. Speaker, I move that this bill be placed on the postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 45, entitled:

An Act to further amend section two hundred one of the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1005), entitled "An act relating to and regulating tractors and trailers and their operation; providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of tractors and trailers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, and townships, within the Commonwealth, liability for damages caused by the negligent operation of tractors and trailers imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation; and providing for refunds," exempting from registration tractors and trailers used by farmers in certain cases.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 48, entitled:

An Act to further amend section four hundred one of the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by exempting trailers and semi-trailers from registration when used exclusively for the business of farming.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 812, entitled:

An Act to further amend the last paragraph of section eight of the act, approved the eleventh day of June, one thousand nine hundred thirty five (P. L. 326), entitled "An act relating to counties of the first class; defining deceased service persons; providing for contributions by the county to the funeral expenses for such persons and their widows; providing for the erection and care of markers, headstones, and flags, and for the compilation of war records," changing the name of the veterans' grave registrar to director of veterans' affairs; and prescribing his duties.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 98, entitled:

An Act to amend an act approved June sixth, one thousand eight hundred and seventy-one (P. L. 1353), entitled "An act relative to plans of survey and regulation in the City of Philadelphia," by restricting the operation of the act to original plans and revisions, changing the time and number and character of the newspapers in which notice of the proposed plans and revisions shall be published, and of the hearing thereon, eliminating the requirement that streets which are the subject of such plans or revisions must extend from street to street as thoroughfares and must be called public streets, and abrogating the provisions for widening the streets upon the petition of the majority of the owners or majority of feet frontage thereon or on one side thereof.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 493, entitled:

A Supplement to the act approved the fourth day of June one thousand nine hundred and forty-three (Appropriation Acts page fifty-nine) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-three" providing for a deficiency in the appropriation made by said act to the Department of the Auditor General for the fiscal biennium ending May thirty-first one thousand nine hundred and forty-five.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 878, entitled:

An Act to further amend sections three and four of the act, approved the twenty-first day of May, one thousand nine hundred thirty-seven (P. L. 787), entitled, as amended, "An act authorizing, subject to approval of the court of common please, the compromise or reduction of tax and municipal claims on real property purchased by any county, city, borough, town, school district or poor district at any sale for the nonpayment of taxes or municipal claims; and the reconveyance or private sale of such property," by further providing for the distribution of the proceeds of such reconveyance or sale.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 162, entitled:

An Act to further amend section one thousand three hundred eleven of the act approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractural relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed, or kept by persons, associations, companies, corporations or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies, and corporations, (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," by authorizing the court to impose prison sentences in certain cases.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 295, entitled:

An Act to repeal certain obsolete and supplied penal laws.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 417, entitled:

An Act authorizing the Pennsylvania Historical Commission to acquire by gift from the Historical Society of Cambria County, the Admiral Peary Memorial Park in Cresson Township, Cambria County; restricting the use thereof, and making an appropriation to said commission for the improvement of said park.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILL RECOMMITTED

Mr. O'CONNOR. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 419, entitled:

An Act to amend the act, approved the first day of June, one thousand nine hundred forty-three (App. Acts, page 45), entitled "An act making an appropriation to the Department of Highways out of the Motor License Fund for the purpose of rebuilding certain bridges in the County of Wayne, destroyed by flood in said county during the month of May, one thousand nine hundred forty-two," increasing the appropriation for the construction of certain bridges.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILL RECOMMITTED

Mr. FULLERTON. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 425, entitled:

An Act providing for the construction of a museum building and the acquisition and maintenance, by the Department of Forests and Waters, with the advice of the Bushy Run Battlefield Commission, of lands adjacent to the Bushy Run Battlefield State Park; and making an appropriation.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILL RECOMMITTED

Mr. MADDEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further sutdy.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 434, entitled:

An Act making an appropriation to the Department of Forests and Waters to be used for the acquisition of land within the limits of the "Bucktail State Park," and prescribing the uses to be made of such land.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILL RECOMMITTED

Mr. SORG. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further sutdy.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 457, entitled:

An Act to permit the sale and purchase of imitation butter or oleomargarine for consumption by inmates and employes of charitable and penal institutions within the Commonwealth for a period of two years, and suspending certain provisions of the law prohibiting such sales and purchase for the same period of time under certain circumstances; requiring the keeping of records and the making of reports; and providing penalties.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 472, entitled:

An Act prohibiting the sale of drugs, chemicals and preparations thereof without a label bearing certain information; and prescribing a penalty.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 614, entitled:

An Act to further amend section nine hundred and three of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by changing the maximum gross weight of certain commercial motor vehicles and truck tractors.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 615, entitled:

An Act to further amend clauses six and nine of section one; and section three of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," further defining State employes and original members, and making further exception to compulsory membership in the system.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 662, entitled:

An Act to promote interstate cooperation for the conservation and protection of water resources in the Delaware River Basin.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 697, entitled:

An Act to further amend clause seven of section one of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," extending the time for officers and employes of the Department of Public Instruction to withdraw from the Retirement system and receive reimbursement for moneys paid in; and requiring payments from the School Employes' Retirement Fund into the State Employes' Retirement Fund in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 698, entitled:

An Act to further amend clauses nine and thirteen of section one of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from conrtibutions by the Commonwealth and contributing State employes; defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," further defining original members and prior service in the case of certain former members of the Public School Employes Retirement Association.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 714, entitled:

An Act to further amend section one of the act, approved the eighth day of July, one thousand nine hundred nineteen (P. L. 782), entitled, as amended, "An act providing that clerks, appraisers, investigators and other persons assisting the registers of wills in the collection of inheritance taxes, in all counties shall be appointed and their compensation fixed by the Secretary of Revenue; and prescribing the method of their payment and that of other expenses incident to the collection of said taxes, including cost of registers' bonds," by clarifying the provisions for the payment of the cost of registers' bonds filed with the Department of Revenue.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 719, entitled:

An Act to amend section one of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 558), entitled "An act authorizing the Department of Property and Supplies to sell and convey a lot or piece of land in Delaware County," correcting an erroneous measurement.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 754, entitled:

An Act to reamend section two of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1513), as amended the fifth day of June, one thousand nine hundred thirty-seven, entitled "An act regulating the construction, equipment, maintenance, operation and inspection of boilers; granting certain authority to and imposing certain duties upon the Department of Labor and Industry; providing penalties for violations of the act; and repealing all acts or parts of acts inconsistent with this act," by further regulating the construction and maintenance of boilers, and extending the provisions of the act to certain boilers heretofore exempt therefrom; and repealing existing laws.

The first section was read.

On the question,

Will the House agree to the section?

Mr. McKINNEY offered the following amendment:

Amend Sec. 1, (Sec. 2), page 2, line 23, by inserting after the word "carriers" "nor to boilers used in the operation of oil wells."

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. McKINNEY offered the following amendment:

Amend title, page 1, last four lines of title, by striking out of all said lines, and inserting in lieu thereof: "by exempting certain boilers from the provisions of the act."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 770, entitled:

An Act to amend section eight hundred and fifteen of the act approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1225), entitled "An act

concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by controlling certain shooting throughout the year.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 805, entitled:

An Act to amend Article VIII of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by making it unlawful to injure, tap or make unauthorized connections with telegraph and telephone facilities, to receive or send communications by means of such unauthorized connections or to induce such actions by another; and providing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 808, entitled:

An Act authorizing the Department of Property and Supplies, acting for the Commonwealth of Pennsylvania, to acquire by purchase from the owner thereof a tract of land adjacent to the Pottsgrove Mansion, situate in the Borough of Pottstown, Montgomery County, Pennsylvania; and providing for the control, management, supervision, improvement and maintenance thereof by the Pennsylvania Historical Commission.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILL RECOMMITTED

Mr. SORG. Mr. Speaker, I move that this bill recommitted to the Committee on Appropriations for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 942, entitled:

An Act to amend the act approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 439), entitled "An act authorizing the Governor of the Commonwealth of Pennsylvania, with the advice of the Attorney General and the approval of certain members of the General Assembly, for a limited period of time, to suspend or modify laws, either in whole or in part, under certain circumstances, during the existence of the present war," by extending the effective period of the act.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 187, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately eighty-nine acres of land in the Twenty-Sixth and Forty-Eighth Wards of the City of Philadelphia, Pennsylvania, known as the League Island Navy Yard; and ceding jurisdiction to the United States.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 217, entitled:

An Act authorizing agreements between the Secretary of Highways and officials of political subdivisions of the Commonwealth or the Federal Government whereby Federal Funds appropriated for the payment of property damages on State highways may be made available to the political subdivision.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 324, entitled:

An Act to amend article nine of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," providing for auxiliary State game refuge projects; and repealing existing provisions for auxiliary State game refuges

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 384, entitled:

An Act to repeal section three hundred twenty and part of section three hundred twenty-one of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," eliminating the provisions of said act which require licensees to forward to the commission reports of game and fur-bearing animals killed during the previous season.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 37, entitled:

An Act to further amend subsection (9) of section eight of the act approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, re-

turns benefits, and rights from taxation and judicial process; and providing penalties," permitting contributors to change from the one one-hundred-sixtieth (1/160) to the one one-hundredth (1/100) class and providing for obtaining of full benefits by contributors or hereafter making such change.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 119, entitled:

An Act providing for the construction, erection and maintenance of roadside parks adjacent to State highway routes; providing for the acquisition of interests in land by gift, purchase or condemnation; granting powers to and imposing duties upon the Department of Highways; the Secretary of Highways, the Governor, and the Department of Property and Supplies; authorizing rules and regulations and providing penalties for violations thereof; and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 420, entitled:

An Act to amend the act approved the twelfth day of May, one thousand nine hundred and forty-three (P. L. 259), entitled "An act providing for the payment by the State Treasurer, of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies, to the treasurers of the several cities, boroughs, towns and townships, and for the payment thereof into police pension funds, and in certain cases into the Municipal Employes' Retirement System, and in certain other cases into the State Employes' Retirement Fund, for certain purposes," by providing for allocation and distribution of such moneys and further prescribing their use.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 171, as follows:

An Act providing for the complete medical and dental examination of all children of school age and teachers and other school emlpoyes in the public and private elementary and secondary schools of the Commonwealth and imposing certain duties upon the Department of Health and the Department of Public Instruction

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act shall be known and may be cited as the "School Health Act"

Section 2 Definitions "Children of School age" means every child attending or who should attend an elementary grade or high school either public or private within the Commonwealth

"Teachers" mean professional employes temporary professional employes and substitutes and instructors in public or private schools within the Commonwealth

"Other employes" means janitors bus drivers cooks and other cafeteria help and all others employed at schools

"Medical Examiner" means a physician legally qualified to practice medicine in the Commonwealth who has been appointed or approved by the Secretary of Health

"Dental Examiner" means a doctor of dental surgery or dental medicine legally qualified to practice dentistry in the Commonwealth who has been approved by the Secretary of Health

Section 3 Medical and Dental Examinations All children of school age during the time they are members of the first third fifth seventh ninth and eleventh grades in any school within the Commonwealth teachers janitors cooks and other cafeteria help and all others employed at schools within the Commonwealth shall at least once in every two years be given a complete medical and dental examination by medical and dental examiners appointed by the Secretary of Health in fourth class districts and by medical and dental examiners appointed or approved by him in first second and third class districts Teachers and all other school employes shall be given a complete medical examination every two years

Section 4 The medical and dental examinations shall be made in health rooms clinics or rooms set aside for this special purpose that are equipped with the necessary accessories to insure privacy adequate heat and light The medical examinations will require the removal of sufficient clothing to insure complete examination Medical and dental examinations shall include X-rays and such other examinations that may be deemed necessary by the medical or dental examiners School districts and private schools may make arrangements for the use of the hospital laboratories and facilities for examinations herein provided for subject to the approval of the Department of Health and the Department of Public Instruction and the provisions of this act

Section 5 The rate of medical examination shall not be in excess of more than four children teachers or other employes per hour The rate of dental examination shall not be in excess of more than eight children per hour All examinations shall be recorded in their entirety on standard forms as prescribed or approved by the Department of Health

Section 6 All medical examiners shall be assisted by a registered nurse and dental examiners by a registered nurse or if available a dental hygienist or other assistant who shall be present during each examination Parents of children of school age shall be advised in advance as to the date of examinations and urged to be present The examinations in all districts shall be completed on or before the close of the school year

Section 7 Medical and dental examiners shall make such reports of their findings to the proper school officials and to the Department of Health as they may require recommendations as to medical surgical or dental care shall be sent to each parent or guardian as the case may be on forms prepared by the Department of Health with instructions to consult the family physician or dentist The medical and dental examiners shall submit an additional report to the proper school authorities and the Department of Health on the health corrections advised at the last periodic examination on standard forms provided for the purpose In making examinations and advising the parent and family physician the medical examiners shall give special attention to symptoms of reheumatic fever and all other diseases of childhood

Section 8 It is the intent and legislative purpose of this act that a complete and permanent medical and dental record be established and maintained in order to assist in building sound minds and healthy bodies for the youth of Pennsylvania The records established hereunder may among other include a record of tuberculosis blood analysis urinalysis and necessary X-rays and such other records as the Department of Health in conjunction with the Advisory Health Board may deem necessary

All records established and maintained pursuant to this act shall be confidential and their contents shall be divulged only as herein provided

Section 9 The medical and dental examiners shall review the results of the examination with the principal or teacher concerning the report sent to the parents

Section 10 Nothing in this act shall be construed as replacing such medical services in any school district as may now exist or are required by law or regulations of the Department of Health

Section 11. This act shall not be construed to compel any person to submit to any medical or dental examination or treatment, under the authority of this act, when such person or the parent or guardian of any such person objects to such examination or treatment on religious grounds or to permit any discrimination against such person on account of such objection: Provided, That exemption from medical or dental examinations shall not be granted if the Secretary of Health shall find that facts exist under which such exemption constitutes a present substantial menace to the health of other persons exposed to contact with the unexamined person.

Section 12 Any child of school age teacher or other employe may meet the requirements of this act by providing the local school officials with a medical or dental report of examinations made at his own expense by a medical or dental report of examinations made at his own expense by a medical or dental examiner of his own choice on a form approved by the Department of Health for this purpose

Section 13 The medical service for school districts of the first second and third class shall include those services that are now required by existing law or regulations of the Department of Health and the complete medical and dental examinations of those children of school age teachers and other employes provided for in this act Provided however That the medical examinations provided for herein for the first third fifth seventh ninth and eleventh grades shall be in lieu of all other medical examinations provided for by law for children who are members of such grades Report of Health Service On or before the beginning of the school year school districts of the first second and third class shall file with the Secretary of Health a report including the estimated number of children of school age teachers and other employes who will be given a complete medical examination and children of school age who will be given a complete dental examination during the ensuing school year and the names of the medical and dental examiners and other health personnel to be employed who will be responsible for carrying out the requirements of this act Upon submission of such reports the Secretary of Health may then approve the service for the ensuing year

Section 14 Compensation for Medical and Dental Examiners Medical and dental examiners shall be paid from Commonwealth funds at the rate of one dollar and fifty cents ($1.50) for each medical examination and seventy-five cents (75c) for each dental examination School districts of the first second and third class shall report to the Secretary of Health the number of children of school age teachers and other employes who have been given a complete medical and dental examination and shall certify that the medical and dental examiners have been paid at the rate established in the manner prescribed in this section On receipt of such report and certification the Department of Health shall reimburse the school district in the amount expended

The Department shall likewise reimburse school districts of first second and third class for expenditures for laboratory or other special examinations designated in section four of this act provided that the facilities of the school district or local department or board of health or State Department of Health were inadequate to furnish the examination required

Section 15 The Department of Health in conjunction with the Advisory Health Board and with the cooperation of the State Superintendent of Public Instruction shall have power to adopt prescribe and enforce such rules and regulations with regard to the type and extent of the medical and the dental examinations the frequency of the examinations the type of records to be kept and such rules and regulations as may be deemed necessary for carrying out the provisions and purposes of this act

Section 16 This act shall become effective immediately upon final enactment but the program provided for herein shall not be put into operation until the beginning of the school year one thousand nine hundred forty-five one thousand nine hundred forty-six (1945-46) If at the beginning of the school year one thousand nine hundred forty-five one thousand nine hundred forty-six (1945-1946) conditions created by the present war will not permit the institution of the program in full then and in such event the plan shall be put into operation in part or parts as such war conditions permit

Section 17 The sum of $4,700,000 or so much thereof as may be necessary is hereby specifically appropriated to the Department of Health for the purpose of carrying out the provisions of this act

On the question,

Shall the bill pass finally?

Mr. COHEN. Mr. Speaker, I desire to interrogate the gentleman from Lehigh, Mr. Lichtenwalter.

The SPEAKER. Will the gentleman from Lehigh permit himself to be interrogated?

Mr. LICHTENWALTER. I shall, Mr. Speaker.

Mr. COHEN. Mr. Speaker, it may be that this bill with its amendment has been on the desk for so short a period that this question might be a stab in the dark, but a very fast survey of the bill indicates that there is a chance here that the cost per pupil provided under this bill is $1.95. Will the gentleman tell me whether that is correct, Mr. Speaker?

Mr. LICHTENWALTER. The cost per pupil is $1.50 for the medical examination and 75 cents for the dental, which makes a total of $2.25.

Mr. COHEN. Mr. Speaker, is the gentleman acquainted with the fact that the Young Commission recommends $2.00 per pupil cost?

Mr. LICHTENWALTER. I am, Mr. Speaker.

Mr. COHEN. Mr. Speaker, has there been any attempt to reconcile the Young Commission report and the provisions of this bill?

Mr. LICHTENWALTER. I don't know, Mr. Speaker, that the Young Commission report is embodied now in any place on the calendar; it is still in Committee and I imagine that it will be taken care of.

Mr. COHEN. Mr. Speaker, this side of the House wants to extend its thanks to the other side for having carefully listened to all the criticisms that we made of House Bill 171 when it first appeared on the calendar on second reading. We appreciate the fact that the other side has taken enough time to carefully study the subject and to amend the bill in such form and shape that it now becomes entirely acceptable to this side. We trust that the administration of the school examination program will inure to the benefit of the children and the adults of Pennsylvania. We trust the examination will be the beginning of a program of examination that will extend into proper proportions in the future and an adequate sum of money set aside and appropriated for the purpose of a real examination of school children. We want to thank the other side for not only having set the bill up in the proper administrative form, but even increasing the amount of money which had been originally contemplated to be set up, from $3,200,000 to $4,700,000. When the day comes that the gentleman wants $40,000,000 rather than $4,700,000 I will vote for it again.

Mr. LICHTENWALTER. Mr. Speaker, I would just like to point out for the benefit of the membership of the House before a vote is taken on this bill just a few

of the changes that were made by the amendments inserted last evening.

The bill definitely calls for an examination, a special examination in lieu of the regular school examination during the first, third, fifth, seventh, ninth and eleventh grades, during the years that the children are pupils in those particular grades. It allows examination by the family physician, teachers and other employes, even the pupils as long as the examination is duplicated on a form prescribed by the Secretary of Health, and so that it can be made a part of the permanent record of the pupil and the teachers, which can be carried through during a period of years.

It provides definitely for the reimbursement in districts of the first, second and third class, which today have certain medical standards, and provides for a medical director, reimbursing at the rate of $1.50 per pupil for the medical examination and 75 cents for the dental examination.

I want to call the attention of the House to the fact that in the Young Commission report the amount of money allocated was $2.00 per puil, whereas in this bill there is a provided $2.25 for the examination.

It also allows facilities of any of the state hospitals or any of your private hospitals in the communities which have the facilities necessary to make these examinations.

It provides further that the examination should be made in a separate room, and it is the plan of the Department of Health when the equipment is availablbe to purchase the necessary mobile unit properly equipped with the necessary equipment to make this thorough examination to travel through the fourth class school districts in the rural areas of Pennsylvania.

Then last but not least, I think one of the major changes was the increase in the appropriation specifically appropriated in this bill from $3,200,000 to $4,700,000.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boles,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood, N.,
Ewing,	Leisey,	Propert,	Worley,
Finnerty,	Leonard,	Readinger,	Wright,
Flack,	Levy,	Reagan,	Yeakel,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yester,
Foor,	Loftus,	Reese, R. E.,	Fiss,
Fox,	Longo,	Regan,	Speaker.
Freed,	Lopez,	Reidenbach,	

NAYS—0

NOT VOTING—1

Wood, L. H.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No, 782, as follows:

An Act fixing and regulating the fees commissions mileage and other costs chargeable by the sheriff in counties of the second third and fourth classes for their official acts and the services of their deputies watchmen appraisers and other agents requiring prepayment of same unless secured or chargeable to the county and delivery of itemized receipts therefor requiring certain payments by the county including the compensation of special deputies providing for the taxation and collection of fees commissions mileage and other costs requiring salaried sheriffs to account to the county for certain fees and commissions collected and repealing inconsistent laws general special or local

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In all counties of the second third and fourth classes the fees and costs including commissions and mileage to be charged and received by the sheriff from persons or counties requiring their services shall be as follows

(a) For receiving docketing and making return thereof for each writ of scire facias replevin retorno habendo summons foreign attachment domestic attachment attachment execution subpoena in divorce distringas writ of sequestration writ of assistance satisfaction of mortgage injunction mandamus quo warranto bill in equity rule decree order citation subpoena series of interrogatories proclamation or official notice of any kind in any civil action criminal proceeding or public matter issued out of any court or required by law of court two dollars

For serving any such writ process or official notice required to be served by the sheriff personally or by copy served or posted two dollars and mileage

For each additional defendant or person served or copy posted one dollar and mileage

For making each copy served or posted one dollar

For return of tarde venit one dollar

For return of non est inventus one dollar and mileage

Provided however That no charge for service shall be made upon an alias or pluries writ if the same has been charged upon the original with respect to any defendant already served

For serving the same by publication in one or more newspaper as required by law or order of court two dollars and seventy-five cents in each case in addition to printer's bills

For serving any writ official notice petition rule decree process or order of court or copy thereof not herein specially provided for he shall charge and receive the same official fees and legal costs including mileage as for a writ served in a similar way as hereinbefore provided in addition to any fee of the prothonotary chargeable against the sheriff in relation thereto but no charge shall be made for any affidavit of such service except the fee of the notary or other official administering the oath or affirmation thereto For taking an affidavit one person fifty cents two persons seventy-five cents three or more one dollar

(b) For executing writs of levari facias fieri facias venditioni exponas or any writ or order issued out of any court requiring the levy and seizure of lands and tenements or selling the same according to law the following items to be paid by the plaintiffs or petitioners

For receiving docketing and making return thereof two dollars

For serving or posting any copy of notice thereof the fees and mileage hereinbefore provided

For levying on each separate piece or parcel of land one dollars and mileage

For advertising to public sale in newspapers each piece or parcel of land two dollars and seventy-five cents in addition to printer's bills

For advertising to public sale by hand-bills each piece or parcel of land separately described by metes and bounds or otherwise two dollars and seventy-five cents and mileage in addition to printer's bills

For crying the sale of each separate piece or parcel of land separately sold and each adjourned sale one dollar

In addition the sheriff shall charge and receive as an official fee a commission charge of two cents on every dollar based upon the total amount bid for the property whether paid to the sheriff or credited to the purchaser Provided That the amount of same does not exceed one thousand dollars ($1,000) in which case one-half cent (½c) on every dollar in excess of this amount shall be charged in addition

For executing and acknowledging any deed for lands and tenements three dollars to be paid by the purchaser when the deed is tendered

For registering the same in any municipality one dollar in addition to the fee required by law for registration to be paid by the purchaser

In addition the purchaser shall pay to the sheriff any fee of the prothonotary for the acknowledgment of the sheriff's deed and the fee of the recorder for recording same for which the sheriff shall account to them respectively

(c) For executing any writ of inquiry partition condemnation appraisement inquisition or any similar writ issued by any court alderman justice of the peace magistrate or commissioner under any act of Assembly the following items to be paid by the party who procured same

For receiving docketing and making return thereof two dollars

For summoning parties or persons in possession personally or by copy served or posted for first service one dollar and fifty cents and mileage

For each additional service personally or by copy or posting one dollar and mileage

For making each copy served or posted one dollar

For summoning and swearing special jurors four dollars

For holding inquisition or appraisement of real estate if same be held upon the premises four dollars and mileage to and from the place where same may be located in addition to jurors' experts' or surveyors' fees and necessary expenses

For other execution of any such writ four dollars

For serving the same by publication in one or more newspapers as required by law or order of court two dollars and seventy-five cents in addition to printer's bills

For delivering lands to plaintiff in inquisition or similar proceedings two dollars and seventy-five cents and mileage and no commission in such case shall be charged

(d) For executing fieri facias domestic attachment foreign attachment fraudulent debtor's attachment retorno habendo and replevin or any writ or order issued not of any court requiring the levy or seizure of personal property or selling the same according to law the following items to be paid by the parties procuring same

For receiving docketing and making return thereof three dollars

For serving or posting any copy or notice thereof the fees and mileage hereinbefore provided

For each levy on personal property one dollar and fifty cents and mileage

For return of nulla bona one dollar and mileage

For clerk hire at each sale whether on one or more writs against the same defendant two dollars

For advertising personal property to public sale by hand-bills two dollars and seventy-five cents and mileage in addition to printer's bills

For adjourning any sale one dollar and mileage

In addition the sheriff shall charge and receive as an official fee a commission of two cents on every dollar based upon the total amount realized from said sale whether paid to the sheriff or credited to the purchaser on account of any writ provided that the amount of same does not exceed one thousand dollars ($1,000) in which case one-half cent (½c) on every dollar in excess of that amount shall be charged in addition

For each watchman to take care of property attached levied upon or otherwise taken into legal custody when necessary or requested by any of the parties interested seven dollars for each period of eight hours to be considered a day's service and a proportionate sum of any fraction of such day to be payable to such watchman and collectable for his benefit by the sheriff from the party benefited thereby or person requiring his services in like manner as other legal costs payable to the sheriff may be collected

For insurance arranging goods for sale heat light power storage rent transportation supplies feeding livestock and similar expenses incurred in caring for and keeping the goods and chattels levied upon or attached when the same are necessary or advantageous or when requested by any party interested to incur any such expenses the actual costs thereof to be paid by the plaintiff petitioner or party requiring same to be incurred provided any surplus of advances for same be refunded

(e) For the settlement or staying by the plaintiff of any writ embraced in any section of this act relating to either lands and tenements or personal property the execution of the same not being concluded the sheriff shall receive the same fees for receiving docketing and returning levying and advertising with mileage and such commission as would be chargeable if sale had been made upon said writ for the amount paid to settle or stay the same whether such sum be paid to him or to the plaintiff or a compromise be made between plaintiff and defendant for the future payment of any sum to satisfy the same

For receiving and docketing each property claim wage claim rent claim or exemption claim two dollars to be paid by the claimant upon filing same with the sheriff or his deputy in addition to any fee collectable by the prothonotary or clerk of any court for filing any notice petition or rule relating thereto

For the appraisement of personal property by virtue of any act of Assembly or at the lawful request of any party four dollars and mileage Provided That in any case where the appraisement of a large quantity of goods or the services of experts shall be required the sheriff or any party may apply by petition to the court or a judge thereof having jurisdiction over said matter setting forth the facts and said court or judge may make an order fixing the sum to be allowed and paid to the sheriff for the compensation of the appraisers as the

proper cost of making such appraisement which sum so fixed and allowed shall be taxed as the sheriff's proper legal costs The plaintiff or petitioner in the proceedings sh l pay for the making and filing of any appraisement required unless otherwise provided by law

For notifying the Auditor General of the proposed sale of the property or the franchise of any corporation or joint-stock association three dollars

(f) For executing venire facias or venire facias jurotroes issued out of any court the following items to be paid by the county

For receiving docketing and making return thereof on each venire two dollars

For any services of the sheriff in drawing names of jurors from the jury wheel and summoning such jurors or summoning any jurors drawn by any jury board or commissioner the sheriff shall be entitled to charge and receive from the county one dollar and mileage and necessary expenses for each juror drawn

(g) For executing writs of habere facias liberari facias dower possessionem or possessory process requiring the delivery of possession of real estate or ejecting or dispossessing any person or persons of their effects five dollars and mileage and reasonable costs for help when necessary to preserve the peace or safeguard property in addition to the costs of sale when made to be paid by the party depositing such writ or demanding possession

(h) For executing any process warrant capias attachment decree sentence or order of court issued out of any court where any person or the defendant's body is taken into custody to be paid by the county when the Commonwealth is interested otherwise by the party procuring such process writ order or decree as follows

For receiving docketing and making return thereof two dollars

For each arrest one dollar and mileage in addition to necessary help and expenses including the compensation of any special deputies required who shall be paid at the rate of five dollars for eight hours' service

For transportation of each prison ten cents per mile in addition to necessary help and expenses including the compensation of any special deputies required who shall be paid at the rate of five dollars for eight hours' service

For each commitment to jail correctional institution asylum or place of detention of any juvenile court in any criminal or civil case fifty cents to be paid by the county unless otherwise provided by law

For discharging any person or prisoner from any such place of confinement in any case fifty cents to be paid by the county

For executing bail-piece or taking bond in any matter whether civil or criminal one dollar to be paid by the person benefited unless otherwise provided by law

In addiiton the sheriff shall receive for the indictment in each oyev and terminer case the sum of three dollars and in each quarter sessions court or other county court case the sum of one dollar and fifty cents to be paid by the county

For each bill ignored by the grand jury one dollar and fifty cents to be paid by the county

For each case acted upon by any juvenile court one dollar and fifty cents to be paid by the county

For each non-support or desertion case acted upon by any court the sum of one dollar and fifty cents to be paid by the county

(i) Where the sheriff shall be in charge of any jail or prison or place of detention he shall be entitled to receive such allowance for the custody care and maintenance of prisoners and inmates as may be fixed by the courts or official boards of the respective counties having supervision of such institutions or as said courts or boards may approve upon itemized bills rendered from time to time to be paid by such county in addition to any compensation for his services fixed by law or by any court or official board authorized to fix such compensation

For removing an insane or weak minded or defective person to any institution for the confinement of any such persons or any person to the penitentiary workhouse Huntingdon Reformatory or to any charitable institution or any hospital school or home where persons are confined or detained or supported under any committment sentence or order of any court two dollars and fifty cents on each commitment or order in addition to mileage and necessary expenses including the compensation of any special deputies required who shall be paid at the rate of five dollars for eight hours' service to be paid by the county unless some other governmental body is chargeable therewith by law Provided however That the mileage for the person in custody under commitment or order shall be based upon the miles actually traveled to his or her destination.

(j) For attending court when required to do so by law or by any judge or district attorney or bringing into and removing therefrom prisoners for arraignment trial or sentence or witnesses held in custody the sum of ten dollars per day for the sheriff and a like sum for each deputy for each day of oyer and terminer court quarter sessions court juvenile court or county court including the County Court of Allegheny County when the sheriff or deputy is actually present to be paid by the county

(k) For levying or paying out fines three cents per dollar to be paid by the party or person receiving the fine

For issuing and recording any license one dollar in addition to the license fee payable to the county or Commonwealth to be paid by the licensee

For advertising general or special elections in newspapers two dollars and seventy-five cents in addition to printer's' bills to be paid by the county

For advertising general or special elections by handbills for each polling place two dollars and seventy-five cents and mileage in addition to printer's bills to be paid by the county

For serving notice on the judge of each election district in special elections seventy-five cents and mileage to be paid by the county

(l) For services performed in his capacity as a conservator of the peace or police officer in suppressing riots mobs or insurrections and when discharging any duty requiring the summoning of a posse comitatus or special deputy sheriffs the sheriff shall receive a per diem compensation at the rate of five dollars for eight hours' service together with the mileage and necessary expenses including subsistence for himself and those under him to be paid by the county

For each special deputy appointed by any sheriff in case of any emergency to assist him in executing any civil or criminal process or court order or preserving the peace such sheriff may change and shall receive from the county compensation for such deputy at the rate of five dollars for eight hours' service in addition to the expenses incurred for the transportation and subsistence of such deputy while rendering such service

(m) For mileage in serving or executing any of the writs official notices rules decrees orders or processes or copies thereof or performing any of the duties or services herein specified or authorized by law the sheriff shall be entitled to charge and receive and may tax as official costs ten cents a mile circular for each mile necessary to be traveled by him or any of his deputies or employes and the same shall be allowed upon each separate writ rule order decree process or notice served or service performed Provided That he shall not receive more than one mileage where the plaintiff and defendant in two or more contemporaneous writs are the same or when conducting two or more persons or prisoners at one time to or from a place of detention or correction but he shall also receive the aforesaid mileage for transporting such prisoners and his deputies guarding them and meals and lodging during the journey and the return of his deputies

(n) For the executing of any matter directed to the sheriff or required by law or rule of court ths performance of which is not herein mentioned the sheriff shall receive the same official fees commissions and legal costs including mileage as for similar service herein specially provided for

(o) In all cases or proceedings of which the County

Court of Allegheny County shall have jurisdiction the sheriff shall receive the same fees commissions and costs including mileage for official services in connection therewith as for similar services in like proceedings in other courts of the Commonwealth

Section 2 In counties where the sheriff is or shall be compensated by a salary all fees and commissions which he shall be required or entitled to charge or receive for official acts or services shall belong to the county except such taxes fines and fees as are levied or collected for the Commonwealth or for the Federal Government and he shall not retain for his own use any such fees or commissions but shall be entitled to all mileage and other allowances for costs and expenses chargeable by him including the compensation of special deputies

However no county whose sheriff is salaried shall be required to pay him any fee or commission for services rendered to it by him or his regular deputies or clerks to which the county would be entitled if same shall be credited on his fee account as if same had been paid to him and accounted for by him and such a sheriff shall be entitled to deduct from any fees or commissions collected by him and due the county any overdue items for his salary or the compensation of his deputies clerks or other agents or for mileage or other allowances aforesaid or for any other charges against the county except fees or commissions earned by him or them to which the county is entitled as aforesaid provided he shall furnish the county treasurer of the county with itemized statements of such deductions which shall be subject to audit exception and correction in like manner as his fee accounts and claims against the county as now or hereafter provided by law For such purpose he shall file duplicates of such statements with the controller of the county with the monthly transcripts of his fee account which shall be subject to the inspection of the county commissioners or any taxpayer of the county

Section 3 All official fees commissions and legal costs including mileage which are or shall be chargeable by the sheriff shall be payable upon demand unless otherwise provided herein No sheriff shall be required to render any service in any civil proceeding until he receives in demnity satisfactory to him for the payment of his official fees mileage expenses and legal costs or prepayment of same from the party at whose instance or for whose benefit such service is to be performed but any money advanced for his charges and not earned or expended shall be refunded to the payer thereof The sheriff without obtaining any extension of time for the return of any civil writ notice decree order or process may refuse to make return thereof until he shall receive all unpaid fees commissions mileage expenses and legal costs relating thereto from the party for whose benefit the same was granted or issued unless his charges are to be paid by the Commonwealth or any county thereof or he is ruled to make a return In case he does not receive his charges in advance or upon demand he may file with his return in any proceeding an itemized list of unpaid fees commissions mileage costs and expenses respecting the service to which such return relates and if no exceptions are filed to the same within thirty days from the time of making such return the items included in such list shall be considered taxed and confirmed as fees commissions mileage and costs due such sheriff and become a judgment in law and the said sheriff may issue an execution for the amount so taxed and collect the same from any party chargeable therewith without further suit and shall not be disqualified to enforce such execution by reason of his interest therein Provided That such taxation may be reviewed and execution controlled by any court having jurisdiction if sufficient cause be shown by any person aggrieved Nothing herein contained shall be deemed to impair the power of any court in any criminal proceeding to enforce the payment by any prosecutor or defendant of any fees commissions and costs including mileage chargeable by the sheriff or payable to him by the county in connection therewith in any manner now or hereafter provided by law

Section 4 The said sheriffs shall and are hereby required to make fair tables of their respective fees and commissions according to this act and to publish and keep a copy of the same in some conspicuous place in their offices at all times after this act becomes effective

Section 5 It shall be the duty of said sheriffs their deputies or agents if demand for that purpose shall be made immediately after receiving any of their official fees commissions and legal costs including mileage to deliver a bill of particulars specifying the several items contained therein and the amount thereof to the party paying said fees et cetera and to give a receipt therefor or to endorse on any written security when taken that the same was given for fees commissions and legal costs including mileage and to sign the endorsement so made

Section 6 The sheriff shall be relieved from any liability for the loss destruction removal or damage to any goods or chattels or any injury to any real estate levied upon seized or taken into possession by virtue of any writ attachment order decree distraint or sequestration if the person or party lodging the same with him shall refuse to advance or secure the reasonable fees mileage charges and expenses incident to the seizure safe keeping and proper protection of such property upon demand

Section 7 This act is intended as an entire and complete fee bill for sheriffs in all counties of the second third and fourth classes and any and all other acts general special or local or any parts thereof that are inconsistent herewith are hereby repealed without intending to revive any acts or parts of acts repealed thereby

The act approved the first day of June one thousand nine hundred thirty-three (P. L. 1141) entitled "An act fixing and regulating the fees commissions mileage and other costs chargeable by sheriffs for their official acts and the services of their deputies watchmen appraisers and other agents requiring prepayment of same unless secured or chargeable to the county and delivery of itemized receipts therefor requiring certain payments by the counties including the compensation of special deputies providing for the taxation and collection of fees commissions mileage and other costs requiring salaried sheriffs to account to their counties for certain fees and commissions collected and repealing inconsistent laws general special or local" is hereby repealed insofar as it relates to counties of the second third and fourth classes

Section 8 This act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boles,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,

Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood, N.,
Ewing,	Leisey,	Propert,	Worley,
Finnerty,	Leonard,	Readinger,	Wright,
Flack,	Levy,	Reagan,	Yeakel,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yester,
Foor,	Loftus,	Reese, R. E.,	Fiss,
Fox,	Longo,	Regan,	Speaker.
Freed,	Lopez,	Reidenbach,	

NAYS—0

NOT VOTING—1

Wood, L. H.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection House Bill No. 51, Printer's No. 166, was passed over at the request of the SPEAKER.

There being no objection House Bill No. 528, Printer's No. 232, was passed over at the request of Mr. DENNISON.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 690, as follows:

An Act to amend the title and subsection (a) of section three of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045) entitled "An act relating to the support of indigent persons publicly cared for or assisted providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure" emplowering courts to order certain indigent persons to be supported by certain relatives whether or not such persons are public charges

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and subsection (a) of section three of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045) entitled "An act relating to the support of indigent persons publicly cared for or assisted providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure" are hereby amended to read as follows

An Act relating to the support of indigent persons [publicly cared for or assisted] providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure

Section 3 Relatives Liable for the Support of Indigent Persons Procedure to Enforce Support (a) The husband wife child father mother grandparent and grandchild of every indigent person whether a public charge or not shall if of sufficient financial ability care for and maintain or financially assist such indigent person at such rate as the court of the county where such indigent person resides shall order or direct

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Andrews,	Freed,	Longo,	Reilly,
Baker,	Frost,	Lopez,	Reynolds,
Barrett,	Fullerton,	Lovett,	Riley,
Barton,	Gaffney,	Madden,	Robertson,
Baumunk,	Gallagher,	Madigan,	Root,
Bentley,	Gardner,	Mahany,	Rose,
Bentzel,	Getchey,	Matthews,	Royer,
Boies,	Gibson,	McAtee,	Rudisill,
Bonawitz,	Goodling,	McClester,	Salus,
Boney,	Gore,	McCormack,	Scanlon,
Boorse,	Grant,	McDowell,	Schuster,
Boory,	Green,	McKinney,	Serrill,
Bower,	Greenwood,	McLanahan,	Shaffer,
Brancato,	Greer,	McMillen,	Shoemaker,
Breisch,	Guthrie,	McNair,	Skale,
Brice,	Gyger,	McNally,	Sloan,
Brothers,	Haberlen,	Mihm,	Smith,
Brown,	Hall,	Mikula,	Snider,
Brunner C. H.,	Hamilton,	Miller,	Snyder,
Brunner, P. A.,	Hare,	Milliken,	Sollenberger,
Burns,	Haudenshield,	Mills,	Sorg,
Cadwalader,	Helm,	Modell,	Stockham,
Chervenak,	Hennihan,	Mooney,	Stonier,
Chudoff,	Hering,	Moore, C. E.,	Stuart,
Cohen,	Herman,	Moore, W. J.,	Swope,
Coleman,	Hersch,	Moser,	Tahl,
Cook,	Hewitt,	Munley,	Tate,
Cooper,	Hoffman,	Murray, M. L.,	Tittle,
Corrigan,	Hoggard,	Murray, P. G.,	Trachtman,
Costa,	Hoopes,	Myhan,	Trent,
Coulson,	Howells,	Nelson,	Trout,
Coyle,	Hunter,	O'Brien,	Turbett,
Cullen,	Huntley,	O'Connor,	Turner,
Dague,	James,	O'Dare,	Varallo,
Dalrymple,	Jones,	O'Donnell,	Verona,
Dennison,	Kennedy,	O'Neill,	Wachhaus,
Depuy,	Kirley,	Owens,	Wagner,
Dillon,	Kline,	Pentrack,	Waterhouse,
Dix,	Kolankiewicz,	Petrosky,	Watkins,
Dougherty,	Komorofski,	Pettigrew,	Weiss,
Duffy,	Krise,	Pickens,	Welsh,
Dye,	Kurtz,	Polaski,	Wescott,
Elder,	Lane,	Polen,	White,
Elish,	Laughner,	Powers,	Wood, N.,
Erb,	Lee,	Propert,	Worley,
Ewing,	Leisey,	Readinger,	Wright,
Finnerty,	Leonard,	Reagan,	Yeakel,
Flack,	Levy,	Reese, D. P.,	Yester,
Fleming,	Lichtenwalter,	Regan,	Fiss,
Foor,	Loftus,	Reidenbach,	Speaker.
Fox,			

NAYS—6

Heatherington,	Moran,	Reese, R. E.,	Stank,
Lyons,	Nagel,		

NOT VOTING—1

Wood, L. H.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order.

The House proceeded to the third reading and consideration of House Bill No. 536, as follows:

An Act to further amend section fifteen hundred one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing that additional inspections of the eyes of pupils may be made by opthalmologists or optometrists and for their compensation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1. Section fifteen hundred one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the act approved the twentieth day of May one thousand nine hundred twenty-one (P. L. 939) is hereby further amended to read as follows

Section 1501. Every school district of the first second or third class in this Commonwealth shall annually provide medical inspection of all the pupils of its public schools by proper medical inspectors to be appointed by the board of school directors of the district in sufficient number to conduct the required inspection in conformity with the standard requirements prescribed by the [Commissioner] Secretary of Health for the medical inspection of schools in such district. Such medical inspection shall be made in the presence of the parent or guardian of the pupil when so requested by parent or guardian. All such medical inspectors shall be physicians legally qualified to practice medicine in this Commonwealth who have had at least two years experience in the practice of their profession and where additional inspection of the eyes is recommended by the medical inspectors or desired by the school boards such additional inspection may be made by opthalmologists or optometrists [and] The physicians opthalmologists and optometrists making such inspections shall be paid such amounts as the boards of school directors may determine. Provided, That nothing in this act shall preclude the appointment of health officers of municipalities as medical inspectors in the school districts of this Commonwealth

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—188

Andrews,	Frost,	Lovett,	Reidenbach,
Baker,	Fullerton,	Madden,	Reilly,
Barrett,	Gaffney,	Madigan,	Reynolds,
Barton,	Gallagher,	Mahany,	Riley,
Baumunk,	Gardner,	Matthews,	Robertson,
Bentley,	Getchey,	McAtee,	Root,
Bentzel,	Goodling,	McClester,	Rose,
Boies,	Core,	McCormack,	Royer,
Bonawitz,	Grant,	McDowell,	Salus,
Boney,	Green,	McKinney,	Scanlon,
Boorse,	Greer,	McLanahan,	Schuster,
Boory,	Guthrie,	McMillen,	Shaffer,
Brancato,	Gyger,	Mihm,	Shoemaker,
Breisch,	Haberlen,	Mikula,	Skale,
Brothers,	Hall,	Miller,	Smith,
Brown,	Hamilton,	Milliken,	Snider,
Brunner, C. H.,	Hare,	Mills,	Snyder,
Brunner, P. A.,	Haudenshield,	Modell,	Sollenberger,
Burns,	Heatherington,	Mooney,	Sorg,
Cadwalader,	Helm,	Moore, C. E.,	Stank,
Chervenak,	Hering,	Moran,	Stockham,
Chudoff,	Herman,	Moser,	Stuart,
Cohen,	Hersch,	Munley,	Swope,
Coleman,	Hewitt,	Murray, M. L.,	Tahl,
Cook,	Hoffman,	Murray, P. G.,	Tate,
Cooper,	Hoggard,	Myhan,	Tittle,
Corrigan,	Hoopes,	Nagel,	Trachtman,
Costa,	Howells,	Nelson,	Trent,
Coulson,	Hunter,	O'Brien,	Trout,
Coyle,	Huntley,	O'Connor,	Turbett,
Cullen,	James,	O'Dare,	Turner,
Dague,	Jones,	O'Donnell,	Varallo,
Dalrymple,	Kirley,	O'Neill,	Verona,
Dennison,	Kline,	Owens,	Wachhaus,
Depuy,	Kolankiewicz,	Pentrack,	Waterhouse,
Dillon,	Komorofski,	Petrosky,	Watkins,
Dix,	Krise,	Pettigrew,	Weiss,
Dougherty,	Lane,	Pickens,	Welsh,
Duffy,	Laughner,	Polaski,	Wescott,
Dye,	Lee,	Polen,	White,
Elish,	Leisey,	Powers,	Wood, N.,
Erb,	Leonard,	Propert,	Worley,
Ewing,	Levy,	Readinger,	Wright,
Finnerty,	Lichtenwalter,	Reagan,	Yeakel,
Fleming,	Loftus,	Reese, D. P.,	Yester,
Foor,	Longo,	Reese, R. E.,	Fiss,
Fox,	Lopez,	Regan,	Speaker.
Freed,			

NAYS—18

Bower,	Greenwood,	McNair,	Serrill,
Brice,	Hennihan,	McNally,	Sloan,
Elder,	Kennedy,	Moore, W. J.,	Stonier,
Flack,	Kurtz,	Rudisill,	Wagner,
Gibson,	Lyons,		

NOT VOTING—1

Wood, L. H.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection House Bill No. 321, Printer's No. 297, was passed over at the request of the SPEAKER

There being no objection Senate Bill No. 243, Printer's No. 113 was passed over at the request of the SPEAKER

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 283, as follows:

An Act to add clause XLVIII to section one thousand five hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" authorizing purchase of real property and construction of garbage disposal plants

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1. Section one thousand five hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An

act concerning townships of the first class amending revising consolidating and changing the law relating thereto" is hereby amended by adding at the end thereof a new clause to read as follows

Section 1502 The corporate power of a township of the first class shall be vested in the board of township commissioners The board shall have power

* * * *

XLVIII Garbage and Treatment Works Separately or jointly with two or more municipalities to purchase any real property within or without the township limits of any such township or municipality and to erect and maintain garbage or incinerating furnaces and all appliances necessary therefor

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boles,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Cervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Culson,	Howells,	Nagel,	Trent,
Cyle,	Hunter,	Nelson,	Trout,
Allen,	Huntley,	O'Brien,	Turbett,
Cague,	James,	O'Connor,	Turner,
Crymple,	Jones,	O'Dare,	Varallo,
Cunnison,	Kennedy,	O'Donnell,	Verona,
Cuoy,	Kirley,	O'Neill,	Wachhaus,
Dalton,	Kline,	Owens,	Wagner,
D.,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
E.,	Kurtz,	Pickens,	Welsh,
Eber,	Lane,	Polaski,	Wescott,
Eash,	Laughner,	Polen,	White,
Ellis,	Lee,	Powers,	Wood, N.,
Eng,	Leisey,	Propert,	Worley,
Fagerty,	Leonard,	Readinger,	Wright,
Fink,	Levy,	Reagan	Yeakel,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yester,
Flick,	Loftus,	Reese, R. E.,	Fiss,
Ford,	Longo,	Regan,	Speaker.
	Lopez,	Reidenbach,	

NAYS—0

NOT VOTING—1

Ward, L. H.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 337, as follows:

An Act to further amend subsection (b) of section nine hundred thirteen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" eliminating the payment of fees for the filing of nomination petitions for public offices in townships of the second class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of section nine hundred thirteen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" as last amended by the act approved the twenty-sixth day of June one thousand nine hundred forty-one (P. L. 212) is hereby further amended to read as follows

(b) Each person filing any nomination petition shall pay for each petition at the time of said filing a filing fee to be determined as follows and no nomination petition shall be accepted or filed unless and until such filing fee is paid by a certified check or money order only Said certified checks or money orders shall be made payable to the Commonwealth of Pennsylvania or to the county as the case may be and shall be transmitted to the State Treasurer or to the county treasurer and shall become part of the General Fund

1 If for the office of President of the United States or for any public office to be filled by the electors of the State at large the sum of fifty dollars ($50.00)

2 If for the office of Representative in Congress or judge of a court of record excepting judges to be voted for by the electors of the State at large and associate judge the sum of thirty-five dollars ($35.00)

3 If for the offices of senator or representative in the General Assembly for any office to be filled by the electors of an entire county other than jury commissioner associate judge or prison inspector the sum of twenty-five dollars ($25.00) if for the office of jury commissioner or associate judge the sum of ten dollars ($10.00) if for the office of prison inspector the sum of two dollars ($2.00) if for any office to be filled by the electors of an entire city the following sums if in a city of the first or second class twenty-five dollars ($25.00) if in a city of the second class A fifteen dollars ($15.00) and if in a city of the third class ten dollars ($10.00)

4 If for any borough town township of the first class school district or poor district office not otherwise provided for the sum of two dollars ($2.00)

[Provided however that no filing fee shall be paid for

a nomination petition for any public office for which no compensation is provided by law]

5 If for judge or inspector of election or for any other public office not included hereinabove the sum of fifty cents ($.50)

6 If for the office of delegate or alternate delegate to National party convention or member of National committee or member of State committee the sum of ten dollars ($10.00)

7 If for any other party office the sum of fifty cents ($.50)

8 If for the office of alderman justice of the peace or constable the sum of two dollars ($2.00)

9 If for the office of township auditor or road supervisor the sum of one dollar ($1.00)

Provided however that no filing fee shall be paid for a nomination petition for any public office for which no compensation is provided by law nor for any nomination petition for any public office judge or inspector of election justice of the peace or constable in any township of the second class

Section 2 This act shall become effective on the first day of June one thousand nine hundred forty-five

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boies,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Erb,	Laughner,	Polen,	White,
Ewing,	Lee,	Powers,	Wood, N.,
Finnerty,	Leisey,	Propert,	Worley,
Flack,	Leonard,	Readinger,	Wright,
Fleming,	Levy,	Reagan,	Yeakel,
Foor,	Lichtenwalter,	Reese, D. P.,	Yester,
Fox,	Loftus,	Reese, R. E.,	Fiss,
Freed	Longo,	Regan,	Speaker
	Lopez,	Reidenbach,	

NAYS—0

NOT VOTING—1

Wood, L. H.,

The majority required by the Constitution having vo in the affirmative, the question was determined in affirmative.

Ordered, That the Clerk present the same to the Se for concurrence.

Agreeably to order,

The House proceeded to the third reading and c sideration of House Bill No. 414, as follows:

An Act to further amend section fourteen of the act proved the eighteenth day of July one thousand n hundred seventeen (P. L. 1043) entitled "An act est lishing a public school employes' retirement sys and creating a retirement board for the administra thereof establishing certain funds from contribut by the Commonwealth and contributing employes fining the uses and purposes thereof and the man of payments therefrom and providing for the guara by the Commonwealth of certain of said funds im ing powers and duties upon boards having the emp ment of public school employes exempting annu allowances returns benefits and rights from taxa and judicial process and providing penalties" by creasing the minimum amount to be paid to certain sons on retirement

The General Assembly of the Commonwealth of Pe sylvania hereby enacts as follows

Section 1 Section fourteen of the act approved eighteenth day of July one thousand nine hundred se teen (P. L. 1043) entitled "An act establishing a pu school employes' retirement system and creating a tirement board for the administration thereof establ ing certain funds from contributions by the Comm wealth and contributing employes defining the uses purposes thereof and the manner of payments theref and providing for the guaranty by the Commonwealt certain of said funds imposing powers and duties u boards having the employment of public school empl exempting annuities allowances returns benefits and ri from taxation and judicial process and providing pe ties" as last amended by the act approved the thirte day of April one thousand nine hundred forty-three L. 37) is hereby further amended to read as follows

Superannuation Retirement

Section 14 Retirement for superannuation shall b follows

1 Any contributor who is an employe sixty-two y of age or older may retire for superannuation by f with the retirement board a written statement duly tested setting forth at what time subsequent to the cution of said application he or she desires to be re Said application shall retire said contributor at the so specified or in the discretion of the retirement b at the end of the school term in which the time so s fied occurs

2 Each and every contributor who has attaine shall attain the age of seventy years shall be re by the retirement board for the superannuation f with or at the end of the school term in which said of seventy years is attained

Allowance on Superannuation Retirement

3 On retirement for superannuation a contributor is an employe shall receive a retirement allowance w shall consist of

(a) An employe's annuity which shall be the actu equivalent of his or her accumulated deductions and

(b) A State annuity of one one-hundred-sixtieth /160) of his or her final salary for each year of service d

(c) In addition thereto if a present employe a further ıte annuity of one one-hundred sixtieth (1/160 of his her final salary for each year of prior service as cer- ed to said present employe in the certificate issued to n or her by the retirement board under the provisions section eleven of this act

4 Any person sixty-two years of age or older who .s a class-room teacher principal supervising principal superintendent in the public schools of Pennsylvania at least twenty years and who separated from school vice for any reason prior to the first day of July one)usand nine hundred and nineteen and who was not reafter engaged in school service except temporarily not more than one whole school year or any person o was a class-room teacher principal supervising prin- al or superintendent in the public schools of Penn- vania for at least fourteen years and who separated m school service because of physical or mental dis- ility prior to the first day of July one thousand nine ndred and nineteen and who still is unable to teach cause of such disability shall receive a State compensa- n equal to one-eighteenth of his or her final salary for ch year of school service but not less than [twenty llars ($20)] twenty-five dollars ($25) per month if ch former teacher shall agree in writing and hold him- f or herself ready under the direction of the board of ool directors to advise and counsel with school officials visit and counsel with new teachers to act as substitute cher when able to examine and report on public school rk to visit pupil's homes in the interests of child wel- e to attend educational conferences and addresses and be concerned with other educational work as may be emed necessary and helpful to community-school inter- s The General Assembly shall from time to time ap- propriate moneys sufficient to make payments under this section Provided That any teacher who is entitled receive State compensation hereunder and who is re- ving a retirement allowance under the provisions of ocal teachers' retirement system shall receive from the mmonwealth only the difference between the compen- ion to which such teacher would otherwise be entitled der the provisions of this subsection and the annual ount received by such teacher from such local teachers' irement system

Any employe on retirement for superannuation who urns to active school service during the continuation World War II shall not upon return to retirement for erannuation receive any smaller retirement allowance n that received prior to such return to active school vice

Section 2 The provisions of this act shall become ef- tive immediately upon final enactment

And said bill having been read at length the third e, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas nays were taken and were as follows:

YEAS—206

drews,	Frost,	Lopez,	Reidenbach,
ker,	Fullerton,	Lovett,	Reilly,
rett,	Gaffney,	Lyons,	Reynolds,
ton,	Gallagher,	Madden,	Riley,
munk,	Gardner,	Madigan,	Robertson,
tley,	Getchey,	Mahany,	Root,
tzel,	Gibson,	Matthews,	Rose,
ss,	Goodling,	McAtee,	Royer,
awitz,	Gore,	McClester,	Rudisill,
ley,	Grant,	McCormack,	Salus,
rse,	Green,	McDowell,	Scanlon,
ry,	Greenwood,	McKinney,	Schuster,
ver,	Greer,	McLanahan,	Serrill,
Brancato,	Guthrie,	McMillen,	Shaffer,
Breisch,	Gyger,	McNair,	Shoemaker,
Brice,	Haberlen,	McNally,	Skale,
Brothers,	Hall,	Mihm,	Sloan,
Brown,	Hamilton,	Mikula,	Smith,
Brunner, C. H.,	Hare,	Miller,	Snider,
Brunner, P. A.,	Haudenshield,	Milliken,	Snyder,
Burns,	Heatherington,	Mills,	Sollenberger,
Cadwalader,	Helm,	Modell,	Sorg,
Chervenak,	Hennihan,	Mooney,	Stank,
Chudoff,	Hering,	Moore, C. E.,	Stockham,
Cohen,	Herman,	Moore, W. J.,	Stonier,
Coleman,	Hersch,	Moran,	Stuart,
Cook,	Hewitt,	Moser,	Swope,
Cooper,	Hoffman,	Munley,	Tahl,
Corrigan,	Hoggard,	Murray, M. L.,	Tate,
Costa,	Hoopes,	Murray, P. G.,	Tittle,
Coulson,	Howells,	Myhan,	Trachtman,
Coyle,	Hunter,	Nagel,	Trent,
Cullen,	Huntley,	Nelson,	Trout,
Dague,	James,	O'Brien,	Turbett,
Dalrymple,	Jones,	O'Connor,	Turner,
Dennison,	Kennedy,	O'Dare,	Varallo,
Depuy,	Kirley,	O'Donnell,	Verona,
Dillon,	Kline,	O'Neill,	Wachhaus,
Dix,	Kolankiewicz,	Owens,	Wagner,
Dougherty,	Komorofski,	Pentrack,	Waterhouse,
Duffy,	Krise,	Petrosky,	Watkins,
Dye,	Kurtz,	Pettigrew,	Weiss,
Elder,	Lane,	Pickens,	Welsh,
Elish,	Laughner,	Polaski,	Wescott,
Erb,	Lee,	Polen,	White,
Ewing,	Leisey,	Powers,	Wood, N.,
Finnerty,	Leonard,	Propert,	Worley,
Flack,	Levy,	Readinger,	Wright,
Fleming,	Lichtenwalter,	Reagan,	Yeakel,
Foor,	Loftus,	Reese, D. P.,	Yester,
Fox,	Longo,	Reese, R. E.,	Fiss,
Freed,		Regan,	Speaker.

NAYS—0

NOT VOTING—1

Wood, L. H.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 470, as follows:

An Act to further amend section four of the act approved the eighth day of May one thousand nine hundred nine (P. L. 470) entitled "An act to prevent the manufacture and sale of adulterated or misbranded drugs defining the word 'drug' prescribing penalties for violation of this act and the method of its enforcement" by further defining what shall constitute misbranding of drugs

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the eighth day of May one thousand nine hundred nine (P. L. 470) entitled "An act to prevent the manufacture and sale of adulterated or misbranded drugs defining the word 'drug' prescribing penalties for violation of this act and the method of its enforcement" as last amended by the act approved the twenty-seventh day of May one thousand nine hundred thirty-seven (P. L. 906) is hereby further amended by adding a new clause at the end thereof to read as follows

Section 4 That for the purpose of this act an article shall be deemed to be misbranded

* * * * *

Fifth If there is an omission or substitution of any of the ingregients of a prescription written by a duly licensed physician dentist or veterinarian The number on the prescription label shall be the device by which the corresponding prescription shall be identified

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boies,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook	Hewitt,	Murray, M. L.,	Tahl,
Cooper,	Hoffman,	Murray, P. G.,	Tate,
Corrigan,	Hoggard,	Munley,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood N.,
Ewing,	Leisey,	Propert,	Worley,
Finnerty,	Leonard,	Readinger,	Wright,
Flack	Levy,	Reagan,	Yeakel,
Fleming,	Lichtenwalter,	Reese, D P.,	Yester,
Foor,	Loftus,	Reese, R E.,	Fiss,
Fox,	Longo,	Regan,	Speaker,
Freed,	Lopez,	Reidenbach,	

NAYS—0

NOT VOTING—1

Wood, L. H.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 558, as follows:

An Act to amend subsection (e) of section three of the act approved the first day of August one thousand nine hundred forty-one (P. L. 744) entitled "An act requiring school boards in all school districts and boards of directors of all vocational school districts to grant leaves of absence to all school employes who shall volunteer or be called for military or naval service in time of war or during a state of national emergency preserving certain contracts salaries increments retirement rights seniority State contributions and grants to local school boards eligibility lists reemployment authorizing school boards and boards of directors of vocational schools to employ substitutes in place of such employes requiring school districts and vocational school districts to make additional payments into the School Employes' Retirement Fund reserving all rights and privileges of employes granted leaves of absence under the provisions herein and superseding or repealing all contrary laws" limiting the amount of refund payable to such employes who resign or fail to return to their employment and providing for payments to school districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (e) of section three of the act approved the first day of August one thousand nine hundred forty-one (P. L. 744) entitled "An act requiring school boards in all school districts and boards of directors of all vocational school districts to grant leaves of absence to all school employes who shall volunteer or be called for military or naval service in time of war or during a state of national emergency preserving certain contracts salaries increments retirement rights seniority State contributions and grants to local school boards eligibility lists reemployment authorizing school boards and boards of directors of vocational schools to employ substitutes in place of such employes requiring school districts and vocational school districts to make additional payments into the School Employes' Retirement Fund reserving all rights and privileges of employes granted leaves of absence under the provisions herein and superseding or repealing all contrary laws" is hereby amended to read as follows

Section 3

* * * * *

(e) The school district or vocational school district shall pay into the School Employes' Retirement Fund on behalf of each such employe in addition to the contributions required by law to be made by it the full amount of the contribution required by law to be paid by the employe so that such employe's retirement rights shall in no way be affected by such leave of absence Provided That if any such employe resigns or fails to return to his employment as provided in this act the amount contributed by the school district or vocational school district under this subsection shall be deducted from the refund payable to such employe under existing law and the amount so deducted shall be refunded to the school district by which it was paid In all cases where any part of the salary of any employe is payable to his dependents under the provisions of this act the school district or vocational school district shall deduct from the part of his salary so payable in so far as the same is sufficient therefor all moneys paid by it into the retirement fund on account of the employe's contributions

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Andrews,	Frost,	Lovett,	Reidenbach,
Baker,	Fullerton,	Lyons,	Reilly,
Barrett,	Gaffney,	Madden,	Reynolds,
Barton,	Gallagher,	Madigan,	Riley,
Baumunk,	Gardner,	Mahany,	Robertson,
Bentley,	Getchey,	Matthews,	Root,
Bentzel,	Gibson,	McAtee,	Rose,
Boies,	Goodling,	McClester,	Royer,

Bonawitz,	Gore,	McCormack,	Rudisill,
Boney,	Grant,	McDowell,	Salus,
Boorse,	Green,	McKinney,	Scanlon,
Boory,	Greenwood,	McLanahan,	Schuster,
Bower,	Greer,	McMillen,	Serrill,
Brancato,	Guthrie,	McNair,	Shaffer,
Breisch,	Gyger,	McNally,	Shoemaker,
Brice,	Haberlen,	Mihm,	Skale,
Brothers,	Hall,	Mikula,	Sloan,
Brown,	Hamilton,	Miller,	Smith,
Brunner, C. H.,	Hare,	Milliken,	Snider,
Brunner, P. A.,	Haudenshield,	Mills,	Snyder,
Burns,	Heatherington,	Modell,	Sollenberger,
Cadwalader,	Helm,	Mooney,	Sorg,
Chervenak,	Hennihan,	Moore, C. E.,	Stank,
Chudoff,	Hering,	Moore, W. J.,	Stockham,
Cohen,	Herman,	Moran,	Stonier,
Coleman,	Hersch,	Moser,	Stuart,
Cook,	Hewitt,	Munley,	Swope,
Cooper,	Hoffman,	Murray, M. L.,	Tahl,
Corrigan,	Hoggard,	Murray, P. G.,	Tate,
Costa,	Hoopes,	Myhan,	Tittle,
Coulson,	Howells,	Nagel,	Trachtman,
Coyle,	Hunter,	Nelson,	Trent,
Cullen,	Huntley,	O'Brien,	Trout,
Dague,	James,	O'Connor,	Turbett,
Dalrymple,	Jones,	O'Dare,	Turner,
Dennison,	Kennedy,	O'Donnell,	Varallo,
Depuy,	Kirley,	O'Neill,	Verona,
Dillon,	Kline,	Owens,	Wachhaus,
Dix,	Kolankiewicz,	Pentrack,	Wagner,
Dougherty,	Komorofski,	Petrosky,	Waterhouse,
Duffy,	Krise,	Pettigrew,	Watkins,
Dye,	Kurtz,	Pickens,	Weiss,
Eider,	Lane,	Polaski,	Welsh,
Elish,	Laughner,	Polen,	Wescott,
Erb,	Lee,	Powers,	White,
Ewing,	Leisey,	Propert,	Wood, N.,
Finnerty,	Levy,	Readinger,	Worley,
Flack	Leonard,	Reagan,	Wright,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Foor,	Loftus,	Reese, R. E.,	Yester,
Fox,	Longo,	Regan,	Fiss,
Freed,	Lopez,		Speaker.

NAYS—0

NOT VOTING—1

Wood, L. H.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 695, as follows:

An Act to amend section eight hundred one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for special meetings of school directors under jurisdiction of county superintendents

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eight hundred one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" is hereby amended to read as follows

Section 801 The school directors in every county in this Commonwealth having a county superintendent of public schools shall annually be called together at the countyseat or some other suitable place within said county by the county-superintendent of public schools The purpose of such annual conventions shall be consideration and the discussion by the school directors and others of questions and subjects pertaining to the welfare and promotion of the public schools in their respective counties and such other business as may property come before such conventions In addition hereto the county superintendent of public schools is hereby authorized and empowered to and may call together the school directors within said county at the county-seat or some other suitable place within said county designated by the county superintendent of public schools when any emergency may exist or when in the opinion of the county superintendent of public schools a special meeting should be called for the consideration and discussion by the school directors and others of questions and subjects pertaining to the welfare and promotion of the public schools or their interests in their respective districts or counties and such other business as may properly come before said meeting Said meeting shall be called by the county superintendent of public schools in the manner provided in section eight hundred two and the compensation and expenses thereof shall be paid as provided in section eight hundred three

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Andrews,	Frost,	Lovett,	Reilly,
Baker	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boies,	Goodling,	McChester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,

Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood, N.,
Ewing,	Leisey,	Propert,	Worley,
Finnerty,	Leonard,	Readinger,	Wright,
Flack,	Levy,	Reagan,	Yeakel,
Fleming,	Lichtenwalter,	Reese, D P.,	Yester,
Foor,	Loftus,	Reese, R. E.,	Fiss,
Fox,	Longo,	Regan,	Speaker.
Freed,	Lopez,	Reidenbach,	

NAYS—0

NOT VOTING—1

Wood, L. H.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 756, as follows:

An Act to reenact and amend clause XIII of section one thousand five hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by providing for the furnishing of street lighting by contact with lighting companies upon petition of property owners in villages and for the assessment and collection of the costs and maintenance thereof upon property benefited thereby and validating petitions of property owners contracts entered into between townships and lighting companies taxes levied to pay the costs and maintenance of lighting service and the collection receipt and payment out of the revenues therefrom notwithstanding such petitions were filed contracts entered into and taxes levied collected and paid out under unconstitutional laws validating agreements and understandings between townships and lighting companies to continue lighting service pending the enactment of valid laws regulating and providing for the expenditure of moneys arising from special lighting taxes and authorizing the payment of the costs and expenses of maintaining lighting service until valid laws are enacted to collect charges from property owners benefited thereby out of the township tax and the creation and transfer of moneys to a special account for such purposes at any time notwithstanding the prior adoption of the budget and authorizing any light and power company to apply the net rate and to waive the gross rate or to grant discounts and to waive penalties in the same manner as if payments had been made by the township within the time required by the contract and the company's schedules or tariffs

Whereas the Supreme Court in the case of Manheim Twp v Workman 350 Pa 168 held unconstitutional clause two section 386 of the General Township Act of July 14 1917 (P. L. 840) which authorized contracts for lighting service in villages in townships of the second class and for the levy of a tax upon the assessed value of real estate in such villages to raise revenue to pay for such service The court held that the moneys to be raised to pay for such a service should have been imposed on property according to the foot front rule and

Whereas the reasons given by the court in said opinion are also applicable to existing contracts for lighting service entered into under clause XIII of section 1502 of the First Class Township Law approved May 24 1931 (P. L. 1206) and to tax levies made pursuant to such provisions and

Whereas certain taxes have been collected under existing law to pay for lighting service the revenues from which are held in the treasuries of such townships and are available for the payment of lighting service rendered subsequent to said decision of the court at the request of citizens and of public authorities if such payments are validated by law and

Whereas public necessity required the constitution of said public utility service until provision could be made by law validating existing contracts entered into in good faith and the taxes levied and collected pursuant to such unconstitutional provisions and the payment out of such tax moneys and for the enactment of laws for the assessment of charges for street lighting service according to the foot front rule therefore

The General Assmbly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause XIII of section one thousand five hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" is hereby reenacted and amended to read as follows

Section 1502 The corporate powers of townships of the first class shall be vested in the board of township commissioners The board shall have power

XIII Lighting [Tax] Assessments On the petition of the owners of a majority of the lineal feet frontage along any highway or portion thereof in any village within the towns' ip to enter into contracts with electric gas or other lighting companies to light and illuminate the streets highways and other public places in said village with electric light gas light or other illuminant

[The township commissioners may levy for the maintenance of said lights an annual special tax upon all the property including factories and places of business abutting upon said highways based upon the assessment for county purposes Such tax shall be collected in the same manner as other taxes The township treasurer shall receive the same commission as on other township taxes] The township commissioners shall annually assess or cause to be assessed the cost and expense of the maintenance of said lights by an equal assessment on all property benefited by such lighting in proportion to the number of feet the same fronts on the street or highway or portion thereof to be lighted The township commissioners may provide for an equitable reduction from the frontage of lots at intersections or where from the peculiar or pointed shape of lots an assessment of the full frontage would be inequitable No such [tax shall be levied] assesment shall be made against any farm land but vacant lots between built-up sections whether tilled or untilled shall not be deemed to be farm lands Provided however That the assessment per front foot against vacant lots shall be only twenty-five percentum (25%) of the assessment per foot front against property with improvements thereon All such assessments for street lighting shall be filed with the township treasurer who shall give thirty days written or printed notice that the assessments are due and payable stating the due date to each party assessed either by service on the owner of the property or by mailing such notice to the owner at his last known post office address The township treasurer shall be entitled to the same commission for the collection of such assessments as he is entitled to by law for the collection of the township tax If the assessments or any of them remain unpaid at the expiration of a period not exceeding ninety day the exact time to be fixed by the township commissioners they shall be placed in the hands of the township solicitor for collection The solicitor shall collect the same together with five percentum (5%) as attorney's commission and interest from the date such assessments were due by a municipal claim filed against the property of the delinquent owner in like manner as municipal claims are by law filed and collected Where an owner has two or more lots against which there is an assessment for the same year all such lots shall be embraced in one claim [The] All assessments when collected

shall be paid over to the township treasurer who shall receive and shall keep all such [taxes] assessments collected for lighting the highways in a separate account and pay out the same only upon orders signed by the president or vice president of the township commissioners attested by the secretary or assistant secretary The treasurer shall make a report to the auditor or controller of the township annually

Section 2 (a) All petitions by owners of property heretofore filed with township commissioners under the provisions of clause II of section 386 of The General Township Act approved July fourteen one thousand nine hundred seventeen (P. L. 840 or) of clause XIII of section 1502 of The First Class Township Law approved June twenty-fourth one thousand nine hundred thirty-one (P. L. 1206) and the amendments thereto to enter into contract with electric gas or other lighting companies to illuminate the streets and highways and other public places in villages with electric light gas light or other illuminant all contracts heretofore entered into by township commissioners with such lighting companies pursuant to such petitions all annual taxes heretofore levied by township commissioners based upon the assessment for county purposes for the maintenance of such lights the collection and receipts of such taxes and any payment heretofore made out of the revenues derived therefrom for the maintenance of lighting services under the provisions of said acts are hereby ratified confirmed and validated notwithstanding the unconstitutionality of the provisions of said clause II of section 386 of The General Township Act approved July fourteenth one thousand nine hundred seventeen (P. L. 840) and clause XIII of section 1502 of The First Class Township law approved June twenty-fourth one thousand nine hundred thirty-one (P. L. 1206) under which such petitions were filed contracts entered into and taxes levied collected and paid out

(b) All agreements and understandings heretofore entered into between township commissioners and lighting companies for the furnishing or the continuation as a public necessity of lighting service until such time as valid laws could be enacted and provision made for the collection of charges from property owners for such purposes are hereby ratified confirmed and validated

(c) All tax moneys heretofore collected under the provisions of such unconstitutional laws and now held in separate accounts in the treasury of any township of the first class shall be used and expended by township commissioners only for maintenance of lighting service heretofore or hereafter furnished by a lighting company and the payment out of such moneys for such purposes are hereby ratified confirmed and validated Such tax moneys shall be expended only in and for the district and for the purpose for which levied and collected

(d) In case insufficient revenues are available in the separate accounts of a township for the payment of the maintenance of lighting service heretofore or hereafter furnished by a lighting company until such time as valid laws are enacted to pay for such services and payments are received thereunder then and in such case the township commissioners shall pay any deficiency so existing out of the township tax For such purposes the township commissioners may by resolution make such transfer from one tax account to another tax account or create a new tax account and transfer moneys into such new account and appropriate the moneys in such account to pay accrued liabilities for the maintenance of lighting service at any time after the budget for the year has been adopted and the appropriation measures put into effect

(e) Any electric light and power company which shall receive payment under and in accordance with the provisions of this section for service rendered prior to the effective date of this act in any lighting district shall have power to apply the net rate to such payments and to waive the gross rate or to grant discounts on such payments and to waive penalties imposed thereon by the contract heretofore entered into with a township and which is validated by the provisions of this act or by its schedules or tariffs in the same manner and with like effect as if such payments or any of them had been made within the time required by such contract or such schedules or tariffs and the application of such net rate and the waiving of such gross rate or the granting of such discounts and the waiving of such penalties shall not be deemed a violation of the schedule or tariffs of such company on file with the Pennsylvania Public Utility Commission

(f) Nothing contained in this section shall be construed to apply to proceedings pending in the courts of this Commonwealth

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Andrews,	Fullerton,	Lyons,	Reilly,
Baker	Gaffney,	Madden,	Reynolds,
Barrett,	Gallagher,	Madigan,	Riley,
Barton,	Gardner,	Mahany,	Robertson,
Baumunk,	Getchey,	Matthews,	Root,
Bentley,	Gibson,	McAtee,	Rose,
Bentzel,	Goodling,	McClester,	Royer,
Boies,	Gore,	McCormack,	Rudisill,
Bonawitz,	Grant,	McDowell,	Salus,
Boney,	Green,	McKinney,	Scanlon,
Boorse,	Greenwood,	McLanahan,	Schuster,
Boory,	Greer,	McMillen,	Serrill,
Bower,	Guthrie,	McNair,	Shaffer,
Brancato,	Gyger,	McNally,	Shoemaker,
Breisch,	Haberlen,	Mihm,	Skale,
Brice,	Hall,	Mikula,	Sloan,
Brothers,	Hamilton,	Miller,	Smith,
Brown,	Hare,	Milliken,	Snider,
Brunner, C. H.,	Haudenshield,	Mills,	Snyder,
Brunner, P. A.,	Heatherington,	Modell,	Sollenberger,
Burns,	Helm,	Mooney,	Sorg,
Cadwalader,	Hennihan,	Moore, C. E.,	Stank,
Chervenak,	Hering,	Moore, W. J.,	Stockham,
Chudoff,	Herman,	Moran,	Stonier,
Cohen,	Hersch,	Moser,	Stuart,
Coleman,	Hewitt,	Munley,	Swope,
Cook	Hoffman,	Murray, M. L.,	Tahl,
Cooper,	Hoggard,	Murray, P. G.,	Tate,
Corrigan,	Hoopes,	Myhun,	Tittle,
Costa,	Howells,	Nagel,	Trachtman,
Coulson,	Hunter,	Nelson,	Trent,
Coyle,	Huntley,	O'Brien,	Trout,
Cullen,	James,	O'Connor,	Turbett,
Dague,	Jones,	O'Dare,	Turner,
Dalrymple,	Kennedy,	O'Donnell,	Varallo,
Dennison,	Kirley,	O'Neill,	Verona,
Depuy,	Kline,	Owens,	Wachhaus,
Dillon,	Kolanklewicz,	Pentrack,	Wagner,
Dix,	Komorofski,	Petrosky,	Waterhouse,
Dougherty,	Krise,	Pettigrew,	Watkins,
Duffy,	Kurtz,	Pickens,	Weiss
Dye,	Lane,	Polaski,	Welsh,
Elder,	Laughner,	Polen,	Wescott,
Elish,	Lee,	Powers,	White,
Erb,	Leisey,	Propert,	Wood, N.,
Ewing,	Leonard,	Readinger,	Worley,
Finnerty,	Levy,	Reagan,	Wright,
Flack,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Fleming,	Loftus,	Reese, R. E.,	Yester,
Foor,	Longo,	Regan,	Fiss,
Fox,	Lopez,	Reidenbach,	Speaker.
Freed,	Lovett,		
Frost,			

NAYS—0

NOT VOTING—1

Wood, L. H.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 773, as follows:

An Act to amend section five hundred fifteen of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" increasing the maximum compensation of township supervisors for attending meetings

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred fifteen of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows

Section 515 Compensation of Supervisors Supervisors shall receive from the township road funds as compensation not less than two dollars and fifty cents nor more than [four] six dollars for each meeting which they attend The amount of the compensation for attending meetings shall be determined by the township auditors The township auditors shall also allow to the supervisors reasonable compensation for making a semi-annual inspection of roads and bridges The compensation of supervisors when overseeing or working on roads shall be fixed by the township auditors and shall be not less than three nor more than six dollars per day but no supervisor shall receive compensation as a superintendent or roadmaster for any day he receives compensation for attending a meeting of supervisors unless such meeting is held during the nighttime

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boies,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McDowell,	Salus,
Boney,	Grant,	McCormack,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood, N.,
Ewing,	Leisey,	Propert,	Worley,
Finnerty,	Leonard,	Readinger,	Wright,
Flack,	Levy,	Reagan,	Yeakel,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yester,
Foor,	Loftus,	Reese, R. E.,	Fiss,
Fox,	Longo,	Regan,	Speaker.
Freed,	Lopez,	Reidenbach,	

NAYS—0

NOT VOTING—1

Wood, L. H.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 789, as follows:

An Act validating county treasurers' sales of unseated lands heretofore made where such sales were held under laws not at that time applicable to such lands

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All sales of unseated lands heretofore made by any county treasurer in the manner and under the procedure heretofore prescribed by law for the sale of unseated lands and all sales of unseated lands heretofore made by any county treasurer in the manner and under the procedure prescribed by law for the sale of seated lands are hereby ratified confirmed and validated and no such sale shall be invalidated by reason of the fact that the sale should have been made in a different manner or under a different procedure if in all other respects the laws under which the sale was actually held were fully complied with The title to any unseated land purchased at any such sale is hereby declared to be as valid as if the sale thereof had been held in the manner and under the procedure prescribed by law for the sale of such land Provided however That nothing herein contained shall affect or be applicable to any lands so sold for which action at law or equity are now pending for the purpose of determining title to said lands

Section 2 The provision of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,

Boies,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M L.,	Tate,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pettigrew,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pentrack,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood, N.,
Ewing,	Leisey,	Propert,	Worley,
Finnerty,	Leonard,	Readinger,	Wright,
Flack,	Levy,	Reagan,	Yeakel,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yester,
Foor,	Loftus,	Reese, R. E.,	Fiss,
Fox,	Longo,	Regan,	Speaker.
Freed,	Lopez,	Reidenbach,	

NAYS—0

NOT VOTING—1

Wood, L. H.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 791, as follows:

An Act to further amend section two of the act approved the ninth day of March one thousand eight hundred forty-seven (P. L. 278) entitled "An act in relation to the sales of unseated lands in the several counties of this Commonwealth" by providing that the cost of advertising such sales shall be paid out of the proceeds of the sale

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the ninth day of March one thousand eight hundred forty-seven (P. L. 278) entitled "An act in relation to the sales of unseated lands in the several counties of this Commonwealth" as amended by the act approved the twenty-sixth day of March one thousand nine hundred twenty-five (P. L. 82) is hereby further amended to read as follows

Section 2 That it shall be the duty of the county treasurer to publish the notice as aforesaid once a week for three consecutive weeks in at least two newspapers if so many be published within the county in which the lands lie and if two newspapers be not published in the said county then in one newspaper in or nearest to the same under the same penalty in each case and subject to the same provisions as specified in the said first section of the act above mentioned

The cost of the said publication of the above notice shall be taxed as part of the costs of such proceedings and shall be paid in the same manner as costs of the proceedings are paid upon the sale of seated lands

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having bee nread at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follow:

YEAS—206

Andrews,	Fullerton,	Lyons,	Reilly,
Baker,	Gaffney,	Madden,	Reynolds,
Barrett,	Gallagher,	Madigan,	Riley,
Barton,	Gardner,	Mahany,	Robertson,
Baumunk,	Gotchey,	Matthews,	Root,
Bentley,	Gibson,	McAtee,	Rose,
Bentzel,	Goodling,	McClester,	Royer,
Boies,	Gore,	McCormack,	Rudisill,
Bonawitz,	Grant,	McDowell,	Salus,
Boney,	Green,	McKinney,	Scanlon,
Boorse,	Greenwood,	McLanahan,	Schuster,
Boory,	Greer,	McMillen,	Serrill,
Bower,	Guthrie,	McNair,	Shaffer,
Brancato,	Gyger,	McNally,	Shoemaker,
Breisch,	Haberlen,	Mihm,	Skale,
Brice,	Hall,	Mikula,	Sloan,
Brothers,	Hamilton,	Miller,	Smith,
Brown,	Hare,	Milliken,	Snider,
Brunner, C. H.,	Haudenshield,	Mills,	Snyder,
Brunner, P. A.,	Heatherington,	Modell,	Sollenberger,
Burns,	Helm,	Mooney,	Sorg,
Cadwalader,	Hennihan,	Moore, C. E.,	Stank,
Chervenak,	Hering,	Moore, W. J.,	Stockham,
Chudoff,	Herman,	Moran,	Stonier,
Cohen,	Hersch,	Moser,	Stuart,
Coleman,	Hewitt,	Munley,	Swope,
Cook,	Hoffman,	Murray, M. L.,	Tahl,
Cooper,	Hoggard,	Murray, P. G.,	Tate,
Corrigan,	Hoopes,	Myhan,	Tittle,
Costa,	Howells,	Nagel,	Trachtman,
Coulson,	Hunter,	Nelson,	Trent,
Coyle,	Huntley,	O'Brien,	Trout,
Cullen,	James,	O'Connor,	Turbett,
Dague,	Jones,	O'Dare,	Turner,
Dalrymple,	Kennedy,	O'Donnell,	Varallo,
Dennison,	Kirley,	O'Neill,	Verona,
Depuy,	Kline,	Owens,	Wachhaus,
Dillon,	Kolankiewicz,	Pentrack,	Wagner,
Dix,	Komorofski,	Petrosky,	Waterhouse,
Dougherty,	Krise,	Pettigrew,	Watkins,
Duffy,	Kurtz,	Pickens,	Weiss,
Dye,	Lane,	Polaski,	Welsh,
Elder,	Laughner,	Polen,	Wescott,
Elish,	Lee,	Powers,	White,
Erb,	Leisey,	Propert,	Wood, N.,
Ewing,	Leonard,	Readinger,	Worley,
Finnerty,	Levy,	Reagan,	Wright,
Flack,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Fleming,	Loftus,	Reese, R. E.,	Yester,
Foor,	Longo,	Regan,	Fiss,
Fox,	Lopez,	Reidenbach,	Speaker.
Freed,	Lovett,		
Frost,			

NAYS—0

NOT VOTING—1

Wood, L. H.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 792, as follows:

An Act prescribing the question to be determined in certain cases where a new trial is granted

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 When in any action a new trial shall be granted to any party solely upon the ground of inadequacy or excessiveness of a verdict or finding the sole question to be determined upon such new trial shall be the amount of damages and the question of liability as between the parties shall be deemed to have been finally determined by the prior verdict or finding

Section 2 All acts and parts of acts inconsistent herewith are hereby repealed

On the question,

Will the House agree to the bill on third reading?

MOTION TO RECOMMIT

Mr. McKINNEY. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary General for the purpose of further study.

On the question,

Wil lthe House agree to the motion?

Mr. MODELL. Mr. Speaker, I desire to interrogate the gentleman from Venango, Mr. McKinney.

The SPEAKER. Will the gentleman from Venango permit himself to be interrogated?

Mr. McKINNEY. I shall, Mr. Speaker.

Mr. MODELL. Mr. Speaker, I desire to know from the gentleman the reason for the recommittal of this bill, with regard to what study there can be of an eight-line bill.

Mr. McKINNEY. Mr. Speaker, there seems to be considerable misunderstanding about this bill and I have been requested on this side of the House to ask that it be recommitted, that the committee may give it further study.

Mr. MODELL. Mr. Speaker, I still don't know why there should be further study, and I would like to know from the gentleman the reason for the recommittal.

Mr. McKINNEY. Mr. Speaker, the only way I can answer that is by saying that the committee desires to give it further study; to study it in committee. I cannot answer what they want in committee, or how they are going about this thing. I am only the Chairman of the committee.

Mr. MODELL. Mr. Speaker, I would like to know from the gentleman whether he as Chairman of the Judiciary General Committee received any letters from his constituents or any legal association or bar association in the state in reference to this bill.

Mr. McKINNEY. Mr. Speaker, I do not desire to divulge on the floor of the House what my individual mail is or who I receive letters from.

Mr. MODELL. Mr. Speaker, I desire to know from the gentleman whether there are any objections to this bill going over until I have had a chance to talk with the various members of the committee, of which I am also a member.

Mr. McKINNEY. I would object to that, Mr. Speaker. I think he could do that in committee and if the bill is favorable to the committee we will bring it out again.

The SPEAKER. Does the gentleman have objection to having the bill passed over?

Mr. McKINNEY. I do object, Mr. Speaker.

Mr. MODELL. Mr. Speaker, I yield to the gentleman from Cambria Mr. Andrews.

Mr. ANDREWS. Mr. Speaker, it must be indeed an unusual situation that prompts the gentleman's decision to object to a bill going over. On this side of the House we have interposed no objection to a bill going over, and I think it is a proper parliamentary procedure to allow a bill to go over in order that the Members of the House may have an opportunity to study the bill. If the gentleman wants to establish a precedent, that is up to the gentleman; we will have to take things as they hand them. He is carrying the ball and I hope he won't carry it in that direction.

Mr. McKINNEY. Mr. Speaker, in deference to the gentleman on the other side I will withdrawn my objection to having the bill passed over.

BILLS PASSED OVER

The SPEAKER. The gentleman withdraws his objection, and if there is no objection on the part of the House the bill will be passed over. The Chair hears none and the bill is passed over.

There being no objection House Bill No. 846, Printer's No. 265, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 879, as follows:

An Act to amend sections one and three of the act approved the eighth day of April one thousand nine hundred thirty-seven (P. L. 276) entitled "An act regulating the employment and hours of employment of the officers and members of the uniformed fire protection forces of the cities of the first class and repealing existing laws" by establishing a three platoon system

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one and three of the act approved the eighth day of April one thousand nine hundred thirty-seven (P. L. 276) entitled "An act regulating the employment and hours of employment of the officers and members of the uniformed fire protection forces of the cities of the first class and repealing existing laws" is hereby amended to read as follows

Section 1 Platoon System Hours of Service The director or other officers of the department having charge of the fire bureau in each city of the first class shall divide the officers and members of the companies of the uniformed fire protection forces in the employ of such cities excepting the chief engineer and [assistant] deputy chiefs and those employed subject to call into [two] three bodies or platoons [one to perform day service and the other to perform night service The hours of day service shall not exceed ten commencing at eight o'clock in the morning and the hours of night service shall not exceed fourteen commencing at six o'clock in the afternoon The hours of day service shall not exceed thirty hours and the hours of night service shall not exceed forty-two hours in the same calendar week] one to perform day service from eight a m to four p m another to perform evening service from four p m to twelve midnight the third shift to perform from twelve midnight to eight a m All shifts shall be limited to an eight-hour work period The total number of hours worked during any calendar week shall not exceed forty-eight hours Each fire company shall furnish a complement of one officer and seven men to each platoon The employes of such fire forces shall be allowed to have at least twenty-four

consecutive hours of rest in every calendar week exclusive of the change day and to have an annual vacation of not less than fourteen days without diminution of in either case of the salary or compensation fixed by ordinance or resolution But no vacation or suspension period shall be increased or reduced by reason of the fact that during such period such member if working would have been entitled to one or more rest days under the provisions of this act In case of public celebrations riots serious conflagration floods times of war pestilence or such emergencies the chief engineer in charge of the bureau of fire or the [assistant chief deputy] deputy chiefs or chief [officer] officers in charge at any fire shall have the power to assign all members of the fire protection forces to continuous duty or to continue any members thereof on duty if necessary No member of [either said] any shifts bodies or platoons shall be required to perform any longer [day duty than thirty hours of day service or forty-two hours of night service in the same salendar week] shift of duty than a period of eight hours or a total of forty-eight hours in any calendar week excepting as may be necessary to equalize the hours of duty and service and also excepting in case of emergencies as above provided

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

Section 3 This act shall become effective [immediately upon its final enactment] January 1 1946

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boies,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood, N.,
Ewing,	Leisey,	Propert,	Worley,
Finnerty,	Leonard,	Readinger,	Wright,
Flack,	Levy,	Reagan,	Yeakel,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yester,
Foor,	Loftus,	Reese, R. E.,	Fiss,
Fox,	Longo,	Regan,	Speaker.
Freed,	Lopez,	Reidenbach,	

NAYS—0

NOT VOTING—1

Wood, L. H.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 931, as follows:

An Act to amend Section two thousand five of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by changing the requirements for the vacation of certain highways

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two thousand five of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows

Section 2005 Power to lay Out Open Widen Vacate Et Cetera The board of township commissioners may enact ordain survey lay out open widen straighten vacate and relay all roads streets lanes and alleys and parts thereof which are wholly within the township upon the petition of a majority in interest of the owners of property or properties through whose land such road street lane or alley passes or upon whose land it abuts or without petition of the owners of abuting property if in the judgment of the board of commissioners it necessary for the public convenience Such power shall include authority to vacate in whole or in part roads streets lanes and alleys laid out by the Commonwealth [where the same have remained unopened for a period of thirty years] and also the authority to lay out and open a public road which will be a continuation or extension of a street already opened by an adjacent city or borough

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boies,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,

Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood, N.,
Ewing,	Leisey,	Propert,	Worley,
Finnerty,	Leonard,	Readinger,	Wright,
Flack,	Levy,	Reagan,	Yeakel,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yester,
Foor,	Loftus,	Reese, R. E.,	Fiss,
Fox,	Longo,	Regan,	Speaker.
Freed,	Lopez,	Reidenbach,	

NAYS—0

NOT VOTING—1

Wood, L. H.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 946, as follows:

An Act to further amend section one thousand one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" increasing the compensation of township auditors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" as last amended by the act approved the ninth day of June one thousand nine hundred thirty-nine (P. L. 325) is hereby further amended to read as follows

Section 1001 Meetings General Duties Compensation The auditors of townships shall meet annually on the day following the day which is fixed by this act for the organization of the township commissioners and shall audit settle and adjust the accounts of the township commissioners township treasurer tax collector secretary and other officers and persons receiving and disbursing or authorizing the disbursement of the moneys of the township during the preceding fiscal year The auditors shall make an audit of the dockets transcripts and other official records of the offices of the justices of the peace of the township to determine the amounts of fines and costs paid or due to the township All justices of the peace shall open and make available to the auditors their dockets transcripts records and all other official books or papers for the purpose of the audit Provided That in any case where a justice of the peace charges a fine contrary to ordinances or to any act which makes such fine payable to the township the said auditors have the power to surcharge such justices of the peace in any amount or amounts undercharged as set forth in said ordinances or act Two auditors shall constitute a quorum Each auditor shall receive [five] seven and fifty one hundredths dollars ($7.50) per diem for each day necessarily employed in the duties of his office to be paid out of funds of the township A day shall consist of not less than five hours in the aggregate In completing their audit the auditors shall not be employed more than the following number of days In townships having a population of less than three thousand twenty days in townships having a population of three thousand and more but less than ten thousand thirty days and in townships having a population of ten thousand and more forty days

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Andrews,	Fullerton,	Lyons,	Reilly,
Baker,	Gaffney,	Madden,	Reynolds,
Barrett,	Gallagher,	Madigan,	Riley,
Barton,	Gardner,	Mahany,	Robertson,
Baumunk,	Getchey,	Matthews,	Root,
Bentley,	Gibson,	McAtee,	Rose,
Bentzel,	Goodling,	McClester,	Royer,
Boles,	Gore,	McCormack,	Rudisill,
Bonawitz,	Grant,	McDowell,	Salus,
Boney,	Green,	McKinney,	Scanlon,
Boorse,	Greenwood,	McLanahan,	Schuster,
Boory,	Greer,	McMillen,	Serrill,
Bower,	Guthrie,	McNair,	Shaffer,
Brancato,	Gyger,	McNally,	Shoemaker,
Breisch,	Haberlen,	Mihm,	Skale,
Brice,	Hall,	Mikula,	Sloan,
Brothers,	Hamilton,	Miller,	Smith,
Brown,	Hare,	Milliken,	Snider,
Brunner, C. H.,	Haudenshield,	Mills,	Snyder,
Brunner, P. A.,	Heatherington,	Modell,	Sollenberger,
Burns,	Helm,	Mooney,	Sorg,
Cadwalader,	Hennihan,	Moore, C. E.,	Stank,
Chervenak,	Hering,	Moore, W. J.,	Stockham,
Chudoff,	Herman,	Moran,	Stonier,
Cohen,	Hersch,	Moser,	Stuart,
Coleman,	Hewitt,	Munley,	Swope,
Cook,	Hoffman,	Murray, M. L.,	Tahl,
Cooper,	Hoggard,	Murray, P. G.,	Tate,
Corrigan,	Hoopes,	Myhan,	Tittle,
Costa,	Howells,	Nagel,	Trachtman,
Coulson,	Hunter,	Nelson,	Trent,
Coyle,	Huntley,	O'Brien,	Trout,
Cullen,	James,	O'Connor,	Turbett,
Dague,	Jones,	O'Dare,	Turner,
Dalrymple,	Kennedy,	O'Donnell,	Varallo,
Dennison,	Kirley,	O'Neill,	Verona,
Depuy,	Kline,	Owens,	Wachhaus,
Dillon,	Kolankiewicz,	Pentrack,	Wagner,
Dix,	Komorofski,	Petrosky,	Waterhouse,
Dougherty,	Krise,	Pettigrew,	Watkins,
Duffy,	Kurtz,	Pickens,	Weiss,
Dye,	Lane,	Polaski,	Welsh,
Elder,	Laughner,	Polen,	Wescott,
Elish,	Lee,	Powers,	White,
Erb,	Leisey,	Propert,	Wood, N.,
Ewing,	Leonard,	Readinger,	Worley,
Finnerty,	Levy,	Reagan,	Wright,
Flack,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Fleming,	Loftus,	Reese, R. E.,	Yester,
Foor,			

Fox,	Longo,	Regan,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker.
Frost,	Lovett,		

NAYS—0

NOT VOTING—1

Wood, L. H.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 947, as follows:

An Act to further amend section five hundred forty-five of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" increasing the compensation of township auditors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred forty-five of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" as last amended by the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 937) is hereby further amended to read as follows

Section 545 Meetings Duties Quorum Surcharges Compensation The auditors of townships shall meet annually at the place of meeting of the supervisors on the day following the day which is fixed by this act for organization of the township supervisors and shall audit settle and adjust the accounts of the supervisors superintendents roadmasters treasurer and tax collector of the township Two auditors shall constitute a quorum The auditors shall also make an audit of the dockets transcripts and other official records of the justices of the peace to determine the amounts of fines and costs paid over or due the township and the dockets and records of the justices of the peace shall be open to inspection by the auditors for such purposes

Any officer whose act or neglect has contributed to the financial loss of any township shall be surcharged by the auditors with the amount of such loss

Each auditor shall receive [five] seven and fifty one hundredths dollars ($7.50) per diem for each day necessarily employed in the duties of his office to be paid out of the funds of the township

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Andrews,	Gaffney,	Lyons,	Reilly,
Baker,	Gallagher,	Madden,	Reynolds,
Barrett,	Gardner,	Madigan,	Riley,
Baumunk,	Getchey,	Mahany,	Robertson,
Bentley,	Gibson,	Matthews,	Root,
Bentzel,	Goodling,	McAtee,	Rose,
Boles,	Gore,	McClester,	Royer,
Bonawitz,	Grant,	McCormack,	Rudisill,
Boney,	Green,	McDowell,	Salus,
Boorse,	Greenwood,	McKinney,	Scanlon,
Boory,	Greer,	McLanahan,	Schuster,
Bower,	Guthrie,	McMillen,	Serrill,
Brancato,	Gyger,	McNair,	Shaffer,
Breisch,	Haberlen,	McNally,	Shoemaker,
Brice,	Hall,	Mihm,	Skale,
Brothers,	Hamilton,	Mikula,	Sloan,
Brown,	Hare,	Miller,	Smith,
Brunner, C. H.,	Haudenshield,	Milliken,	Snider,
Brunner, P. A.,	Heatherington,	Mills,	Snyder,
Burns,	Helm,	Modell,	Sollenberger,
Cadwalader,	Hennihan,	Mooney,	Sorg,
Chervenak,	Hering,	Moore, C. E.,	Stank,
Chudoff,	Herman,	Moore, W. J.,	Stockham,
Cohen,	Hersch,	Moran,	Stonier,
Coleman,	Hewitt,	Moser,	Stuart,
Cook,	Hoffman,	Munley,	Swope,
Cooper,	Hoggard,	Murray, M. L.,	Tahl,
Corrigan,	Hoopes,	Murray, P. G.,	Tate,
Costa,	Howells,	Myhan,	Tittle,
Coulson,	Hunter,	Nagel,	Trachtman,
Coyle,	Huntley,	Nelson,	Trent,
Cullen,	James,	O'Brien,	Trout,
Dague,	Jones,	O'Connor,	Turbett,
Dalrymple,	Kennedy,	O'Dare,	Turner,
Dennison,	Kirley,	O'Donnell,	Varallo,
Depuy,	Kline,	O'Neill,	Verona,
Dillon,	Kolankiewicz,	Owens,	Wachhaus,
Dix,	Komorofski,	Pentrack,	Wagner,
Dougherty,	Krise,	Petrosky,	Waterhouse,
Duffy,	Kurtz,	Pettigrew,	Watkins,
Dye,	Lane,	Pickens,	Weiss,
Elder,	Laughner,	Polaski,	Welsh,
Elish,	Lee,	Polen,,	Wescott,
Erb,	Leisey,	Powers,	White,
Ewing,	Leonard,	Propert,	Wood, N.,
Finnerty,	Levy,	Readinger,	Worley,
Flack,	Lichtenwalter,	Reagan,	Wright,
Fleming,	Loftus,	Reese, D. P.,	Yeakel,
Foor	Longo,	Reese, R. E.,	Yester,
Fox,	Lopez,	Regan,	Fiss,
Freed,	Lovett,	Reidenbach,	Speaker.
Frost,			
Fullerton,			

NAYS—1

Barton,

NOT VOTING—1

Wood, L. H.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 38, as follows:

An Act making an appropriation to the Department of Property and Supplies for completing the construction of accommodations and furnishing facilities for the conduct of a nautical school for use by the Navigation Commission for the Delaware River and its navigable tributaries

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of sixty thousand dollars ($60,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Property and Supplies to provide additional funds to be used to complete the construction and to provide suitable facilities and accommodations for use by the Navigation Commission for the Delaware River and its navigable tributaries in the conduct of a nautical school

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boies,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Dare,	Varallo,
Dennison,	Kennedy,	O'Donnell,	Verona,
Depuy,	Kirley,	O'Neill,	Wachhaus,
Dillon,	Kline,	Owens,	Wagner,
Dix,	Kolankiewicz,	Pentrack,	Waterhouse,
Dougherty,	Komorofski,	Petrosky,	Watkins,
Duffy,	Krise,	Pettigrew,	Weiss,
Dye,	Kurtz,	Pickens,	Welsh,
Elder,	Lane,	Polaski,	Wescott,
Elish,	Laughner,	Polen,	White,
Erb,	Lee,	Powers,	Wood, N.,
Ewing,	Leisey,	Propert,	Worley,
Finnerty,	Leonard,	Readinger,	Wright,
Flack,	Levy,	Reagan,	Yeakel,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yester,
Foor,	Loftus,	Reese, R. E.,	Fiss,
Fox,	Longo,	Regan,	Speaker.
Freed,	Lopez,	Reidenbach,	

NAYS—0

NOT VOTING—1

Wood, L. H.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 95, entitled:

An Act conferring upon the councils of cities of the first class the power, and devolving upon them the duty, of fixing and determining the salaries, wages and other compensation payable out of the treasury of such cities from and after the first day of January, one thousand nine hundred and forty-six of all public officers, clerks and other public employes except the salaries of elected officers whose salaries are fixed by law and except the salaries, wages or other compensation of officers, clerks and employes of the Courts which are fixed by law or by the Courts.

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED

Mr. SALUS. Mr. Speaker, I move that this bill be placed on the postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 451, as follows:

An Act to further amend the act approved the eighteen day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" providing that full time secretaries of county superintendents may join the retirement system and make back payments requiring certain additional payments by the Commonwealth and imposing duties on certain county officers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause seven of section one of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as amended by the act approved the twelfth day of July one thousand nine hundred thirty-five (P. L. 650) is hereby further amended to read as follows

Section 1 Be it enacted &c That the following words and phrases as used in this act unless a different meaning is plainly required by the context shall have the following meanings

(7) "Employe" shall mean any teacher principal supervisor supervising principal county superintendent district superintendent assistant superintendent any member of the staff of the State Normal Schools or of the staff of the State Department of Public Instruction or of the staff of the State Council of Education or any clerk stenographer janitor attendance officer or other person engaged in any work concerning or relating to the public schools of this Commonwealth or in connection therewith or under contract or engagement to perform one or more of these functions Provided That no person shall be deemed an employe within the meaning of this act who is not regularly engaged in performing one or more of these functions as a full-time occupation outside of vacation periods In all cases of doubt the retirement board shall determine whether any person is an employe as defined in this act And provided further That those employes of the Department of Public Instruction who are members of or are entitled to membership in the

retirement system herein established may withdraw from the system and be entitled to reimbursement of moneys which they have paid in by so electing in writing filed with the retirement board on or before the first day of July one thousand nine hundred and thirty-six After said date all new employes in the Department of Public Instruction shall be members of said system unless they elect otherwise in writing filed with the retirement board within one year after beginning their employment

"Employe" shall also mean any full time secretary of a county superintendent paid by the county who elects to become a member of the system Any such employe may become a member of the retirement system as of the date he became an employe by paying to the retirement association a sum equal to all the back payments which he would have made had he become a member of the retirement association at such time Such back payments may be spread over a period of years by having such regular payroll deduction of such person increased by not less than one-third of the amount there of which deduction increase shall be credited to such back payments owing and shall be continued until the amount thereof shall be paid in full unless such member is retired under the provisions of this act before such back payments have been completed Any such deduction increase may be anticipated in full by the member at any time and shall be anticipated in full at the time of retirement before a retirement allowance is granted and if not so anticipated then the member's annuity shall be calculated on the total accumulated deductions standing to his credit and his State annuity shall be reduced by an amount equivalent to the reduction which occurs in the member's annuity due to the amount of the back payments not so anticipated

Section 2 Section seven of said act as amended in part by the act approved the fourteenth day of May one thousand nine hundred twenty-nine (P. L. 1738) and the act approved the twelfth day of July one thousand nine hundred thirty-five (P. L. 698) is hereby further amended by adding at the end thereof a new subsection to read as follows

Section 7 * * * * *

8 In the case of a full time secretary of a county superintendent who elects to become a member of the system the county by which such secretary is paid shall for the purposes of this section be considered the employer and the county treasurer of such county shall transmit the amounts of the payroll deductions provided for by the act to which this is an amendment to the secretary of the retirement board

Section 3 Section nine of said act as amended by the act approved the fourteenth day of May one thousand nine hundred twenty-nine (P. L. 1738) is hereby further amended to read as follows

Section 9 [The] Except in the case of secretaries of county superintendents where there shall be no reimbursement the Commonwealth of Pennsylvania shall be reimbursed to the extent of one-half of the amount paid by the Commonwealth into the fund created by this act to the credit of the contingent reserve account and the State annuity reserve account number two on account of emloyes of each other employer by payments into its treasury made directly by such employer or indirectly from moneys otherwise belonging to such employer To facilitate the payment of amounts due from the treasurer of any employer to the treasurer of the Commonwealth on account of the retirement system and to permit the exchange of credits between the treasurer of the Commonwealth and the treasurer of any employer the State Superintendent of Public Instruction and the State Treasurer are hereby authorized and empowered to cause to be deducted and paid into or retained in the State Treasury from the amount of any moneys due to any employer on account of any appropriation for school or other purposes the amount due to the State Treasury from such employer in accordance with the provisions of this act Corresponding amounts which would be otherwise transferred to the treasury of the Commonwealth from the treasurer of such employer may be credited to the accounts of the employer to which the moneys withheld by the Commonwealth were payable

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and greed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Andrews,	Frost,	Lovett,	Reidenbach,
Baker,	Fullerton,	Lyons,	Reilly,
Barrett,	Gaffney,	Madden,	Reynolds,
Barton,	Gallagher,	Madigan,	Riley,
Baumunk,	Gardner,	Mahany,	Robertson,
Bentley,	Getchey,	Matthews,	Root,
Bentzel,	Gibson,	McAtee,	Rose,
Boies,	Goodling,	McClester,	Royer,
Bonawitz,	Gore,	McCormack,	Rudisill,
Boney,	Grant,	McDowell,	Salus,
Boorse,	Green,	McKinney,	Scanlon,
Boory,	Greenwood,	McLanahan,	Schuster,
Bower,	Greer,	McMillen,	Serrill,
Brancato,	Guthrie,	McNair,	Shaffer,
Breisch,	Gyger,	McNally,	Shoemaker,
Brice	Haberlen,	Mihm,	Skale,
Brothers,	Hall,	Mikula,	Sloan,
Brown,	Hamilton,	Miller,	Smith,
Brunner, C. H.,	Hare,	Milliken,	Snider,
Brunner, P. A.,	Haudenshield,	Mills,	Snyder,
Burns,	Heatherington,	Modell,	Sollenberger,
Cadwalader,	Helm,	Mooney,	Sorg,
Chervenak,	Hennihan,	Moore, C. E.,	Stank,
Chudoff,	Hering,	Moore, W. J.,	Stockham,
Cohen,	Herman,	Moran,	Stonier,
Coleman,	Hersch,	Moser,	Stuart,
Cook,	Hewitt,	Munley,	Swope,
Cooper,	Hoffman,	Murray, M. L.,	Tahl,
Corrigan,	Hoggard,	Murray, P. G.,	Tate,
Costa,	Hoopes,	Myhan,	Tittle,
Coulson,	Howells,	Nagel,	Trachtman,
Coyle,	Hunter,	Nelson,	Trent,
Cullen,	Huntley,	O'Brien,	Trout,
Dague,	James,	O'Connor,	Turbett,
Dalrymple,	Jones,	O'Dare,	Turner,
Dennison,	Kennedy,	O'Donnell,	Varallo,
Denuy,	Kirley,	O'Neill,	Verona,
Dillon,	Kline,	Owens,	Wachhaus,
Dix,	Kolankiewicz,	Pentrack,	Wagner,
Dougherty,	Komorofski,	Petrosky,	Waterhouse,
Duffy,	Krise,	Pettigrew,	Watkins,
Dye,	Kurtz,	Pickens,	Weiss,
Elder,	Lane,	Polaski,	Welsh,
Elish,	Laughner,	Polen,	Wescott,
Erb,	Lee,	Powers,	White,
Ewing,	Leisey,	Propert,	Wood, N.,
Finnerty,	Leonard,	Readinger,	Worley,
Flack,	Levy,	Reagan,	Wright,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Foor,	Loftus,	Reese, R. E.,	Yester,
Fox,	Longo,	Regan,	Fiss,
Freed,	Lopez,		Speaker.

NAYS—0

NOT VOTING—1

Wood, L. H.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection House Bill No. 522, Printer's No. 300, was passed over at the request of the SPEAKER.

The SPEAKER. Senate Bill No. 18, Printer's No. 187, is not on file and will be passed over.

HOUSE BILL No. 64 TAKEN FROM TABLE

Mr. HARE. Mr. Speaker, I move that House Bill No. 64, together with the message from the Senate which was laid on the table March 19, 1945, be taken from the table.

The motion was agreed to.

The communication was read by the Clerk as follows:

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 64.

An Act to further amend section twenty-three of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by increasing for a further limited period of time the rate of tax imposed upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, by adding after the word "persons" at the end of the title the following: "by making further provisions for the report and payment of the tax and by further defining gross receipts."

Amend Section 1, page 3, line 27, by striking out after the word "forty-four" the words "June thirtieth and" and inserting in lieu thereof the words "and for the twelve months periods ending"; also in line 28, by striking out after the word forty-five" the words "and June thirtieth"; also in line 8, by inserting before the word "electric" a light faced bracket; also in line 9 by inserting after the word "business"' a light faced bracket; also on page 4, line 9, by inserting after the word "business" the words "the sales of electric energy"; also in line 22, by inserting light faced brackets before and after the word "days" after the word "first", and inserting also the word "day"; also in same line by inserting before the word "and" a light faced bracket, and inserting a light faced bracket after the word "August"; also in line 28, by inserting after the word "of" light faced brackets before and after the word "six" and inserting "twelve"; also in line 29, by inserting before and after the word "days" light faced brackets and inserting the word "day"; also in same line by inserting before the word "and" and after the word "July", light faced brackets.

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Andrews,	Frost,	Lopez,	Reilly,
Baker,	Fullerton,	Lovett,	Reynolds,
Barrett,	Gaffney,	Lyons,	Riley,
Barton,	Gallagher,	Madden,	Robertson,
Baumunk,	Gardner,	Madigan,	Root,
Bentley,	Getchey,	Mahany,	Rose,
Bentzel,	Gibson,	Matthews,	Royer,
Boles,	Goodling,	McAtee,	Rudisill,
Bonawitz,	Gore,	McClester,	Salus,
Boney,	Grant,	McCormack,	Scanlon,
Boorse,	Green,	McDowell,	Schuster,
Boory,	Greenwood,	McKinney,	Serrill,
Bower,	Greer,	McLanahan,	Shaffer,
Brancato,	Guthrie,	McMillen,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moser,	Stuart,
Coleman,	Hersch,	Munley,	Swope,
Cook,	Hewitt,	Murray, M. L.,	Tahl,
Cooper,	Hoffman,	Murray, P. G.,	Tate,
Corrigan,	Hoggard,	Myhan,	Tittle,
Costa,	Hoopes,	Nagel,	Trachtman,
Coulson,	Howells,	Nelson,	Trent,
Coyle,	Hunter,	O'Brien,	Trout,
Cullen,	Huntley,	O'Connor,	Turbett,
Dague,	James,	O'Dare,	Turner,
Dalrymple,	Jones,	O'Donnell,	Varallo,
Dennison,	Kennedy,	O'Neill,	Verona,
Depuy,	Kirley,	Owens,	Wachhaus,
Dillon,	Kline,	Pentrack,	Wagner,
Dix,	Kolankiewicz,	Petrosky,	Waterhouse,
Dougherty,	Komorofski,	Pettigrew,	Watkins,
Duffy,	Krise,	Pickens,	Weiss,
Dye,	Kurtz,	Polaski,	Welsh,
Elder,	Lane,	Polen,	Wescott,
Elish,	Laughner,	Powers,	White,
Erb,	Lee,	Propert,	Wood, N.,
Ewing,	Leisey,	Readinger,	Worley,
Finnerty,	Leonard,	Reagan,	Wright,
Flack,	Levy,	Reese, D. P.,	Yeakel,
Fleming,	Lichtenwalter,	Reese, R. E.,	Yester,
Foor,	Loftus,	Regan,	Fiss,
Fox,	Longo,	Reidenbach,	Speaker.
Freed,			

NAYS—2

McNair,	Moran,

NOT VOTING—1

Wood, L. H.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

HOUSE BILL No. 83 TAKEN FROM TABLE

Mr. HARE. Mr. Speaker, I move that House Bill No. 83 together with the message from the Senate which was laid on the table March 19, 1945, be taken from the table.

The motion was agreed to.

The communication was read by the Clerk as follows:

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 83.

An Act to reenact and amend the title and the act approved the fourteenth day of June one thousand nine hundred thirty-five (P. L. 341) entitled as amended "An act to provide revenue by imposing a State tax upon sales of cigarettes by dealers as herein defined requiring persons engaged in the sale of cigarettes at wholesale and retail to secure permits prescribing the method and manner of collecting such tax conferring powers and imposing duties on the Department of Revenue and persons as herein defined engaged in the sale of cigarettes at retail or wholesale and providing penalties" as previously reenacted and amended by extending the provisions of the act for a further limited period of time

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 7, line 11, by striking out after the word "cigarettes" the word "are" and inserting in lieu thereof the word "as".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Andrews,	Frost,	Lopez,	Reilly,
Baker,	Fullerton,	Lovett,	Reynolds,
Barrett,	Gaffney,	Lyons,	Riley,
Barton,	Gallagher,	Madden,	Robertson,
Baumunk,	Gardner,	Madigan,	Root,
Bentley,	Getchey,	Mahany,	Rose,
Bentzel,	Gibson,	Matthews,	Royer,
Boies,	Goodling,	McAtee,	Rudisill,
Bonawitz,	Gore,	McClester,	Salus,
Boney,	Grant,	McCormack,	Scanlon,
Boorse,	Green,	McDowell,	Schuster,
Boory,	Greenwood,	McKinney,	Serrill,
Bower,	Greer,	McLanahan,	Shaffer,
Brancato,	Guthrie,	McMillen,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moser,	Stuart,
Coleman,	Hersch,	Munley,	Swope,
Cook,	Hewitt,	Murray, M. L.,	Tahl,
Cooper,	Hoffman,	Murray, P. G.,	Tate,
Corrigan,	Hoggard,	Myhan,	Tittle,
Costa,	Hoopes,	Nagel,	Trachtman,
Coulson,	Howells,	Nelson,	Trent,
Coyle,	Hunter,	O'Brien,	Trout,
Cullen,	Huntley,	O'Connor,	Turbett,
Dague,	James,	O'Dare,	Turner,
Dalrymple,	Jones,	O'Donnell,	Varallo,
Dennison,	Kennedy,	O'Neill,	Verona,
Depuy,	Kirley,	Owens,	Wachhaus,
Dillon,	Kline,	Pentrack,	Wagner,
Dix,	Kolankiewicz,	Petrosky,	Waterhouse,
Dougherty,	Komorofski,	Pettigrew,	Watkins,
Duffy,	Krise,	Pickens,	Weiss,
Dye,	Kurtz,	Polaski,	Welsh,
Elder,	Lane,	Polen,	Wescott,
Elish,	Laughner,	Powers,	White,
Erb,	Lee,	Propert,	Wood, N.,
Ewing,	Leisey,	Readinger,	Worley,
Finnerty,	Leonard,	Reagan,	Wright,
Flack,	Levy,	Reese, D. P.,	Yeakel,
Fleming,	Lichtenwalter,	Reese, R. E.,	Yester,
Foor,	Loftus,	Regan,	Fike,
Fox,	Longo,	Reidenbach,	Speaker.
Freed,			

NAYS—2

McNair, Moran,

NOT VOTING—1

Wood, L. H.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGES

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 52.

An Act to amend clause six of section thirteen of the act approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties"; further defining the disability retirement rights of members of the School Employes' Retirement Association who engage in active military service.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 3, line 2 by inserting after the word "Examination" the following: "Any employe who has been honorably discharged from active military service prior to the approval of the act shall have one year from the effective date thereof to apply for said examination"; also on page 4, line 5, by inserting after the word "service" the following: "However if the employe is permitted to resume the duties of his employment he shall not be denied his disability rights".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Andrews,	Frost,	Lovett,	Reidenbach
Baker,	Fullerton,	Lyons,	Reilly,
Barrett,	Gaffney,	Madden,	Reynolds,
Barton,	Gallagher,	Madigan,	Riley,
Baumunk,	Gardner,	Mahany,	Robertson,
Bentley,	Getchey,	Matthews,	Root,
Bentzel,	Gibson,	McAtee,	Rose,
Boies,	Goodling,	McClester,	Royer,
Bonawitz,	Gore,	McCormack,	Rudisill,
Boney,	Grant,	McDowell,	Salus,

Boory,	Green,	McKinney,	Scanlon,
Boorse,	Greenwood,	McLanahan,	Schuster,
Bower,	Greer,	McMillen,	Serrill,
Brancato,	Guthrie,	McNair,	Shaffer,
Breisch,	Gyger,	McNally,	Shoemaker,
Brice,	Haberlen,	Mihm,	Sl'ale,
Brothers,	Hall,	Mikula,	Sloan,
Brown,	Hamilton,	Miller,	Smith,
Brunner, C. H.,	Hare,	Milliken,	Snider,
Brunner, P. A.,	Haudenshield,	Mills,	Snyder,
Burns,	Heatherington,	Modell,	Sollenberger,
Cadwalader,	Helm,	Mooney,	Sorg,
Chervenak,	Hennihan,	Moore, C. E.,	Stank,
Chudoff,	Hering,	Moore, W. J.,	Stockham,
Cohen,	Herman,	Moran,	Stonier,
Coleman,	Hersch,	Moser,	Stuart,
Cook,	Hewitt,	Munley,	Swope,
Cooper,	Hoffman,	Murray, M. L.,	Tahl,
Corrigan,	Hoggard,	Murray, P. G.,	Tate,
Costa,	Hoopes,	Myhan,	Tittle,
Coulson,	Howells,	Nagel,	Trachtman,
Coyle,	Hunter,	Nelson,	Trent,
Cullen,	Huntley,	O'Brien,	Trout,
Dague,	James,	O'Connor,	Turbett,
Dalrymple,	Jones,	O'Dare,	Turner,
Dennison,	Kennedy,	O'Donnell,	Varallo,
Depuy,	Kirley,	O'Neill,	Verona,
Dillon,	Kline,	Owens,	Wachhaus,
Dix,	Kolankiewicz,	Pentrack,	Wagner,
Dougherty,	Komorofski,	Petrosky,	Waterhouse,
Duffy,	Krise,	Pettigrew,	Watkins,
Dye,	Kurtz,	Pickens,	Weiss,
Elder,	Lane,	Polaski,	Welsh,
Elish,	Laughner,	Polen,	Wescott,
Erb,	Lee,	Powers,	White,
Ewing,	Leisey,	Propert,	Wood, N.,
Finnerty,	Leonard,	Readinger,	Worley,
Flack,	Levy,	Reagan,	Wright,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Foor,	Loftus,	Reese, R. E.,	Yester,
Fox,	Longo,	Regan,	Fiss,
Freed,	Lopez,		Speaker.

NAYS—0

NOT VOTING—1

Wood, L. H.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 80.

An Act to reenact and amend the title and the act approved the sixteenth day of May, one thousand nine hundred thirty-five (P. L. 208), entitled as amended, "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net income of certain corporations, joint-stock associations and limited partnerships providing for the assessment, collection, settlement and resettlement of taxes and reviews and appeal therefrom, conferring powers and imposing duties on certain persons, corporations, joint-stock associations, limited partnerships, State and county officers, boards and departments making an appropriation and providing penalties" as previously reenacted and amended by extending the provisions of the act for a further limited period of time

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendmen

The Clerk read the amendments as follows:

Amend title, page 1 by inserting after the word "tim in the last line the following: "by providing for adc tional deductions in fixing the tax by providing that a r port of change of income becomes part of the origir report in certain instances by changing the gross recei fraction and by specifically providing for the computi of interest on increases of income indicated by repo of change".

Amend section 1, page 5 line 8 by inserting after t word "whatsoever" the following: "except the declar value excess profits tax"; also in line 21 by inserting aft the word "realized" the words "and losses sustaine also in line 25 by inserting the word "realized" the wor "and losses sustained"; also in same line by inserting aft the word "sale" the words "or exchange"; also on page line 14 by inserting after the word "be" the figure "(1) also by inserting in line 15 light faced brackets befc and after the word "from"; also in line 16 by inserti before the figure "(1)"; also in line 18 by striking c after the word "at" the word "connecting" and inserti in lieu thereof the word "connected"; also in line 20 inserting after the word "Commonwealth" the words "a except rentals and royalties and interest and dividend also on page 8 line 3 by inserting after the word "sta the following: "in the case of construction contra negotiated or effected at an office in the state of Pen sylvania but performed outside the state the gross r ceipts under such contracts shall be assignable outsi the state except that if the activities under any such cc tract to which the gross receipts are attributable sh occur partly within the state and partly outside t state such proportion of the gross receipts under sa contract shall be assignable to Pennsylvania as the rect and indirect costs incurred in Pennsylvania unc the contract for the taxable year bear to the total co incurred thereunder for the taxable year In the case construction contracts negotiated or effected at an offi outside the state but performed in the state the gr receipts under such contracts shall be assignable to state except that if the activities under any such contr to which the gross receipts are attributable shall oc partly within the state and partly outside the state su proportion of the gross receipts under said contract sh be assignable to Pennsylvania as the direct and indir costs incurred in the state under the contract for taxable year bear to the total costs incurred thereunc for the taxable year."

Amend section 1, page 13, line 20 by inserting af the word "paid" the following: "except that if the taxa income has been or is increased by the Commissioner Internal Revenue of by any other agency or court of United States interest shall be computed on the additio tax due from thirty days after the corporation recei notice of the change of income until paid."

Amend section 1, page 16, line 15 by inserting af the word "settlements" the following: "Where a rep of change correction or redetermination of Federal come or Federal tax has been filed after a petition review or an appeal has been taken such report shall deemed a part of the original report upon petition of taxpayer at any subsequent proceeding as though it h been filed with the original report and no separate pe tion for review or appeal from the resettlement resu ing from such report of change correction or redetermi tion shall be necessary."

Amend section 1, page 16, line 19 by striking out af the word "the" the word "Auditor" and inserting in l thereof the word "Auditor."

Amend section 1, page 21, line 11 by striking out af the word "of" the word "corporation" and inserting lieu thereof the word "corporations".

Amend Bill page 22 by inserting after the word "for seven" in line 2 the following new section: Sectior This reenacting and amending act shall become eff tive immediately upon its final enactment".

On the question,

Will the House concur in the amendments made by e Senate?

BILL AND MESSAGE LAID ON TABLE

Mr. HARE. Mr. Speaker, I move that the bill, together ith the message from the Senate be laid on the table.

The motion was agreed to.

CONGRATULATORY RESOLUTION

Messrs. CULLEN and HEATHERINGTON offered a solution which was read, considered and unanimously lopted as follows:

In the House of Representatives, March 20, 1945.

There has been received by a member of this House a tter from one of its members, the Hon. George J. Sarraf, w Captain Sarraf, who is stationed in an army hospital Camp Hood, Texas.

"Doc" Sarraf in his letter says "I sure miss being down ere with you and the other good men from good old iladelphia and the other parts of our State. I'll bet you were a little younger you would be in here pitch- g too—just as you did in the first World War.

"We are working hard. A lot of these kids are all nged up, as you would know, and with the help of od we are putting a large percentage of them in good ape.

"Lots of luck—health—and please say 'hello' to the men r me.

"Pal, 'Doc' Sarraf"

It is great to get this message from one of us who has luntarily chosen to use his professional skill for the nefit of the sick and injured boys in the service when could easily have been safely here with us.

It is those sacrifices such as Doctor Sarraf is making at make us doubly thankful for the privilege of being mericans and inspire us with a desire to do our full ty here at home, therefore be it

Resolved, by the members of the House of Representa- ves of the Commonwealth, That we extend to Doctor rraf our sincere thanks for his message and to assure m of our admiration of the work he is doing for the flicted in the service, and that as our "hello Doc" to m we request the Chief Clerk of the House to forward copy of this Resolution to the Honorable George J. rraf, our good friend "Doc Sarraf" now on duty at mp Hood, Texas.

PERMISSION TO ADDRESS HOUSE

Mr. FRANK E. SNYDER asked and obtained unanimous nsent to address the House.

No one realizes more than I, that in an emergency like e one through which we are passing, it is necessary to mporarily make many changes, and to centralize much wer in the hands of a few. To this inevitable condition, e as a people have willingly submitted but in so doing, e have not in any way lessened the value that we place the personal liberties that democracy provides. Con- tions that exist to-day should, by contrast, increase our preciation for, and our determination to regain these erties when the war is over. It is for such freedom at this awful war is being fought.

We who are in positions of trust, must keep in mind at we have an obligation to all citizens of our country, all free peoples the world over, and to generations yet born, to see that this centralization of power in the S. does not result in changes permanently detrimental the common good of all people. We must make sure at no permanent changes are clamped upon us by greedy terests, under the guise of expediency, of war necessity, or to satisfy the whims of one who may feel cramped or agrieved by rationing.

Great Are Our Responsibilities

Great responsibilities rest upon our elected officials to see that this is not done, while our neighbor boys, our brothers, and our sons are fighting, and dying to retain liberty. As a member of the Pennsylvania Legislature, I do not propose to take these responsibilities lightly nor do I intend to let attempts which I believe will cripple our future health, freedom and economy, go by unheeded. This you may say is a platitude. Certainly with this stand no one can differ. It is the position that I feel sure will always govern the decisions of this body.

We Are United to Crush Despotism

In this crisis, brought about by war being forced upon all free men, we as a people willingly and wisely put all of our resources behind our war effort. We are all a part of a determined drive to crush those enemies of freedom and democracy so that none of them may ever raise his head again against free men.

All Honor to Those Who Are In Uniform

The men and the women who have had the honor of wearing a uniform of the U. S., whether on land, or sea, or in the air, have done a superb job. They have given and are still giving their best and are suffering much. Many have paid with their lives, and still more will return to us crippled, and carrying wounds the rest of their lives. All gave as their duties required, that their country might continue to be a land of human liberties.

Labor Has Done Its Part

The men and women in overalls whether in the factory, down in the mine, or on the farm, have done a marvelous job in providing an abundance of those things that are necessary to sustain life, and supply the best of materials and implements for war.

Great Credit Due Personnel of Transportation and Communication

Though short handed the men and women who have been responsible for the smooth operation of our communications, and transportation systems, have done what appeared to be the impossible by getting the messages, the materials, and the men, to their destination on time and in the quantity and number needed.

Technicians, Physicians and White Collar Workers at Home Have Done Their Part

The scientist, the physicians, the nurses the white collar man and woman in the school, store, the office, in research, in finance or in management, have quietly filled the spots that were his or hers to fill, and have done well with little praise or comment.

All Submit to Many New Rules and Regulations

All have submitted to rationing of various kinds and to regulations never before experienced. Every one of us have had our food habits changed and we are eating emergency rations, so to speak, of various and sundry kinds and are going without some of the commonest foods, which we really miss. We as a people are doing this in order that our fighting men may have what they require, and that we may share our foods with those who have

been delivered from the clutches of our enemies, who robbed them. Until we fully comply with the provisions of rationing, we cannot feel that we are 100% behind our armed forces, and a part of our united war effort.

Each Has a Responsibility

Every one in our body politic, if he does his duty, must fit himself into the nitch that is his to fill, and there he must really work for the one purpose—the winning of the war, and the winning of the peace which is to follow.

United We Progress

What the final result of this united effort will be is already apparent, but when the war may end, and an organization to maintain world peace is established and made effective, no one can yet prophesy. We do know we are nearer the glorious day, and we who have been charged with responsibilities on the home front, are determined that when our boys and girls are returned to civilian life, they shall not be disappointed, in the opportunities they find in the free country they left, and for which they have fought and given so much.

To Err Is Human

In a world made up of human beings nothing is perfect but we are a united, liberty loving people. We do find from time to time, slackers, saboteurs and traitors but they are despised by all others, and are promptly and properly dealt with. The exceptions prove the rule—We are a united, liberty loving people. The fact that there are at all times those whose greed for money, or whose craving for power impels them to prey on the helpless whenever opportunity permits, only proves the weakness of human nature. To hold all such forces in check is a continuous battle.

An Indispensable Public Service

Today, I want to direct my remarks in support of a class of people who render an indispensable service to all mankind. I refer to the dairy farmer—the farm family—that makes it possible for all to have Nature's perfectly balanced, and most nutricious food. The complete story of milk has never been told. It may always remain one of Nature's secrets as is life itself, but we do know that milk is an indispensable food, and we recognize that it has life sustaining qualities, found in no other food. For it, there is no substitute.

No Service Greater Than That Rendered By Dairy Farmers

On our hills and in our valleys, farm families work seven days a week, three hundred sixty-five days a year, to care for cows that produce your milk. Their days are long, as cows must be fed, and milked every twelve hours. I can think of no more necessary public service than that performed by the dairy farmer and his family. A correctly informed public will appreciate a service of that type, and an understanding public will see how important a prosperous farm population is to the general welfare. The dairy farms are the best, and most extensive market for the products of the shop and factory. Every citizen has a direct, yes a selfish interest in seeing that these isolated farm families get a square deal, and no man interested in the welfare of the common man, will knowingly lend himself to any scheme of selfish interests, to prevent the free flow of milk and dairy products from the farms to the homes of the urban dwellers, and in turn the free flow of the products of the factory and the shop to the farms. To the end that you may know what is behind a well financed plan, which if made effective, would sabotage the dairy industry with far reaching ill effects, I am addressing you to this length.

Why Butter Is Rationed

At the present time when milk and dairy products are being produced in greater quantities than ever before, and when the needs of the armed forces are taking such quantities, we are experiencing a drastic rationing of butter. It is no fault of the dairy farmer, that butter is scarce, and ration points are relatively so high. There are reasons but they are beyond the control of producers, and they all tie into the united war effort. We must accept them as a part of the whole.

Butter Largely A Seasonal Product

You are all well enough acquainted with dairying, I hope, to know that in order to supply the public with all the fresh milk, and fresh cream that is needed, there had to be a large surplus, especially in the summer months. That is the time when most of the years' supply of butter and cheese is made, and put into storage to flow out throughout the year as markets require. In order to have fluid milk every day, dairy products are necessary and they constitute an important part of the diet, as well as contributing much to the dairy farmers income. It would seem almost incredible at a time such as this, that a concerted attack would be made upon such an important food product as butter. Butter fat is the backbone of milk, yes butter is the backbone of the whole dairy industry and all values in other dairy products are based upon its value. This well financed attack, jeopardizes the fluid milk markets, and thereby is threatening to impair public health. Greed for unearned profits on the part of giant corporations is the force that is behind the scheme. A combination of favorable factors, brought about by the war, has given the manufacturers of oleomargarine the opportunity they have long sought. They would make much of the lack of butter, and encourage the consumer to help them with their plan. They would destroy the livelihood of the dairy farmers family at a time, when these families are working and producing more than ever before, and our war plan demands that the greater part must go, first to the doughboys who are today lying, dying in fox holes that we may live as free men. Those who would make much of the lack of butter in our homes at this time should hang their heads in shame. Those who would take unfair advantage of the producers of milk and butter, in this emergency cannot be considered friends of the dairy farmer.

The Battle Is Not Alone That Of The Dairy Farmer

For fifty or more years a combination of waste products of oils, fats and grease known as oleomargarine, oleo, margarine, and by other names, sometimes including the word butter, have been on the market. From the start, attempts were made to dress it up to look like butter, or even sell for butter. There has been a continual effort to use the word butter in some way on the wrapper, and manufac-

turers are bound to color it to match the natural golden color of butter. The dairy farmer has never objected to the sale of this mixture for what it is, and it is only when attempts are made to masquerade as butter, that farm people and the consumers have objected.

Public Must Be Protected Against Imposter

In order to regulate the manufacture of this, shall I say synthetic, product of variable, and often unknown origin, and to properly protect the public, Federal laws impose an annual tax of $600 on manufacturers. This is not an unreasonable tax when we compare it with a tax of ($2500.00) a year imposed by the Commonwealth of Pennsylvania, on the larger distributors of fluid milk for license purposes and to compel the distributors to report, as to activities.

Who Manufacture Margarine

The manufacturers of oleomargarine are not small concerns, but how they get some small people to squawk in their behalf. You will recognize the size and principal business of these corporations if I mention a few of the members of the National Association of Margarine manufacturers.

The Armour Co., of Chicago, Ill.
The Churngold Corporation of Cincinnati, Ohio.
J. H. Filbert, Inc., of Baltimore, Md.
John F. Jelke Co., of Chicago, Ill.
Swift and Company of Chicago, Ill.
Wilson and Company of Chicago, Ill.

There are no oleomargarine manufacturers, to my knowledge, in Pennsylvania. There are at least 22 corporations in this combination known as the National Association of Margarine Manufacturers. They are corporations created to make profits for stockholders and when united as they are, they are no mean opponent when arrayed against the dairy farmer.

Licenses for Health Protection

Continuing on the point of tax or license for the manufacture and sale of oleo, I want to say there is a Federal tax of one quarter cent a pound on all uncolored oleo and a tax of ten cents a pound on oleo colored to resemble butter. Aside from this there is a Federal tax of $460.00 and $200 on wholesalers of colored and uncolored oleo respectively, and a Federal tax of $42.00 and $6.00 on retailers of colored and uncolored oleo respectively. These taxes or licenses have been imposed by Federal Laws so that manufacturers may be known, and sale of this by product of the slaughterhouses and oil, can be controlled, and the consumers protected from fraud.

States Cooperate With Federal Authorities

States, especially in the dairy sections, have laws that enable state authorities, to join in helping to see that oleo is sold for what it is, and as far as possible, no one takes it home when he pays for butter. Some states forbid the sale of colored oleo within the State. Some states compel public eating places serving it, to display signs plainly stating that oleo is being served. Some states require a license be obtained, and plainly displayed by those selling this product. All of these laws are judged in the public interest, and were passed after discussions and deliberations at a time when there were no temporary rules governing rationing, to irk the sensative. Remember that a corporation is set up to make profits It has the best talent that money can hire, and it makes the most of every opportunity to make profits. That is the purpose for which it is created, and with the amount of advertising, and lobbying, and promotional work that has been going on for years to further oleo sales, it is evident that oleo manufacturing corporations serve well the purpose for which created, and awake to every opportunity to better their position. At last the war has given them the golden opportunity. Their efforts today are rocking the very foundation of our dairy industry.

Dairy Production At All Time High To Meet War Needs

At the present time we have according to Federal authorities, the record high number of cows in farm herds and during the year 1944 amid many handicaps, they produced the second largest volume of milk in the Nation's history. This milk has been produced on the millions of small farms, where the farm family is striving to serve well the war effort and make a simple living. Already these dairy farmers are wondering what can be done with the milk and dairy products they are producing when this war ends and the markets abroad disappear as they will.

At Best Grave Problems Face Dairymen

They would like to have the public know more about the importance of butter, and other dairy products in the diet, and they are combining to have the story told better than ever before, but it will at best, be a feeble effort when arrayed against them will be the combined forces of giant corporations of the type I have mentioned.

No Reason For Abolishing Protective Laws

Certainly this is no time to repeal laws, or make changes that crush the dairy farmer, and boost the profits of such corporations. Thousands of our boys at the front dream of returning to the farms where they can get away from the noise, and live quietly and raise their family amid peaceful surroundings. Dairying is the backbone of farming and butter is the backbone of milk. Destroy it while the boys are away fighting our battles, just to satisfy the whim of corporations or those who do not appreciate why safeguards are placed around the sales of oleo, and it will be a stab in the back of our soldiers, when they are where they have no chance to defend themselves. It will be a blow at the family farm, that will be felt by the laboring man, and by our whole economic system.

The Experiment With Prohibition

You may recall the Volstead Act, that grand experiment of prohibition, that was passed during the last war. You will recall the reaction and the final results. Whether it was good or bad is not the question, but the fact that it was passed when the boys were away, was not good ethics, to say the least, and the reaction was not good.

We Must not be Stampeded Into Hasty Change

As I said in the beginning, we who are in positions of trust, must keep in mind that we have obligations to all citizens of our country, to all free people of the world, and to generations yet unborn, to see that the centralization of power does not result in changes permanently detrimental to the common good of all people. We

must make sure that no such changes are clamped upon us by greedy interests, under the guise of expediency, of war necessity, or to satisfy the whims of those who may feel agrieved by rationing.

We Will Be Worthy of Our Trust

I plead with you to uphold the honor and the dignity of the Commonwealth of Pennsylvania, that you keep the faith with those we have sent away to war, that you show appreciation for the services rendered by dairy farmers, that you show the stamina and character that it takes to accept inconveniences which war imposes, including rationing. I cannot believe this body of men will permit any such changes to be made in our protective laws, as those proposed by the friends of a product that history shows would be sold for what it is not, to the detriment of all people, except the corporations that reap increased, unearned profits as a result.

RESOLUTIONS

THANKS EXTENDED

Messrs. McMILLEN and ROBERTSON offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, March 19, 1945.

The Committee on Aeronautics of this House recently visited the Middletown Air Depot, maintained and operated by the War Department of the Federal Government.

The magnitude of the depot and the character of its work amazed the members of the Committee who were fortunate enough to be there.

In addition, however, to what the members of the Committee witnessed and what they learned, they were equally impressed by the hospitality and the courtesy extended to them by the officers and men stationed at the depot. They were accompanied throughout their visit by these who carefully and fully explained in detail the work that was being done and did everything possible to make the inspection thorough and instructive; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania hereby extends its thanks to Brigadier General John M. Clark, Commanding General, in charge of the depot; Major Richard Kulze, Chief of Public Relations Department and Lieutenant George B. Boone and Sergeant Richard W. Gordon, his assistants, and Major Charles W. Draper, Production Inspection Chief, who contributed of their time so generously in order to provide the Committee of this House with information vital and necessary to it in its study of the Commonwealth's aeronautic problems; and be it further

Resolved, That in further recognition of the help and assistance of the above named officers and men, the Chief Clerk of this House is hereby requested to transmit a copy of this resolution to each of them.

CIVIL AIR PATROL DAY

Messrs. McNALLY and REYNOLDS offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read by the Clerk as follows:

In the House of Representatives, March 20, 1945.

There is a little known volunteer organization within this Commonwealth made up of men who have freely given of their time in the defense of their country.

The organization is known as the Civil Air Patrol and it has not only spent countless hours patrolling by air the costs of the nation, but has actually participated in the destruction of enemy submarines.

The organization has airships based at and operated from airfields in Pittsburgh, Philadelphia, Harrisburg, Reading and most of the other important airfields within the Commonwealth.

The City of Pittsburgh has recently set aside a day as "Civil Air Patrol Day" during which a drive was made to secure air cadets for the Army and to give them preliminary training; therefore, be it

Resolved (if the Senate concurs), That the General Assembly of the Commonwealth hereby suggests to His Excellency, the Governor of the Commonwealth, that he designate and set aside a day to be known as "Civil Air Patrol Day" and that he shall issue a proclamation calling upon the various municipalities and the public schools of the Commonwealth to arranage for the dissimination of information relating to the work of the Civil Air Patrol and its accomplishments in order to stimulate interest in its work and obtain additional air cadets for the Army; and be it further

Resolved, That a copy of this resolution shall be transmitted by the Chief Clerk of the House to His Excellency, the Governor.

On the question,

Will the House adopt the resolution?

It was adopted.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION TO ADDRESS HOUSE

Mr. GRANT asked and obtained unanimous consent to address the House.

Mr. Speaker, I request that you call the House to attention because I think the subject which I am going to mention is important to the whole membership of the House.

I along with many other Members of the House am greatly interested in three bills, namely, House Bill 626 that is in the Liquor Control Committee, House Bill 275 that is in the Liquor Control Committee, and House Bill 236 that is in the Liquor Control Committee.

Through inquiry I have learned that although these bills have been in the Liquor Control Committee practically since we have been in session the Members of the Liquor Control Committee have not been given the opportunity to consider these bills. These bills are very simple.

The first bill, House Bill 626, takes clubs out of the quota law. I have learned from inquiry and have been informed by members of the House who have been in the House prior to my being a Member that this bill was not intended to cover clubs, but the bill as presently drawn up is subject to two different interpretations, one of which is that the clubs are not within the quota, and twenty-seven counties have so decided; the other is that they are within the quota law and twenty counties have so decided.

In 1941 I have been informed that this House felt that they were not intended to be in there, and they were taken out of the quota law. A bill was passed through this House and through the Senate, and I have been informed it was vetoed by the Governor. Since that time this bill has been in committee during the last session and this session.

All I am asking at this time is that the Liquor Control

Committee themselves be given an opportunity along with other Members to study this bill so that it may be brought out on the floor. Right at this time it is very vital for the reason that there are quite a few organizations of second World War veterans. They are already starting organizations of their own, and it seems to be a fact that they will be started in every county in the State of Pennsylvania eventually, and they will not be able to have the privilege of making an application in those counties where the law is construed that they are within the quota and be able to provide for their membership. They are vitally interested in this bill, and I think the Liquor Control Committee wants an opportunity to study the bill.

The other bill is House Bill 275. All that bill asks is that upon a hearing de novo—and every attorney who has had experience with these bills will tell you that in an application if you have a hearing before the Liquor Control Board which you fight before your local courts, that unless your local courts find new facts then, to carry out the administrative functions of this House and the Senate they are bound by a Superior court decision.

There are a great many of us in this House that have entire confidence in the local courts, and we feel that the courts should have that right, that they, knowing the conditions existing in their counties, and having to be confronted with them, they are able and they are honorable enough to have these matters decided by them, and they will handle them correctly.

The other one is an instance where an undue hardship is perpetrated upon those who hold a beer license presently. If you have a beer license you are included under the quota law, and if you wanted to change back and file a new application for a liquor license, and your beer license is included in the quota, the Liquor Control Board will refuse your new application because of the fact that the quota is exceeded, and your beer license is one of those included in the quota.

I say to you that I feel that the Chairman of the Liquor Control Committee should give the Liquor Control Committee an opportunity to study the bills, an opportunity to vote for them and bring them out on this floor. I think very definitely further from what I have learned from inquiry, that the Members of the committee also as well as we Members of the House would like to have an opportunity to study these bills.

I want to say at this time that I want to put the Chairman of this Liquor Control Committee on notice that unless these bills are taken out and considered I will be constrained to make a motion for not alone myself, but the members of the Liquor Control Committee to be given an opportunity to study these bills.

HOUSE RESOLUTION No. 38

Mr. FLEMING. Mr. Speaker, I call up House Resolution No. 38, Printer's No. 304, on page 25 of today's calendar.

The resolution was read by the Clerk as follows:

In the House of Representatives, March 12, 1945.

Whereas, there are many ethically conducted and honestly operated companies dealing in consumer credit and engaged in the business of financing on conditional sale or lease, motor vehicles and other articles of personal property, it appears there are also many other finance and consumer credit companies which engage in unscrupulous and unconscionable practices unjustifiably detrimental to purchasers and inimical to public good; and

Whereas, the losses suffered from these nefarious practices fall upon the shoulders of those least able to bear them—the persons in lower income brackets who for want of ready cash are obliged to purchase even necessities on deferred payment bases to enrich those guilty of chicanery; and

Whereas, shortly there will return to this Commonwealth our native sons and daughters who have so well served their country here and overseas and who will want to take up anew their civil pursuits and reestablish their homes with those necessities which they must have and those luxuries to which they are entitled; and

Whereas, these veterans most of whom gave up lucrative positions of employment in answer to the call of war, may be by the very reason of their patriotism, unable financially to attain their just aims without resorting to installment purchases, and accordingly may become the victims of the designing manipulations of dishonest finance companies and others dealing in consumer credit; Therefore, To that end, Be it

Resolved (if the Senate concurs) the Joint State Government Commission of the Geenral Assembly, with the cooperation of the Secretary of Banking, the Insurance Commissioner and the Attorney General, is hereby directed to investigate and explore all matters connected with the operation and management of the conditions prevailing in finance companies and others in this Commonwealth dealing in consumer credit or otherwise engaged in the business of financing motor vehicles and other articles of personal property which are sold or leased on what is commonly known as the installment plan, for the purpose of ascertaining and reporting as soon as reasonably possible to the General Assembly such nefarious unscrupulous and improper practices as are deemed to be inimical to the public good and in the main to ascertain and report on any prevailing practices of such companies or individuals as the case may be, which may injure to the disadvantage or detriment of the public generally and returning veterans specifically, and to report thereon with recommendations for such legislation as it may dem advisable under the circumstances.

For these purposes the Joint State Government Commission of the General Assembly shall have the power to compel the appearance of witnesses and the production of books, papers and records, and to issue proper subpoenas for the attendance of witnesses and the production of books, papers, records, and any and all other writings deemed necessary for the fulfillment of the duties prescribed by this resolution.

On the question,

Will the House adopt the resolution?

Mr. LEVY. Mr. Speaker, I desire to interrogate the gentleman from Allegheny County, Mr. Fleming.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. FLEMING. I shall, Mr. Speaker.

Mr. LEVY. Mr. Speaker, I desire to know from the gentleman from Allegheny as to whether or not it is the law of the Commonwealth that all financial companies and credit agencies within the Commonwealth are under the supervision of the Department of Banking of the Commonwealth?

Mr. FLEMING. That, Mr. Speaker, I would not be able to correctly answer.

Mr. LEVY. Mr. Speaker, I would then desire to interrogate the Majority Leader of the House.

The SPEAKER. Will the gentleman from Lehigh permit himself to be interrogated?

Mr. LICHTENWALTER. I shall, Mr. Speaker.

Mr. LEVY. Mr. Speaker, I would like then to ask the

Majority Leader the same question as to whether or not the finance companies and credit agencies within the Commonwealth are not under the inspection of the Department of Banking.

Mr. LICHTENWALTER. Mr. Speaker, to the best of my knowledge they are not. I believe that the only groups of institutions and organizations in Pennsylvania are banks and small loan companies. There is a division in the Department of Banking under control of the banking department that handles small loan companies, but there are a lot of finance companies, I believe, and credit organizations that do not come under the banking department.

Mr. LEVY. What other financial institutions have we within the Commonwealth other than banks and finance companies, and further is it not true that the Department of Banking also has jurisdiction over consumers credit organizations within the Commonwealth chartered by the Department of Banking?

Mr. LICHTENWALTER. I believe, Mr. Speaker, that under the present act there are many companies doing business in Pennsylvania that evade the law because under the act if they make loans under $300 they do not come within certain provisions of the act, and that is the very reason for this resolution, but we wish to determine, Mr. Speaker, if it would be practical and feasible to amend the present act in order to bring about further regulation for the protection of the public interest.

Mr. LEVY. Is it not a matter of fact, Mr. Speaker, that under the small loans act, a company chartered by the Commonwealth of Pennsylvania is permitted to loan from $25 up to $300?

Mr. LICHTENWALTER. That is correct, Mr. Speaker.

Mr. LEVY. And is it not true that that same company, Mr. Speaker, then is under the supervision of the Department of Banking?

Mr. LICHTENWALTER. That is correct, Mr. Speaker.

Mr. LEVY. Now, I would like to have the gentleman from Lehigh explain to the Members of the House what other financial agency or company within the Commonwealth must be investigated that is not under the direct supervision of the Department of Banking.

Mr. LICHTENWALTER. Mr. Speaker, I believe that the resolution is very clear. I believe that many of these finance companies and your other credit organizations have been using some rather bad and unscrupulous methods in the matter of granting of loans and in the matter of repayment, and it is for that reason that this resolution is introduced, to determine if the complaints that have been made to the Department, letters written to the Governor of this Commonwealth—whether these complaints are justified.

Mr. LEVY. I would like to know, Mr. Speaker, what other companies in Pennsylvania doing a credit and finance business are not under the supervision of the Department of Banking that are intended to be investigated by this resolution.

Mr. LICHTENWALTER. I believe, Mr. Speaker, that we have department stores in Pennsylvania and many other chain groups in Pennsylvania, chain stores that are operating a credit business, and according to these complaints people have been, I might say, taken over by the methods employed in refinancing these loans, and the consumer credit groups in Pennsylvania.

Mr. LEVY. The House resolution, Mr. Speaker, directed to the Joint State Government Commission of the General Assembly to investigate in cooperation with the Department of Banking and the Insurance Commissioner is very general and deals in the first place with finance companies. When the department store finances a credit line on merchandise and subsequently turns it over to a finance company, isn't that same finance company under the supervision at the present time of the Department of Banking under the laws of the Commonwealth?

Mr. LICHTENWALTER. I would say, Mr. Speaker, that if they turned it over to a finance company that operates under the provisions of the act, that is true, but there are many department stores and other finance organizations in Pennsylvania that do not turn them over to recognized finance companies.

Mr. LEVY. Then I desire to ask the gentleman from Lehigh whether or not it might not be a good idea to amend the resolution to investigate the very bureau of the Commonwealth which this resolution includes in the investigation of it?

Mr. LICHTENWALTER. I certainly do not agree with the gentleman.

Mr. LEVY. Then I will have to ask the gentleman from Lehigh, Mr. Speaker, if the Department of Banking in the Commonwealth of Pennsylvania has supervision over all chartered finance companies and consumer credit companies of Pennsylvania, whether they do not have all that supervision, whether that is not ample and sufficient reason for the Governor of the Commonwealth to rely upon their findings rather than to go into a thing and into a long and probably useless investigation at the expense of the taxpayers' dollar?

Mr. LICHTENWALTER. I do not, Mr. Speaker.

Mr. LEVY. For what reason, Mr. Speaker?

Mr. LICHTENWALTER. For the reason set forth in the resolution. I think it is very clear and explicit, and for reasons which I have before mentioned. If the gentleman wishes to make a speech on every interrogation I do not care to be further interrogated.

Mr. LEVY. Well, that is all, Mr. Speaker.

Mr. Speaker, I sometimes wonder whether or not this resolution is a good one. Perhaps it is, and perhaps the Banking Department of the Commonwealth knows more about the condition of the finance and credit consumer corporations in Pennsylvania than the information at the hands of the Majority Leader of this House.

If this Banking Department has cause to be alarmed over consumer credit dealings and finance company dealings in Pennsylvania, then I say the Department has reason to divulge that information both to the Governor, the Attorney General and to the Members of the House and the Senate of Pennsylvania. If they do not have, then I say this is merely a fishing expedition.

The reason I raise the question at this time, Mr. Speaker, is not because I rise in defense of finance companies, because the Lord knows I have no interest in them, nor in consumer credit corporations, but I do question the sincerity and the motive, because only a few weeks ago I read a newspaper article quoting the Governor that a certain bill that had been dropped into the hopper of the House of Representatives might not be so practical because it would cost too much money.

Enough on that, because when the bill comes up for

debate we will have other things to say about it, but why the Governor without a protest from the Department of Banking has specifically protested on violations in regard to the Department of Banking and would so eagerly run to the investigation of companies in Pennsylvania and spend money, and in the same breath hold back his O. K. on other bills in the Legislature because of lack of desire to spend I cannot understand.

I have asked the Majority Leader to give us an explanation as to what finance companies or consumer credit corporations in Pennsylvania are not now under direct supervision of the Governor's own bureau, and to my mind the Majority Leader has not answered it in the correct manner. I say to you, Mr. Speaker, until the Department of Banking within the Commonwealth presents to the Governor and the Attorney General and the Legislature sufficient evidence of violations beyond its control in regard to finance companies and consumer credit corporations I say we should act very slowly in matters of this kind.

Mr. LICHTENWALTER. Mr. Speaker, I hesitated to say that I wanted no further interrogation, because the interrogation of the gentleman from Philadelphia on occasion runs into a lengthy speech on each question, so I thought I would rather have him make his speech and then answer him.

Mr. Speaker, in answer to the gentleman from Philadelphia the various finance companies and credit organizations that would come under the Department of Banking are those that give loans up to and including $300. We know there are many lawful finance companies in Pennsylvania that grant loans far in excess of this $300 limit, and over which the Department of Banking does not have the proper jurisdiction. There are many of these companies running a very fine and reputable business, but we find many that they are not doing these fine things, and by rather unscrupulous methods take over the public. It is because of the complaints made by the people of Pennsylvania in letters to the Department and in letters to the Governor that this resolution was introduced into the House, so that we might investigate the bad practices of these companies which today do not come under the control of the small loans bureau of the Department of Banking. Certainly those that are doing a proper business need not have any fear of being prosecuted or harmed in any manner, but I know personally, and I am sure that the experience of many of the Members of this House has been, in making contacts with people, that they have definitely paid far in excess of any legitimate charge for financing loans. Therefore, Mr. Speaker, I see no reason why the gentleman from Philadelphia should become alarmed when we ask for this investigation of those people in Pennsylvania who are operating businesses, not for the welfare of the people of the Commonwealth but for their own personal benefit.

Mr. SALUS. Mr. Speaker, I think I happen to be a co-sponsor of this resolution. I have heard on the floor of this House time and again, especially from the opposite side of the House that they are interested in the common people.

To me that expression is vulgar, uncalled for and un-American. I do believe that our people are composed mainly of plain people. To call them common people is to place them in the category of something that is unwholesome, something that comes from the lower strata. I have had occasion to look up the word "common", and it has no place anywhere in speaking of the people of Pennsylvania, particularly the working class, that class which they speak so much about, that God made most of. He made them plain people; they are not common people; they are real people, they are Americans that we will all be proud to be associated with.

I am making this statement with the hope that the members in this Assembly when they speak about the great citizenry of Pennsylvania, those that rise and find a place in our community, that they would please me, and I think they would please the people generally and make them happy if they will forget the words "common people" and use the words "plain people."

This resolution is for the protection of the plain people of Pennsylvania, those that are borrowing small sums of money. Those that borrow large sums of money know what the financial situation is; they know that they cannot be taken advantage of, and this resolution is nothing more than an inquiry to see that the plain people of Pennsylvania shall not be gouged by any outrageous usurious combination.

I see no reason why any person should complain. If it necessitates the spending of a few dollars or a larger sum, if the state of Pennsylvania spends this money on this great service to the plain people of Pennsylvania it will be money well spent and it will be money that will inure financially to the benefit of the smaller property owners, the smaller loan borrowers, the men who have little or no financial backing in a case of emergency and may need help and assistance.

This resolution is one hundred percent for the protection of the plain people of Pennsylvania.

Mr. ANDREWS. Mr. Speaker, I am at a loss to know just what all the shooting is about. I am for this resolution.

As for the gentleman from Philadelphia whose heart has just bled for the common people, plain people, I will refer him to that illustrious institution known as the Commons of our mother country. I understand on the other side it is something of an honor to belong to the House of Commons, and that when their great democracy assembles for action it is the Commons who assemble for action.

The gentleman's speech has been one traditional in the Senate these many years, and for reasons of his own transferred to the floor of this House. That has nothing to do with the resolution, which is deficient in only two respects. It doesn't have any terminal facilities; it doesn't start at any particular time, and as far as I can see it never ends. I think an investigation should have a time when it starts and a time when it ends and someone to whom the investigators report.

Now, perhaps I have read the resolution carelessly; perhaps it does have a time when it starts and perhaps it does have a time when it ends. I haven't seen it, and I think that is a fatal defect. Another defect is the fact that they do not reveal whom they are gunning for. They have proper authority to prosecute and bring prosecutions against those who have offended against the laws

of this Commonwealth. If it is a small loan company they can prosecute them.

The people they are gunning for, of course, are the chain credit stores. This is a department store bill, and because it is true that many chain credit stores are guilty of atrocious practices I am for the little good that will come out of this resolution. The gentleman from Philadelphia, Mr. Levy, is perfectly correct when he says you are proposing to investigate and name a lot of institutions over which you have jurisdiction, and the one fellow that you are gunning for you do not make plain. Anyhow, I would like to have some assurance so that I can be one hundred per cent for this resolution, that it is going to start sometime and then going to end sometime and it is going to report to somebody.

Mr. SALUS. Mr. Speaker, I am somewhat pleased that I have gotten into a controversy here today with the other quiz kids of this House, and I think between us we may be able to get another couple of kids together and have a nice quiz kids club.

He talked much about the Commons of England. He is a newspaper man and he knows everything. He can go away back in history, not only of America but England and every other country. I am just a poor ordinary every-day citizen, but let me tell the gentleman from Cambria that the word "Commons" in England is an altogether different word than the "common" that we know in America. The Commons in England refers to the farmers and the land owners and the developers of the soil. They are an outstanding institution in England, and have been so respected for centuries, but the "common" that we know in America is a different kind of "common" than the Commons in England. I will ask the gentleman from Cambria to toss this one around.

Mr. FLEMING. Mr. Speaker, I am one of the cosponsors of this resolution which I assure you as far as I am concerned was put in with the sole purpose of bringing about the correction of any abuses that might exist.

I would like to assure the Minority Floor Leader, Mr. Andrews, that it is certainly my intention that those installment house about which he speaks shall be investigated, and I would ask him to refer to his history and send down to the bill room for a copy of House Bill 110, which was introduced by me on January 16, which attempts to correct some of the abuses about which he has spoken.

As for the gentleman from Philadelphia, Mr. Levy, I am almost in the position of believing that the gentleman protesteth too much. I hope, sincerely hope, Mr. Speaker and Members of the House, that this resolution will be adopted and that the Joint State Government Commission along with the Attorney General and the Department of Banking and the Insurance Commissioner will make proper investigation and report back to the next Legislature remedial legislation which will be put into effect and by which the ordinary citizens, whether you call them common or plain people, will be protected, and will not find themselves victims of unscrupulous merchants and unscrupulous finance companies under what ever name they may be called.

Mr. DIX. Mr. Speaker, in defense of newspaper men and in defense of the Minority Floor Leader I would like to call attention of Senator Salus to the fact the word "common" is not derogatory. I will just cite one instance, the Commonwealth of Pennsylvania.

Mr. LEVY. Now, Mr. Speaker, since the word common has been defined we can settle back to House Resolution 38.

I only want to point out to the Majority Leader and to the gentleman from Allegheny who protests too frequently that if the Governor's plan—and I understand that the Governor has protests from various people in the Commonwealth against certain malpractices in automobile financing and in department store financing on merchandise—that if that is the problem involved in Resolution 38, then why didn't this resolution state so in fact?

Instead, the resolution talks about finance companies directly under the supervision of the Department of Banking. It talks about consumer credit corporations directly under the supervision of the Department of Banking, and it leaves a problem at hand, this pile of complaints on the Governor's desk, unmentioned in the resolution. I say to the Majority Leader that if it is the purpose of this resolution to investigate malpractices in automobile financing or in department store merchandise financing then the resolution should so state, but for the life of me I can't understand why the companies under the direct supervision of the Department of Banking, the Governor's own bureau, his own appointments, need to come to the legislature for investigation when they have all the supervision embodied in the laws of the Commonwealth.

For the benefit of the gentleman from Lehigh I want to read to him the law that governs the jurisdiction of the Department of Banking over such companies embodied in this resolution:

> It is the duty of the Department to take care that the laws of the Commonwealth in relation to persons and institutions under its supervision are faithfully executed. The supervision extends and applies to the following, all corporations and persons which are authorized to receive or which do receive in this Commonwealth money on deposit or for safe keeping.

I might say here to the Majority Leader when your investigating committee, composed of the Department of Banking, decides to investigate, I want them to look into the problem of banks of Pennsylvania that have gone into the small loans business, that pay no small loans fee and that do a small loans business. I think that that is one of the primary obligations the Department of Banking has to the people of the Commonwealth, and in the words of the old Senator from Philadelphia, the poor righteous people of the Commonwealth of Pennsylvania.

Mr. Speaker, it goes on further and gives all the obligations the Department of Banking owes to the people of the Commonwealth, and takes in National Banking Associations, finance companies, consumers credit corporations, and why the necessity for inclusion of these in House Bill 38 other than the fact that the Department of Banking finds itself unable to control the banking facilities of the banks of Pennsylvania I don't know.

I have no objection to investigation. I stand in defense of no finance company or consumer credit corporation in Pennsylvania. I say to the investigating committee

that when it is formed I wish them God speed in ferreting out any malpractice within the Commonwealth, but I do want them to remember that the first violation in Pennsylvania is a violation of trust companies and banks when they have gone into the small loans business without paying a small loans fee to the Commonwealth of Pennsylvania. So I say to you, Mr. Speaker, this afternoon that if we are to investigate let us investigate in the manner that the Governor desired it to be, an investigation of the companies he believes to be committing malpractices in Pennsylvania, and after that let this investigating committee investigate some of the fallacies in the functions of their own Department of Banking.

On the question recurring,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Sorg and Mr. Lichtenwalter and were as follows:

YEAS—171

Andrews,	Gaffney,	Lovett,	Reilly,
Baker	Gardner,	Lyons,	Reynolds,
Barrett,	Getchey,	Madden,	Riley
Barton,	Gibson,	Madigan,	Robertson,
Baumunk,	Goodling,	Mahany,	Root,
Bentley,	Gore,	Matthews,	Royer,
Bentzel,	Grant,	McAtee,	Rudisill,
Bonawitz,	Greenwood,	McClester,	Salus,
Boney,	Greer,	McCormack,	Serrill,
Bower,	Guthrie,	McDowell,	Shaffer,
Brancato,	Gyger,	McKinney,	Shoemaker,
Breisch,	Hall,	McLanahan,	Skale,
Brice,	Hamilton,	McMillen,	Sloan,
Brothers,	Hare,	McNally,	Smith,
Brown,	Haudenshield,	Mihm,	Snider,
Brunner, C. H.,	Heatherington,	Mikula,	Snyder,
Brunner, P. A.,	Helm,	Miller,	Sollenberger,
Burns,	Hennihan,	Milliken,	Sorg,
Cadwalader,	Hering,	Mills,	Stank,
Coleman,	Herman,	Mooney,	Stockham,
Cook,	Hewitt,	Moore, C. E.,	Stonier,
Cooper,	Hoggard,	Moore, W. J.,	Stuart,
Costa,	Hoopes,	Moran,	Swope,
Coulson,	Howells,	Moser,	Tahl,
Coyle,	Hunter,	Murray, M. L.,	Tate,
Cullen,	Huntley,	Murray, P. G.,	Tittle,
Dague,	James,	Myhan,	Trent,
Dalrymple,	Jones,	Nagel,	Trout,
Dennison,	Kennedy,	Nelson,	Turbett,
Depuy,	Kirley,	O'Connor,	Varallo,
Dix,	Kolankiewicz,	O'Dare,	Wachhaus,
Dougherty,	Krise,	O'Donnell,	Wagner,
Dye,	Kurtz,	Pentrack,	Waterhouse,
Elish,	Lane,	Pettigrew,	Watkins,
Erb,	Laughner,	Pickens,	Weiss,
Ewing,	Lee,	Polaski,	Welsh,
Flack,	Leisey,	Powers,	Wescott,
Fleming,	Leonard,	Propert,	White,
Foor,	Levy,	Readinger,	Worley,
Fox,	Lichtenwalter,	Reagan,	Wright,
Freed,	Loftus,	Reese, D. P.,	Yeakel,
Frost,	Longo,	Regan,	Yester,
Fullerton,	Lopez,	Reidenbach,	Fiss,
			Speaker.

NAYS—0

NOT VOTING—35

Boies,	Elder,	McNair,	Rose,
Boorse,	Finnerty,	Modell,	Scanlon,
Boory,	Gallagher,	Munley,	Schuster,
Chervenak,	Green,	O'Brien,	Trachtman,
Chudoff,	Haberlen,	O'Neill,	Turner,
Cohen,	Hersch,	Owens,	Verona,
Corrigan,	Hoffman,	Petrosky,	Wood, L. H.,
Dillon,	Kline,	Polen,	Wood, N.,
Duffy,	Komorofski,	Reese, R. E.,	

So the question was determined in the affirmative and the resolution was adopted.

Ordered, That the Clerk present the same to the Senate for concurrence.

HOUSE RESOLUTION No. 11

Mr. WORLEY. Mr. Speaker, I call up House Resolution No. 11, Printer's No. 303, on page 25 of today's calendar.

The resolution was read by the Clerk as follows:

In the House of Representatives, January 30, 1945.

Whereas, The Penal Code approved June 24, 1939 contains numerous inconsistencies and considerable language which is open to construction and should be carefully studied and revised in order to make it effective for its intended purposes; therefore be it

Resolved (if the Senate concur), That a committee of three members of the House of Representatives to be appointed by the Speaker of the House, three Senators to be appointed by the President pro tem of the Senate, is hereby created, whose duty it shall be to survey, investigate, and consider all of the penal laws of the Commonwealth and to completely revise and restate such penal laws into codified form, and to report its findings and conclusions to the next regular session of the General Assembly, with a bill embodying a codification of the penal laws of the Commonwealth to be introduced at the next regular session of the General Assembly.

The committee shall organize immediately after its appointment, and elect a chairman and a secretary from its membership, and appoint any clerks, stenographers or other employes necessary to carry out the purposes of this resolution.

The members of the committee shall receive no compensation but shall be reimbursed for any necessary traveling and living expenses actually incurred in the performance of the duties hereby imposed.

An item shall be inserted in the general appropriation bill for the purpose of paying such expenses and the salaries of such clerks, stenographers or other employes, appointed by the committee.

On the question,

Will the House adopt the resolution?

It was adopted.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, March 13, 1945.

During the month of January in the year 1895, there was organized in Harrisburg an association which, during the two score and ten years that have passed since its founding, has increased in size, prestige and importance.

This organization and its members have been present and have played a vital part in every regular and special legislative session since its inception, and now that they are about to celebrate their Fiftieth Anniversary, it is fitting that proper consideration should be given by the General Assembly to mark its birth, growth and accomplishments.

It is the oldest organization of its kind in the Nation and its contribution to the General Assembly and to the people of the Commonwealth cannot be over-emphasized.

The Pennsylvania Legislative Correspondents' Association will celebrate its Golden Anniversary at a banquet in the Penn-Harris Hotel on Tuesday, April 3, 1945 at 7:30 o'clock p. m.

In prior anniversary programs emphasis has been on providing entertainment of a lighter vein, however, on this occasion because of the war and the seriousness of the times an outstanding program has been arranged which will be of interest to every Member of the General Assembly and Officials of the State Government.

His Excellency, The Governor of the Commonwealth, Edward Martin will present the guest of honor, The Honorable Robert P. Patterson, Under Secretary of War, who will give an Off-the Record address on the war situation.

John M. McCullough of the Philadelphia Inquirer staff, will tell of his experiences as a War Correspondent in the Pacific Theatre.

Cy Hungerford of the Pittsburgh Post Gazette staff, a cartoonist of National reputation will present an illustrated talk.

Last but not least, John P. Dohony the sole surviving charter member of the Association and a former correspondent for the Pittsburgh Press will be a distinguished guest on this occasion.

Tickets for the banquet can be obtained from any member of the Correspondents' Association.

Resolved (if the Senate concurs), That the General Assembly of the Commonwealth of Pennsylvania extends to the Pennsylvania Legislative Correspondents' Association its heartiest congratulations upon having reached so ripe an age and commends it for its accomplishments in the newspaper world and wishes it a most successful celebration and a continuation of growth and service; be it further

Resolved, That the Members of the House and Senate attend this Golden Anniversary Banquet and join with our Correspondents in properly marking the occasion and respectfully calls the attention of His Excellency, The Governor and the Members of His Cabinet, to the impending celebration and to the opportunity it affords to pay honor to those who help to keep Pennsylvania on the front pages of the newspapers of the State and the Nation.

MEMBER CONGRATULATED

The SPEAKER. The Chair is informed that the gentleman from Philadelphia, Mr. Herman, observed his birthday yesterday but he has retained the news because it is a military secret. The Chair thinks the attention of the House should be called to it.

The Chair recognizes the gentleman from Philadelphia Mr. Herman. Will the gentleman please take a bow on his birthday?

Mr. HERMAN. I am taking a bow, Mr. Speaker.

The SPEAKER. The Chair congratulates the gentleman on his 89th(?) birthday.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 133 and 173

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 20, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 133, Printer's No. 73, entitled "An act authorizing the acceptance by the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Indiana State Teachers' College of a gift of land contiguous to the lands now owned by the Commonwealth at Indiana State Teachers' College."

EDWARD MARTIN.

March 20, 194

To the Honorable, the House of Representatives of Commonwealth of Pennsylvania:

I have the honor to inform you that I have day approved and signed House Bill No. 173, Print No. 100, entitled "An act to further amend sect four hundred fifty-two of the act approved ninth day of April one thousand nine hund twenty-nine (P. L. 177) entitled 'An act provid for and reorganizing the conduct of the execu and administrative work of the Commonwealth the Executive Department thereof and the adminis tive departments boards commissions and officers ther including the boards of trustees of State Normal Sch or Teachers Colleges abolishing creating reorganizing authorizing the reorganization of certain administrat departments boards and commissions defining the pow and duties of the Governor and other executive and ministrative officers and of the several administrative partments boards commissions and officers fixing the aries of the Governor Lieutenant-Governor and cert other executive and administrative officers providing the appointment of certain administrative officers and all deputies and other assistants and employes in cert departments boards and commissions and prescribing manner in which the number and compensation of deputies and all other assistants and employes of cert departments boards and commissions shall be determir as amended by changing the provision regarding maximum compensation of the State Civil Service Co mission."

EDWARD MARTIN

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having b prepared for presentation to the Governor, and the sa being correct, the titles were publicly read as follows:

HOUSE BILL No. 52.

An Act to amend clause six of section thirteen of act approved the eighteenth day of July, one thous nine hundred seventeen (P. L. 1043) entitled "An act tablishing a public school employes' retirement system creating a retirement board for the administration ther establishing certain funds from contributions by the Co monwealth and contributing employes defining the and purposes thereof and the manner of payments the from and providing for the guaranty by the Comm wealth of certain of said funds imposing powers and du upon boards having the employment of public school e ployes exempting annuities allowances returns bene and rights from taxation and judicial process and p viding penalties" further defining the disability retirem rights of members of the School Employes' Retirem Association who engage in active military service.

HOUSE BILL No. 64.

An Act to further amend section twenty-three of act approved the first day of June one thousand ei hundred eighty-nine (P. L. 420) entitled "A further s plement to an act entitled 'An act to provide reve by taxation' approved the seventh day of June A Domini one thousand eight hundred and seventy-ni by increasing for a further limited period of time rate of tax imposed upon the gross receipts of cert companies limited partnerships associations joint-st associations copartnership and persons by making furt provisions for the report and payment of the tax and further defining gross receipts

HOUSE BILL No. 83.

An Act to reenact and amend the title and the approved the fourteenth day of June one thousand n

ndred thirty-five (P. L. 341) entitled as amended "An t to provide revenue by imposing a State tax upon sales cigarettes by dealers as herein defined requiring per- ns engaged in the sale of cigarettes at wholesale and tail to secure permits prescribing the method and man- r of collecting such tax conferring powers and impos- g duties on the Department of Revenue and persons as rein defined engaged in the sale of cigarettes at retail wholesale and providing penalties" as previously re- acted and amended by extending the provisions of the t for a further limited period of time

Whereupon,

The SPEAKER in the presence of the House, signed e same.

COMMITTEE MEETINGS

There will be meetings of the committees on:

Cities and County—Second Class, Tuesday, March 20th, the close of the session, in Room 521.

Counties, Wednesday March 21st, 9:30 a. m. in the New ıuse Caucus Room.

Education, Wednesday, March 21st, 10:00 a. m., in the Old House Caucus Room.

Elections, Wednesday, March 21st, 9:45 a. m., in Room 329.

Game, Wednesday, March 21st, 10:00 a. m., in Room 331.

Highways, Wednesday, March 21st, 10:00 a. m., in Room 329.

Law and Order, Wednesday, March 21st, 10:30 a. m., in Room 325.

State Government, Wednesday, March 21st, 10:30 a. m., in Room 324.

Welfare, Wednesday, March 21st, 10:45 a. m., in Room 330.

ADJOURNMENT

Mr. PETTIGREW. Mr. Speaker, I move that this House do now adjourn until Wednesday, March 21, 1945, at 11 a. m.

The motion was agreed to, and (at 5:14 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

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Vol. 29. HARRISBURG, PA., WEDNESDAY, MARCH 21, 1945. No. 32.

SENATE

WEDNESDAY, March 21, 1945.

The Senate met at 11:00 o'clock, a. m., Eastern War Time.

The PRESIDENT PRO TEMPORE (M. Harvey Taylor) in the Chair, in the absence of Lieutenant-Governor John C. Bell, Jr., who is attending a Session of the Board of Pardons.

PRAYER

The Chaplain, Rev. EDWIN S. WALLACE, D. D., offered the following prayer:

Almighty God, we bow before Thee in humility, asking divine guidance in these testing times. Under that guidance we shall not fail in obedience to Thy law, nor in love to our fellow-men.

We pray for the hastening of the new day, which we believe is coming, when all freedom-loving people will be free from oppression and injustice, free to worship God in accord with their conscience, free to labor and enjoy the fruits of their labor, free from the fear of evilminded men seeking their own unrighteous ends. For the evidence we have that such a day is approaching we give Thee sincere and heart-felt thanks.

May we express our thanks not in words only but also in works, contributing our time, our talents and our energy, thus working with Thee to hasten the coming of that day. The sincerity of our prayer will be evidenced by our willingness to cooperate with Thee. So consecrate us to the finishing of the great task that we shall have the approval of God and of our own consciences.

As always, we pray for our President, our Governor and Lieutenant-Governor, and for all who serve with them.

In the name of Christ our Lord. Amen.

JOURNAL APPROVED

The PRESIDENT PRO TEMPORE. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HEYBURN and Mr. THOMAS, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. Wade asked and obtained leave of absence for Mr. JAMES.

The PRESIDENT PRO TEMPORE. At this time the Chair would like to call to the rostrum the gentleman from Lehigh, Mr. Tallman, to preside.

The ACTING PRESIDENT PRO TEMPORE (O. J. Tallman) in the Chair.

NOMINATION BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations.

MEMBER OF THE BOARD OF TRUSTEES OF LAURELTON STATE VILLAGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 21, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity wih law, I have the honor hereby to nominate for the advice and consent of the Senate Roy D. Wittes, New Berlin, Union County, for appointment as a Member of the Board of Trustees of Laurelton State Village, for the term of four years and until his successor is qualified, to fill a vacancy.

EDWARD MARTIN.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 171, entitled:

An Act providing for the complete medical and dental examination of all children of school age and teachers in the Commonwealth and imposing certain duties upon the Department of Health.

Which was committed to the Committee on Public Health.

House Bill No. 283, entitled:

An Act to add clause XLVIII to section one thousand five hundred two of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "First Class Township Law," authorizing purchase of real property; and construction of garbage disposal plants.

Which was committed to the Committee on Municipal Government.

House Bill No. 337, entitled:

An Act to further amend subsection (b) of section nine hundred thirteen of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "Pennsylvania Election Code," eliminating the payment of fees for the filing of nomination petitions for public offices in townships of the second class.

Which was committed to the Committee on Elections.

House Bill No. 414, entitled:

An Act to further amend section fourteen of the act approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "School Employes Retirement Law," by increasing the minimum amount to be paid to certain persons on retirement.

Which was committed to the Committee on Education.

House Bill No. 451, entitled:

An Act to further amend clause seven of section one of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "School Employes Retirement Law," providing that secretaries of county superintendents may join the retirement system.

Which was committed to the Committee on Education.

House Bill No. 470, entitled:

An Act to further amend section four of the act, approved the eighth day of May, one thousand nine hundred nine (P. L. 470), entitled "Pure Drug Law," by further defining what shall constitute misbranding of drugs.

Which was committed to the Committee on Public Health.

House Bill No. 536, entitled:

An Act to further amend section fifteen hundred and one of the act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "Public School Code," providing that additional inspections of the eyes of pupils may be made by opthalmologists or optometrists and for their compensation.

Which was committed to the Committee on Public Health.

House Bill No. 558, entitled:

An Act to amend subsection (e) of section three of the act, approved the first day of August, one thousand nine hundred forty-one (P. L. 744), entitled "An act requiring schools boards in all school districts, and boards of directors of all vocational school districts, to grant leaves of absence to all school employes who shall volunteer or be called for military or naval service in time of war or during a state of national emergency; preserving certain contracts, salaries, increments, retirement rights; seniority, State contributions and grants to local school boards, eligibility lists, reemployment; authorizing school boards and boards of directors of vocational schools to employ substitutes in place of such employes; requiring school districts and vocational school districts to make additional payments into the School Employes' Retirement Fund; reserving all rights and privileges of employes granted leaves of absence under the provisions herein, and superseding or repealing all contrary law," limiting the amount of refund payable to such employes who resign or fail to return to their employment; and providing for payments to school districts.

Which was committed to the Committee on Education.

House Bill No. 690, entitled:

An Act to amend the title and subsection (a) of section three of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2045), entitled "The Support Law," empowering courts to order certain indigent persons to be supported by certain relatives whether or not such persons are public charges.

Which was committed to the Committee on Welfare, Public Assistance and Pensions.

House Bill No. 695, entitled:

An Act to amend section eight hundred one of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," providing for special meetings of school directors under jurisdiction of county superintendents.

Which was committed to the Committee on Education.

House Bill No. 756, entitled:

An Act to reenact and amend clause XIII of section fifteen hundred and two of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "First Class Township Law," by providing for the furnishing of street lighting by contract with lighting companies upon petition of property owners in villages, and for the assessment and collection of the costs and maintenance thereof upon property benefited thereby, and validating petitions of property owners, contracts entered into between townships and lighting companies, taxes levied to pay the costs and maintenance of lighting service, and the collection receipt and payment out of the revenues therefrom notwithstanding such petitions were filed, contracts entered into, and taxes levied, collected and paid out under unconstitutional laws; validating agreements and understandings between townships and lighting companies to continue lighting service pending the enactment of valid laws; regulating and providing for the expenditure of moneys arising from special lighting taxes and authorizing the payment of the costs and expenses of maintaining lighting service until valid laws are enacted to collect charges from property owners benefited thereby out of the township tax; and the creation and transfer of moneys to a special account for such purposes, at any time, notwithstanding the prior adoption of the budget; and authorizing any light and power company to apply the net rate and to waive the gross rate or to grant discounts and to waive penalties in the same manner as if payments had been made by the township within the time required by the contract and the company's schedules or tariffs.

Which was committed to the Committee on Municipal Government.

House Bill No. 773, entitled:

An Act to amend section five hundred fifteen of the act approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law," increasing the maximum compensation of township supervisors for attending meetings.

Which was committed to the Committee on Municipal Government.

House Bill No. 782, entitled:

An Act fixing and regulating the fees, commissions, mileage and other costs chargeable by the sheriff in counties of the second class for their official acts and the services of their deputies, watchmen, appraisers and other agents; requiring prepayment of same, unless secured or chargeable to the county, and delivery of itemized receipts therefor; requiring certain payments by the county,

including the compensation of special deputies; providing for the taxation and collection of fees, commissions, mileage and other costs; requiring salaried sheriffs to account to the county for certain fees and commissions collected; and repealing inconsistent laws, general, special or local.

Which was committed to the Committee on County Government.

House Bill No. 789, entitled:

An Act validating county treasurers' sales of unseated lands heretofore made where such sales were held under laws not at that time applicable to such lands.

Which was committed to the Committee on Judiciary General.

House Bill No. 791, entitled:

An Act to further amend section two of the act approved the ninth day of March, one thousand eight hundred forty-seven (P. L. 278), entitled "An act in relation to the sales of unseated lands in the several counties of this Commonwealth," by providing that the cost of advertising such sales shall be paid out of the proceeds of the sale.

Which was committed to the Committee on Judiciary General.

House Bill No. 879, entitled:

An Act to amend sections one and three of the act approved the eighth day of April, one thousand, nine hundred and thirty-seven (P. L. 276), entitled "An act regulating the employment and hours of employment of the officers and members of the uniformed fire protection forces of the cities of the first class; and repealing existing laws," by establishing a three platoon system.

Which was committed to the Committee on Municipal Government.

House Bill No. 931, entitled:

An Act to amend section two thousand five of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "First Class Township Law," by changing the requirements for the vacation of certain highways.

Which was committed to the Committee on Municipal Government.

House Bill No. 946, entitled:

An Act to further amend section one thousand one of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "First Class Township Law," increasing the compensation of township auditors.

Which was committed to the Committee on Municipal Government.

House Bill No. 947, entitled:

An Act to further amend section five hundred forty-five of the act approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law," increasing the compensation of township auditors.

Which was committed to the Committee on Municipal Government.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 52

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 52, entitled:

An Act to amend clause six of section thirteen of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "School Employes Retirement Law," further defining the disability retirement rights of members of the School Employes' Retirement Association who engage in active military service.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 64

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 64, entitled:

An Act to further amend the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by increasing for a further limited period of time the rate of tax imposed by the act upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 83

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 83, entitled:

An Act to reenact and amend the title and the act, approved the fourteenth day of June, one thousand nine hundred thirty-five (P. L. 341), entitled, as amended, "Cigarette Tax Act," as previously reenacted and amended, by extending the provisions of the act for a further limited period of time.

He also presented an extract from the Journal of the House of Representatives which was twice read as follows and referred to the Committee on Judiciary General:

JOINT COMMITTEE CREATED TO INVESTIGATE, SURVEY AND CONSIDER ALL OF THE PENAL LAWS OF THE COMMONWEALTH

In the House of Representatives, January 31, 1945.

Whereas, The Penal Code approved June 24, 1939 contains numerous inconsistencies and considerable language which is open to construction and should be carefully studied and revised in order to make it effective for its intended purposes; therefore be it

Resolved, (if the Senate concur), That a committee of three members of the House of Representatives to be appointed by the Speaker of the House, three Senators to be appointed by the President Pro Tem of the Senate, is hereby created, whose duty it shall be to survey, investigate, and consider all of the penal laws of the Commonwealth and to completely revise and restate such penal laws into codified form, and to report its findings and conclusions to

the next regular session of the General Assembly, with a bill embodying a codification of the penal laws of the Commonwealth to be introduced at the next regular session of the General Assembly.

The committee shall organize immediately after its appointment, and elect a chairman and a secretary from its membership, and appoint any clerks, stenographers or other employes necessary to carry out the purposes of this resolution.

The members of the committee shall receive no compenstation but shall be reimbursed for any necessary traveling and living expenses actually incurred in the performance of the duties hereby imposed.

An item shall be inserted in the general appropriation bill for the purpose of paying such expenses and the salaries of such clerks, stenographers or other employes, appointed by the committee.

He also presented an extract from the Journal of the House of Representatives which was twice read as follows and referred to the Committee on Banking:

INVESTIGATION OF FINANCE COMPANIES

In the House of Representatives, March 13, 1945.

Whereas, There are many ethically conducted and honestly operated companies dealing in consumer credit and engaged in the business of financing on conditional sale or lease, motor vehicles and other articles of personal property, it appears there are also many other finance and consumer credit companies which engage in unscrupulous and unconscionable practices unjustifiably detrimental to purchasers and inimical to public good; and

Whereas, the losses suffered from these nefarious practices fall upon the shoulders of those least able to bear them—the persons in lower income brackets who for want of ready cash are obliged to purchase even necessities on deferred payment bases—to enrich those guilty of chicanery; and

Whereas, shortly there will return to this Commonwealth our native sons and daughters who have so well served their country here and overseas and who will want to take up anew their civil pursuits and reestablish their homes with those necessities which they must have and those luxuries to which they are entitled; and

Whereas, those veterans most of whom gave up lucrative positions of employment in answer to the call of war, may be by the very reason of their patriotism unable financially to attain their just aims without resorting to installment purchases, and accordingly may become the victims of the designing manipulations of dishonest finance companies and others dealing in consumer credit: Therefore, To that end, Be it

Resolved (if the Senate concur), The Joint State Government Commission of the General Assembly, with the cooperation of the Secretary of Banking the Insurance Commissioner and the Attorney General, is hereby directed to investigate and explore all matters connected with the operation and management of the conditions prevailing in finance companies and others in this Commonwealth dealing in consumer credit or otherwise engaged in the business of financing motor vehicles and other articles of personal property which are sold or leased on what is commonly known as the installment plan, for the purpose of ascertaining and reporting as soon as reasonably possible to the General Assembly such nefarious unscrupulous and improper practices as are deemed to be inimical to the public good and in the main to ascertain and report on any prevailing practices of such companies or individuals as the case may be, which may insure to the disadvantage or detriment of the public generally and returning veterans specifically, and to report thereon with recommendations for such legislation as it may deem advisable under the circumstances.

For these purposes the Joint State Government Commission of the General Assembly shall have the power to compel the appearances of witnesses and the production of books, papers, and records, and to issue proper subpoenas for the attendance of witnesses and the production of books, papers, records, and any and all other writings deemed necessary for the fulfillment of the duties prescribed by this resolution.

HOUSE CONCURS IN SENATE BILL No. 38

He also returned to the Senate, Senate Bill No. 38, entitled:

An Act making an appropriation to the Department of Property and Supplies for completing the construction of accommodations and furnishing facilities for the conduct of a nautical school for use by the Navigation Commission for the Delaware River and its navigable tributaries.

With the information that the House has passed the same without amendments.

ERRATUM

Mr. BARR. Mr. President, yesterday in speaking about the votes cast for State Senators I inadvertently made a mistake about Butler county, which I would like to have corrected on the record, and I have so notified Senator Carr.

PERMISSION TO ADDRESS SENATE

Mr. HOLLAND asked and obtained unanimous consent to address the Senate.

Mr. HOLLAND. Mr. President, I desire to interrogate the Chairman of the Committee on Agriculture.

The ACTING PRESIDENT PRO TEMPORE. Will the gentleman from Chester permit himself to be interrogated.

Mr. SCARLETT. I will, Mr. President.

Mr. HOLLAND. In the Committee on Agriculture, of which the gentleman from Chester is Chairman, there is being held a very important bill concerning which we have been receiving many letters asking for its passage. The bill was introduced by the gentleman from Allegheny, Mr. Cox, and myself, on February 21, and it proposes to repeal the tax on oleomargarine. I desire to inquire of the Chairman of the Committee on Agriculture whether he can give us any assurance that action will be taken on this bill, because many people are without butter and the only thing they can rely upon is oleomargarine and the stores can not pay the excessive license and be able to sell it.

Does the Committee on Agriculture intend to take any action on this bill in the near future, so that I can tell the people who have been writing to me?

Mr. SCARLETT. Mr. President, the Committee on Agriculture intends to hold a meeting next week, at which time all bills in that Committee will be considered.

REPORTS FROM COMMITTEES

Mr. STIEFEL, from the Committee on Appropriations, reported as amended, Senate Bill No. 64, entitled:

An Act making an appropriation to the Moore Institute of Art Science and Industry formerly Philadelphia School of Design for Women at Philadelphia, Pennsylvania.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 3, entitled:

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum, Philadelphia.

He also, from the Committee on Appropriations, reported as amended, Senate Bill No. 66, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia.

Mr. WALKER, on behalf of Mr. TALLMAN, from the Committee on Appropriations, reported as amended, Senate Bill No. 17, entitled:

An Act making an appropriation to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented and to adjust errors

He also, on behalf of Mr. TALLMAN, from the Committee on Appropriations, reported as committed, Senate Bill No. 180, entitled:

An Act making an appropriation to the Pennsylvania School for the Deaf at Philadelphia, Pennsylvania for the purpose of replacing and renewing certain equipment and machinery.

He also, on behalf of Mr. TALLMAN, from the Committee on Appropriations, re-reported as committed, Senate Bill No. 303, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of the Allentown State Hospital, to acquire a certain tract of land for the use of said hospital, and making an appropriation therefor.

Mr. WALKER, from the Committee on Appropriations, reported as committed, Senate Bill No. 61, entitled:

An Act making appropriations from the Motor License Fund to the Board of Finance and Revenue to meet interest sinking fund and service requirements on the State debt.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 349, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment to Somerset County Institution District to reimburse said district on account of certain property damages, under agreement between the Commonwealth and the institution district.

Mr. SNOWDEN, from the Committee on Judiciary Special, reported as committed, House Bill No. 480, entitled:

An Act to add subsection nineteen to section twenty-one to the act approved the fourteenth day of April one thousand eight hundred sixty-eight (P. L. 1083) entitled "A supplement to an act entitled 'An act appropriating ground for public purposes in the city of Philadelphia' approved the twenty-sixth day of March Anno Domini one thousand eight hundred and sixty-seven" providing that children under the age of seventeen years shall not be charged for the use of certain recreational facilities within Fairmount Park.

Mr. RUTH, from the Committee on County Government, reported as committed, Senate Bill No. 475, entitled:

An Act to further amend section two of the act, approved the thirteenth day of June, one thousand eight hundred eighty-three (P. L. 119), entitled "An act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose and to prevent unauthorized uses and traffic in human bodies," authorizing administrative officers of county institution districts at their discretion to bury unclaimed bodies.

Mr. THOMAS, from the Committee on Forests and Waters, Game and Fish, reported as committed, Senate Bill No. 543, entitled:

An Act relating to, establishing and regulating the Port of Chester; creating the commission for the Port of Chester as a departmental administrative commission in the Department of Forests and Waters, and prescribing its powers and duties; regulating the acquisition, transfer, construction and use of navigation facilities; providing for regulating services and fixing minimum rates for wharfage, cranage and dockage; authorizing acquisition and construction of facilities by the Commonwealth, and the exercise of the right of eminent domain; providing for the use and leasing of such facilities; authorizing the abatement of nuisances and the correcting of improper conditions, and collecting the cost thereof from the owner or occupant of harbor structures; prescribing penalties; and making an appropriation.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 16, entitled:

An Act making an appropriation from the State Stores Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Stores Fund.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 51, entitled:

An Act making an appropriation from the Manufacturing Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement system with respect to State employes receiving compensation from the Manufacturing Fund.

Mr. CHAPMAN, from the Committee on Appropriations, reported as committed, Senate Bill No. 526, entitled:

A Supplement to the act approved the fourth day of June, one thousand nine hundred forty-three (Appropriation Acts, page 59), entitled "An act to provide for the ordinary expenses of Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and forty-three; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and forty-three" providing a deficiency for indexing the Legislative Journal.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 90, entitled:

An Act making an appropriation to the Department of Health for the purpose of conducting cancer research.

Mr. SCARLETT, from the Committee on County Government, reported as committed, House Bill No. 421, entitled:

An Act to further amend section fifty-four of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" requiring that counties shall pay the premiums on bonds of parole or probation officers

Mr. KEPHART, from the Committee on Judiciary Special reported as committed, Senate Bill No. 530, entitled:

An Act authorizing the Department of Justice to prescribe rules of practice for administrative departments,

departmental admininstrative boards and commissions, independent administrative boards and commissions, officers and other agencies of the Commonwealth; authorizing such agencies to adopt rules; providing for the appointment of an Administrative Rules Committee and fixing its powers and duties; and imposing certain duties upon State officers and agencies.

Mr. HOMSHER, from the Committee on County Government, reported as committed, Senate Bill No. 476, entitled:

An Act to amend section five hundred ninety of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by extending provisions of act to include memorials erected to commemorate services of women who have been members of organizations officially connected with the armed forces of the United States.

Mr. EALY, from the Committee on Appropriations, reported as committed, Senate Bill No. 29, entitled:

An Act making an appropriation from the Banking Department Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes Retirement System with respect to State Employes receiving compensation from the Banking Department Fund.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 42, entitled:

An Act making an appropriation from the Game Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Game Fund.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 43, entitled:

An Act making an appropriation from the Motor License Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Motor License Fund.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 49, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth.

He also, from the Committee on Executive Nominations, reported with a favorable recommendation the following nomination, made by His Excellency, the Governor, which was laid over for one day under the rules.

CORONER, COUNTY OF YORK

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 20, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Elmer S. Stambaugh, 512 West Market Street, York, York County, for appointment as Coroner in and for the County of York, to serve until the first Monday of January, 1946, vice L. U. Zech, deceased.

EDWARD MARTIN.

Mr. JONES, from the Committee on County Government, reported as committed, Senate Bill No. 469, entitled:

An Act to repeal the act, approved the twenty-first day of March, one thousand nine hundred twenty-nine (P. L. 34), entitled "An act authorizing the judges of the courts of common pleas and orphans' courts in counties of the third class to employ stenographers, typists, and clerks to facilitate the business of the courts, and to provide for the payment of their compensation by the county, and validating former employments and payments therefor."

BILLS INTRODUCED AND REFERRED

Mr. MALLERY, on behalf of Mr. WOODWARD, read in his place and presented to the Chair Senate Bill No. 570, entitled:

A Joint Resolution proposing an amendment to article nine, section eight, of the Constitution of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Constitutional Changes.

Mr. STIEFEL read in his place and presented to the Chair Senate Bill No. 571, entitled:

An Act providing for the naming of state bridges and parks in honor of American heroes of World War II by the Governor, Adjutant General and the county commissioners of the county where such site is located.

Which was committed to the Committee on Military Affairs.

Mr. COX read in his place and presented to the Chair Senate Bill No. 572, entitled:

An Act requiring that notice be given to county deed registry offices or to boards for the assessment of taxes where the power of eminent domain is exercised or where public streets, roads, highways, or other public ways are vacated or bandoned; and imposing duties upon the Commonwealth, political subdivisions, municipal corporations, public, quasi-public and private corporations exercising the power of eminent domain, and upon deed registry offices and boards for the assessment of taxes.

Which was committed to the Committee on County Government.

Mr. KEPHART read in his place and presented to the Chair Senate Bill No. 573, entitled:

An Act to further amend section one of the act, approved the fourth day of June, one thousand nine hundred fifteen (P. L. 828), entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock, and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations, co-partnership associations, and joint-stock associations; providing the manner of collecting such tax, and prescribing penalties," by modifying the rates of tax imposed by the said act.

Which was committed to the Committee on Corporations.

He also read in his place and presented to the Chair Senate Bill No. 574, entitled:

An Act to amend section three of the act approved the fourth day of June one thousand nine hundred and fifteen (P. L. 828) entitled "An act to provide revenue by

imposing a State tax upon sales or agreements to sell or memoranda of sales of stock and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations, co-partnership associations, and joint-stock associations; providing the manner of collecting such tax, and prescribing penalties," by providing an alternative method of collection of such tax.

Which was committed to the Committee on Corporations.

He also read in his place and presented to the Chair Senate Bill No. 575, entitled:

An Act to repeal the act approved the fourth day of June one thousand nine hundred and fifteen (P. L. 828) entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock, and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations, copartnership associations, and joint-stock associations; providing the manner of collecting such tax, and prescribing penalties"; and the acts amendatory thereof and supplemental thereto.

Which was committed to the Committee on Corporations.

He also read in his place and presented to the Chair Senate Bill No. 576, entitled:

An Act to exempt from divestiture unpaid liens of the Commonwealth on real estate sold at judicial sales.

Which was committed to the Committee on Judiciary General.

Mr. CROWE read in his place and presented to the Chair Senate Bill No. 577, entitled:

An Act to amend section seven hundred eighth and to further amend clause (f) of section seven hundred thirty-one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending, revising, consolidating and changing the law relating thereto," by changing the time limitation for tagging big game, controlling the removal and transportation thereof, requiring report of such killing, and providing penalties.

Which was committed to the Committee on Forests and Waters, Game and Fish.

Messrs. GOURLEY and STEVENSON read in place and presented to the Chair Senate Bill No. 578, entitled:

An Act to further amend subsection (b) of section nine hundred thirteen, and section nine hundred seventy-eight point one of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special, and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by eliminating certain filing fees required by said act.

Which was committed to the Committee on Elections.

PERMISSION TO ADDRESS SENATE

Mr. MALLERY asked and obtained unanimous consent to address the Senate.

Mr. MALLERY. Mr. President, before offering to the Senate a resolution I desire to make a very brief statement. Many bills have been introduced in the Legislative, both in the Senate and in the House, which would raise salaries of various officials, state, county and city. I do not know what consideration, if any, was given those bills but it does seem to me that even before considering such bills we should make certain that those who are on public assistance are receiving what is considered a minimum standard. We do know that the cost of living has been increasing and therefore, Mr. President, I read in place and present to the Chair the following concurrent resolution.

RESOLUTIONS

INFORMATION REQUESTED BY THE GENERAL ASSEMBLY AS TO THE MINIMUM LIVING REQUIREMENTS OF DEPENDENT PERSONS

Mr. MALLERY offered the following resolution which was twice read and referred to the Committee on Welfare, Public Assistance and Pensions:

In the Senate, March 21, 1945.

Whereas, Persons receiving public assistance today are predominately the aged, the handicapped, or young children, whose need for assistance typically extends over a period of several years; and

Whereas, The health of dependent children must be safeguarded today in order that they be stronger citizens tomorrow; and

Whereas, The increased cost of living has been felt most severely by those who must depend on small incomes; and

Whereas, The laws of this Commonwealth state that assistance shall be provided to the needy and distressed to enable them to maintain a decent and healthful standard of living; and

Whereas, Studies published by the Department of Public Assistance indicate that cash allowances are not made to cover the cost of all minimum living requirements recognized as essential to a decent and healthful standard of living; and

Whereas, It is not defensible for a public assistance agency to provide less than the minimum cost of living; and

Whereas, The State Board of Public Assistance has the power to approve standards as to eligibility for assistance and as to its nature and extent; therefore, be it

Resolved (if the House of Representatives concur), That the Department of Public Assistance and the State Board of Public Assistance give special and immediate consideration to the adoption of standards of assistance sufficient to provide for the minimum living requirements of dependent persons; and be it further

Resolved, That the Secretary of Public Assistance inform the General Assembly of whatever additional appropriation, if any, would be required to provide for the minimum living requirements of dependent persons.

PERMISSION TO ADDRESS SENATE

Mr. HOLLAND asked and obtained unanimous consent to address the Senate.

Mr. HOLLAND. Yesterday, Mr. President, there was held a meeting of the Committee on Judiciary General, at which Mr. Vorse was to appear; he did appear and left

There have been some releases to the newspapers stating that the committee did not have the power of subpoena and if it had the power of subpoena they could bring in Mr. Vorse.

Mr. President, I am offering this resolution to correct this error in the original resolution which was passed by the Senate, and I ask for its immediate consideration.

URGING THE SENATE'S POWER OF SUBPOENA BE CONFERRED UPON THE JUDICIARY GENERAL COMMITTEE OF THE SENATE

Mr. HOLLAND offered the following resolution which was twice read as follows:

In the Senate, March 21, 1945.

Whereas, Senate Resolution, Serial No. 26, authorizing and requiring the Judiciary General Committee of the Senate to investigate the State News Service, the State Legislative Service and the State Business Service and its publishers was adopted by the Senate on January 30, 1945, and

Whereas, The Judiciary General Committee of the Senate has been unable to properly conduct such investigation because of the fact that it cannot compel the attendance of witnesses, and the production of books and records before it; therefore, be it

Resolved, That the Senate's power of subpoena is hereby conferred upon the Judiciary General Committee of the Senate for the purpose of conducting the investigation, authorized and required by said resolution; and be it further

Resolved, That the said committee shall have power to issue subpoenas under the hand and seal of its chairman requesting and commanding any person or persons to appear before them and to answer such questions touching matters properly being inquired into by the committee, and to produce such books, papers, records and documents as the committee may deem necessary. Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth. Each member of said committee shall have power to administer oaths and affirmations to witnesses appearing before the committee. Any person who shall wilfully neglect or refuse to testify before said committee or to produce any books, papers, records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases.

REQUEST THAT RULE 39 BE SUSPENDED

Mr. HOLLAND. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

The ACTING PRESIDENT PRO TEMPORE. Is there objection?

Mr. HEYBURN. Mr. President, there has been such a flood of resolutions introduced during this session of the General Assembly that the Republican Caucus has taken action and has agreed that all resolutions, excepting certain privileged resolutions, should be referred to committee in order that the members may study them.

Therefore, Mr. President, I object to immediate consideration of this resolution.

Mr. HOLLAND. I desire to interrogate the Majority Floor Leader.

The ACTING PRESIDENT PRO TEMPORE. Will the gentleman from Delaware permit himself to be interrogated.

Mr. HEYBURN. I will, Mr. President.

Mr. HOLLAND. The gentleman from Delaware will agree this is not a new resolution but merely gives the powers asked for by the Chairman of the Committee.

Mr. HEYBURN. It is in the form of a resolution.

Mr. HOLLAND. It is not a new resolution. We have already taken action on the original resolution, and according to the reports in the newspapers, the releases issued by the Chairman of the Committee on Judiciary General, the reason was because he did not have the power, it was omitted in the original resolution, and this is merely to give the chairman power to enforce the attendance of this man.

Mr. HEYBURN. Mr. President, this was introduced under the order of original resolutions, as an original resolution, I understood.

Regardless, Mr. President, the members have not had opportunity to study the resolution and my objection stands.

Mr. WALKER. May I interrogate the gentleman from Allegheny, Senator Holland.

The ACTING PRESIDENT PRO TEMPORE. Will the gentleman from Allegheny permit himself to be interrogated.

Mr. HOLLAND. I will, Mr. President.

Mr. WALKER. As I understand the resolution introduced by my colleague from Allegheny, Senator Holland, which is now the subject of discussion, after what I must admit was a somewhat hasty perusal, it is not a joint resolution requiring the concurrence of the House, and while I may be wrong in my recollection of procedure, as I understand it, the Senate does not have the power of subpoena unless the House joins in the resolution. This resolution, in a resolve clause, gives the Senate Committee power to issue subpoenas and I understand that has to be by joint resolution.

Mr. HOLLAND. May I say to the gentleman from Allegheny, Mr. Walker, I am very sorry to have to inform the learned lawyer from Allegheny County that he is wrong. The Legislative Reference Bureau advises me that this resolution is in order, and has been done time and time again in the Senate, the Senate does have power to issue subpoenas, and I also inquired from the Attorney General's office and they also informed me that we do not have to have the resolution concurred in by the House in order to issue subpoenas and that we have the power as Senators and therefore on that basis this resolution was so written.

Mr. WALKER. Mr. President, if we have the power to subpoena, as I explained to the gentleman from Allegheny yesterday, any powers that are conferred by the Senate upon us, will be very cheerfully welcomed by the committee. The only point of my interrogatory was to have the gentleman make certain that he does not bring us in a broken reed again, because the thing which so handicapped us yesterday in our discussion of the subject matter of Senate Resolution 26 was the somewhat handicapped powers of the committee to proceed to investigate, and as pointed out by the very able member of the committee, the gentleman from Washington, Senator Gourley, even if we were to bring the individual who is the subject matter of Senate Resolution 26 before the committee, we still are not empowered to enforce answers or force him to divulge sources of information because

we are not a court of record, and I think that was very clearly explained to the gentleman.

As I understood his decision at that time, it was that he was going to have a joint resolution adopted by the House and the Senate to have a special committee investigate this. I am in no way attempting to avoid responsibility that is being thrust upon the Committee on Judiciary General, but I want the gentleman from Allegheny to understand that the thing that embarrasses us is to not have authority to do the thing that he is trying to get done.

We are endeavoring to file a report on Senate Resolution 26, as a result of our hearing yesterday, and I want to say to the gentleman that that report is entirely dictated and half typed, so that it can be submitted to the committee at its meeting next Tuesday for adoption. If we are going to have an addenda to this thing, the committee would like to know it. There is no use for us to make a report on Senate Resolution 26 if we are not going to have opportunity to complete the matter at hand. If we have another hearing and we get the individual who is the subject matter of the discussion back in front of the committee and he, like newspaper men, adopts the theory that he will not divulge the source of his information, the Supreme Court has said that we can not extract that information from him, we can not put on him a branding iron or something like that to make him testify.

Mr. HOLLAND. Mr. President, the gentleman from Allegheny has talked a long while and said nothing.

MOTION THAT RESOLUTION BE REFERRED TO COMMITTEE ON JUDICIARY GENERAL

Mr. WALKER. Mr. President, I move that this resolution be referred to the Committee on Judiciary General.

I am trying to be nice but if you are going to be nasty you are going to get it back the same way.

The ACTING PRESIDENT PRO TEMPORE. There already has been objection to immediate consideration of the resolution by the gentleman from Delaware, Senator Heyburn, and therefore the resolution is referred to the Committee on Judiciary General.

Mr. COX. Mr. President, I wanted to speak before the Chair referred this resolution to the Committee on Judiciary General. I think every member of this Senate is conversant with this entire matter from its beginning down to its present status.

The fact is that certain accusations were made here against a certain citizen of this Commonwealth, the resolution was turned over to the proper committee of the Senate, the Committee on Judiciary General, which held this hearing.

Unfortunately, the person to be investigated waited a very short time and then walked out. From all the things I have been able to hear as a member of that committee, the gentleman to be investigated is perfectly willing to be investigated and welcomed the hearing.

Every member of the committee understands the limitation of powers of the committee from a legal standpoint. However, it may be that the gentleman to be investigated is perfectly willing to waive the protection which the law gives him and will disclose to the committee the information that we are trying to get.

This matter has been stressed strenuously on many occasions by the gentleman from Allegheny, Senator Holland, and I think now it has become a matter for all the members of the Senate to be concerned with it. There is no question in my mind that another date should be set for a hearing and then, if the gentleman comes, the Chairman of the Committee on Judiciary General can cross-examine him, as only he can do, and then perhaps we will get the information we want, without the question of this legal technicality.

Mr. HOLLAND. Mr. President, I would like to ask the gentleman from Allegheny how he can make a report on a hearing when the man who was to be heard was not there.

The ACTING PRESIDENT PRO TEMPORE. Does the gentleman from Allegheny, Senator Holland, desire to interrogate the gentleman from Allegheny, Senator Walker.

Mr. HOLLAND. I do, Mr. President.

The ACTING PRESIDENT PRO TEMPORE. Will the gentleman from Allegheny, Senator Walker permit himself to be interrogated.

Mr. WALKER. I will, Mr. President.

Mr. HOLLAND. I ask the gentleman from Allegheny, Mr. Walker, how can he make a report on a hearing that was not heard.

Mr. WALKER. Mr. President, in answer to the question propounded by the gentleman from Allegheny, may I state that the committee on Judiciary General held a public hearing yesterday on Senate Resolution 26. At the hearing there appeared the sponsor of Resolution 26 who did ninety per cent of the talking. A report will be filed on the hearing that was held, and if the gentleman desires to file a minority report, that is his privilege.

Mr. HOLLAND. Mr. President, not being a member of the Committee on Judiciary General, I can not make a minority report. I simply am a witness in this case.

I want to call to the attention of the gentleman from Allegheny, Mr. Walker, the fact that he was late in getting to the committee meeting and that this gentleman, Mr. Vorse came in and asked for Mr. Walker and at six minutes after nine left the committee room. Mr. Walker then later spoke to some of the newspapermen and said that he did not have any power. I am merely giving the gentleman from Allegheny county the power he asked for when he spoke to the papers. Therefore, if he wants to go on with this resolution, he will have the power of subpoena, if this resolution is adopted by the Senate. It has been written properly because I think the Legislative Reference Bureau has written a whole lot of resolutions in their time. Mr. Hannestad, who wrote this resolution for me, has had considerable more experience than any member of this House and Senate, in preparing both bills and resolutions.

It is properly drawn and I do not think that it is proper for the Majority Leader of this House to object, because the resolution was originally passed unanimously in this Senate, and all we are doing is giving them the power the Chairman of the Committee on Judiciary General, through the newspapers, has asked for.

Mr. WALKER. Mr. President, I also am objecting to immediate consideration of this resolution and I want to say to the Chair it is not because we are trying to avoid another hearing—we are perfectly willing to have a continued hearing, with or without subpoena, in order to

continue the investigation on Senate Resolution 26, if the gentleman from Allegheny so desires.

When I took the floor on the resolution we are now considering I merely did so to interrogate the gentleman from Allegheny. It has been my privilege to have been on Capitol Hill since 1931. I was not here when some members of this Senate began their careers and I have not had as much legislative experience as the gentleman from Allegheny, Mr. Holland, but Mr. President, I think it is about time the members of the Senate adopted personally and individually a collective rule with regard to treatment of the members of the Senate on the Senate Floor. I do not think it is conducive to good government and good relationship, when you simply interrogate a gentleman to make certain his resolution is all right, that the gentleman seizes that opportunity to deliberately insult a member of this Senate and say I spoke a lot of words and said nothing. All I did was to ask the gentleman from Allegheny a question.

Now, Mr. President, I grow just a little weary of having this gentleman from Allegheny getting up and insulting members of this Senate every time he grabs hold of a microphone. I am perfectly willing to consider this resolution today, and I am glad to have it in my committee. I have conferred on him every courtesy possible, we held that hearing yesterday, I have repeatedly offered the gentleman my assistance in carrying this matter forward, and I think that anybody who attended that hearing would be perfectly willing to testify that he got all the cooperation possible, from the advice and assistance proffered to him in the matter, not only from the Chairman of the Committee but from the members of the Committee, and if this resolution is necessary, of course we are in favor of it, and if it is not necessary it will not do any harm, and if the individual who is the subject matter of the investigation under Senate Resolution 26 will appear and testify without a subpoena of course that will be of assistance to the committee, but the mere fact that a gentleman is interrogated on the floor should not be seized by his capricious action to deliberately insult the Chairman of the Committee and the Committee.

The ACTING PRESIDENT PRO TEMPORE. The resolution has previously been referred to the Committee on Judiciary General.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. EALY. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on March 21, 1945.

Mr. CHAPMAN. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 21, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

FAYETTE COUNTY

Miss Bertha Cunningham, Connellsville, March 22, 1945.

PHILADELPHIA COUNTY

Miss Dorothy H. Wager, Phila., 207 Walnut Place, March 24, 1945.

ALLEGHENY COUNTY

George P. Vogeley, Pittsburgh, 545 William Penn Place (19), March 29, 1945.

LANCASTER COUNTY

Richard N. Lightner, Lancaster, April 8, 1945.

BUTLER COUNTY

A. L. Findley, Butler, April 13, 1945.

EDWARD MARTIN.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 21, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss V. Grace Baird, Pittsburgh, 1600 Arrott Bldg. (22).
Jesse L. Fry, Pittsburgh, 227 S. St. Clair St.
Edward R. Wittmann, Pittsburgh, 9 Bloomfield Bank Bldg., 4761 Liberty Ave.

ARMSTRONG COUNTY

Miss Wilda B. Guthrie, Apollo.

CAMERON COUNTY

Moses H. Weinstein, Emporium.

LEHIGH COUNTY

Mrs. Marianne R. Lucas, Allentown.

PHILADELPHIA COUNTY

Miss Rita Blasi, Phila., 108 Walnut St.
Michael Dolinny, Phila., 3325 N. 5th St. (40).
Mrs. Bertha E. Hughes, Phila., 1511 Real Estate Trust Bldg., 111 S. Broad St.
Miss Mary B. O'Brien, Phila., 5545 Race St.

SOMERSET COUNTY

Harry DiRienzo, Somerset.

WESTMORELAND COUNTY

E. van Ameringen, New Kensington.

YORK COUNTY

Miss Naomi Horchner, York.

EDWARD MARTIN.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. EALY and Mr. CHAPMAN,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Ealy,	Leader,	Taylor,
Becker,	Edmonds,	Letzler,	Thomas,
Berger,	Farrell,	Mallery,	Troutman,
Blass,	Geltz,	Margie,	Tyler,
Bowers,	Gourley,	McCreesh,	Wade,
Carr,	Haluska,	McGinnis,	Wagner,
Chapman,	Heyburn,	Rosenfeld,	Walker,
Coleman,	Holland,	Ruth,	Wilson,
Cox,	Homsher,	Scarlett,	Woodring,
Crider,	Jones,	Snowden,	Tallman
Crowe,	Kephart,	Stevenson,	Acting Pres.
Dent,	Klein,		Pro Tem

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE NOMINATIONS

A motion was made by Mr. EALY and Mr. MALLERY,

That the Senate do now resolve itself itself into Executive Session, for the purpose of considering the nominations of His Excellency, the Governor of the Commonwealth of Pennsylvania, which were laid on the table yesterday.

The motion was agreed to.

The Clerk read the nominations as follows:

MEMBERS OF THE BOARD OF TRUSTEES OF PENNSYLVANIA STATE ORAL SCHOOL FOR THE DEAF

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 6, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Elizabeth C. Fries, 1037 Wheeler Avenue, Scranton, Lackawanna County, for appointment as a Member of the Board of Trustees of Pennsylvania State Oral School for the Deaf, until the third Tuesday of January, 1951, and until her successor shall have been appointed and qualified, vice Mrs. Rachel J. Thomas, Dunmore, deceased.

EDWARD MARTIN.

MEMBERS OF THE BOARD OF TRUSTEES OF BLOOMSBURG STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 5, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Board of Trustees of Bloomsburg State Teachers' College:

R. S. Hemingway, 223 East Street, Bloomsburg, Columbia County, until the third Tuesday of January, 1949, and until his successor shall have been appointed and qualified. (Reappointment)

Mrs. Elsie A. Jones, 249 Market Street, Bloomsburg, Columbia County, until the third Tuesday of January, 1951, and until her successor shall have been appointed and qualified. (Reappointment)

Earl V. Wise, Berwick, Columbia County, until the third Tuesday of January, 1951, and until his successor shall have been appointed and qualified, vice W. Clair Hidlay, Bloomsburg, whose term expired.

Thomas Morton, Berwick, Columbia County, until the third Tuesday of January, 1951, and until his successor shall have been appointed and qualified, vice Frank D. Croop, Berwick, whose term expired.

George L. Weer, 96 West Vaughn Street, Kingston, Luzerne County, until the third Tuesday of January, 1947, and until his successor shall have been appointed and qualified, vice M. Jackson Crispin, Berwick, resigned.

Howard S. Fernsler, 1704 West Norwegian Street, Pottsville, Schuylkill County, until the third Tuesday of January, 1949, and until his successor shall have been appointed and qualified, to fill a vacancy.

Fred W. Diehl, Danville, Montour County, until the third Tuesday of January, 1947, and until his successor shall have been appointed and qualified. (Reappointment)

Charles D. Steiner, Shamokin, Northumberland County, until the third Tuesday of January, 1947, and until his successor shall have been appointed and qualified, to fill a vacancy.

EDWARD MARTIN.

MEMBERS OF THE STATE BOARD OF UNDERTAKERS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 13, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the State Board of Undertakers:

Charles A. Fitzpatrick, Plymouth, Luzerne County, to serve until August 31, 1949, and until his successor shall have been appointed and qualified. (Reappointment)

Frank Pritchard, South Gibson, Susquehanna County, to serve until August 31, 1945, and until his successor shall have been appointed and qualified, vice George R. Huff, Lansdale, resigned.

EDWARD MARTIN.

MEMBER OF THE STATE BOARD OF OPTOMERTICAL EXAMINERS

Commonwealth of Pennsylvania.
Governor's Office, Harrisburg, January 23, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Jerry F. Neill, 1707 Cheltenham Avenue, Montgomery County, Philadelphia P. O., for reappointment as a member of the State Board of Optometrical Examiners, for the term of four years, and until his successor is qualified.

EDWARD MARTIN.

JUSTICE OF THE PEACE

UPPER MILFORD TOWNSHIP, LEHIGH COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 14, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Henry M. Miller, R. F. D. No. 1, Zionsville, Lehigh County, for appointment as Justice of the Peace in and for the Township of Upper Milford, Lehigh County, until the first Monday in January, 1946, vice Jesse W. Miller, deceased.

EDWARD MARTIN.

Whereupon,

A motion was made by Mr. EALY and Mr. MALLERY,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Ealy,	Leader,	Taylor,
Becker,	Edmonds,	Letzler,	Thomas,
Berger,	Farrell,	Mallery,	Troutman,
Blass,	Geltz,	Margie,	Tyler,
Bowers,	Gourley,	McCreesh,	Wade,
Carr,	Haluska,	McGinnis,	Wagner,
Chapman,	Heyburn,	Rosenfeld,	Walker,
Coleman,	Holland,	Ruth,	Wilson,
Cox,	Homsher,	Scarlett,	Woodring,
Crider,	Jones,	Snowden,	Tallman,
Crowe,	Kephart,	Stevenson,	Acting Pres. Pro Tem
Dent,	Klein,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. EALY. Mr. President, I move that the Executive Session do now rise.

Mr. KEPHART. Mr. President, I second the motion

The motion was agreed to.

CALENDAR

BILL ON THIRD READING

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 36 on third reading entitled:

An Act to add section seven hundred thirty-four to the act approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," making wilful abandonment or nonsupport of an aged or indigent person a misdemeanor; and prescribing penalties.

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. WADE. Mr. President, I ask unanimous consent that Senate Bill No. 376, on third reading, entitled:

An Act relating to investments by fiduciaries and repealing acts or parts of acts inconsistent herewith

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President I ask unanimous consent that House Bill No. 382 on third reading, entitled:

An Act to amend section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by authorizing such townships to regulate parking

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I understand this bill is not up from the printer's, therefore I ask unanimous consent that Senate Bill No. 385, on third reading, entitled:

An Act to amend paragraph two of subsection (b) and to add a new paragraph thirteen to seubsection (c) of section two hundred two of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund; providing penalties and repealing existing laws" by authorizing domestic stock and mutual fire and marine and casualty insurance companies to make insurance against all risk of loss of or damage to personal property

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I understand this bill is not up from the printer's therefore I ask unanimous consent that Senate Bill No. 414, on third reading entitled:

An Act to provide protection in all cases secured or to be secured by individual surety or sureties in courts of record or proceedings therein by specifying the requirements of such suretyship and the qualifications of such surety

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 423, on third reading, entitled:

An Act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities counties and townships as herein defined prescribing the rights powers and duties of such Authorities authorizing such authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such authorities authorizing such authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof conferring exclusive jurisdiction on certain courts over rates

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. BARR. Mr. President, I ask unanimous consent that Senate Bill No. 425 on third reading, entitled:

An Act authorizing individual co-fiduciaries in certain cases to consent to holding of investments in the name of their corporate co-fiduciaries' nominee and validating such consents heretofore given

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 552, entitled:

An Act to further amend section two hundred twenty of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" authorizing the use of eel chutes in the Delaware River above Easton.

On the question,

Will the Senate agree to the bill on third reading?

Mr. EALY. Mr. President, I have no interest in this bill, but the title and the body of this bill are not the same, and if it is passed it will have to be recalled from the Governor for amendment, so I suggest to anybody that is interested in this bill that it be held over so that proper amendment may be made in the body to conform with the title.

The ACTING PRESIDENT PRO TEMPORE. Does the gentleman from Somerset request that the bill go over on its order.

Mr. EALY. If the Senator from Northampton is interested, the title of the bill says this shall apply to the Delaware River above Easton, whereas the body of the bill makes it apply to the whole Delaware River.

Mr. WOODRING. Mr. President, I am not aware of the ambiguity to which the Senator from Somerset calls our attention. I might say that this is a very slippery subject and I am very much interested, in answer to the Senator's question, because I happen to live just north of the city of Easton.

Mr. EALY. If the Senator from Northampton will look at the title of the bill he will notice it originally was written so as to apply above Easton, and then the words "above Easton" were amended out, and then the brackets amending those words out were amended out, so that the title now reads above Easton.

Mr. WOODRING. Mr. President, as we note, this is a House Bill—I am not the sponsor—but I am interested because it does affect my county, as well as two counties in the district of Senator Crowe. I would suggest that the bill go over in its order so that we may have opportunity to study the question of amendment.

BILLS OVER IN ORDER

Mr. WOODRING. Mr. President, I ask unanimous Consent that House Bill No. 552, on third reading, go over in its order, to give us a chance to amend it.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 631 on third reading, entitled:

An Act approving ratifying and enacting into law the Ohio River Valley Sanitation Compact for the prevention abatement and control of pollution of the rivers streams and waters in the Ohio River drainage basin and making the State of Pennsylvania a party thereto creating the Ohio River Valley Water Sanitation Commission" providing for the members of such commission from the State Pennsylvania and providing for the carrying out of said compact after the conclusion of hostilities of the present

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 102, entitled:

An Act to amend section one of an Act approved the twenty-sixth day of April one thousand nine hundred and twenty-one (P. L. 278) entitled "An act providing that in computing the indebtedness of cities of the first class the word 'indebtedness' shall include all manner of debt and the net amount thereof shall be ascertained as in the case of other municipal corporations by deducting from the gross thereof the Moneys in the treasury all outstanding solvent debts and all revenues applicable within one year to the payment of the same" by extending and describing the amounts deductible in determining the net debt of such cities and providing a method for computing self-sustaining public improvement and public utility debt and non-electoral debt

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. BARR. Mr. President, I ask unanimous consent that House Bill No. 115, on second reading entitled:

An Act to exempt from taxation for all local purposes certain property of hospitals universities colleges seminaries academies associations and institutions of learning benevolence or charity and declaring the public policy of the Commonwealth with respect to the exemption of said property from such taxation

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 170, on second reading, entitled:

An Act to amend section seven hundred one of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," abolishing capital punishment in the case of murder of the first degree

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 222, on second reading, entitled:

An Act abating certain tax penalties interest and costs on unpaid county, city, borough, town, township, school district, poor district, and county institution district taxes with certain exceptions, prohibiting the sale of real property for the nonpayment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 225, on second reading, entitled:

An Act to amend sections one and two of the act, approved the twenty-second day of May, one thousand eight hundred and ninety-five (P. L. 111), entitled "An act providing for the divestiture of liens of taxes levied or assessed against lands sold at judicial sales, and for the payment of the same out of the proceeds of such sales"; requiring officers and persons conducting judicial sales to notify political subdivisions to file statements of taxes due on real estate to be sold at such sales; imposing duties on political subdivisions and certain officers having taxes for collection and on county commissioners; providing for the discharge of tax liens where tax statements are not filed; and clarifying the provisions of said act

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 264, entitled:

An Act to amend section three and to further amend section twelve of the act approved the twentieth day of July one thousand nine hundred seventeen (P. L. 1143) entitled "An act relating to free public nonsectarian libraries and branch libraries within this Commonwealth providing for their establishment maintenance and regulation and for the maintenance and regulation of such free public nonsectarian libraries as may have been already established by the several counties cities boroughs towns and townships and providing that all library property and all gifts devises grants or endowments for library purposes shall be exempt from taxation and providing that the several counties cities boroughs towns and townships may levy taxes condemn private property and borrow money for library purposes and imposing penalties for injuring library property and for violations of library regulations and repealing existing laws in relation to the above subjects" making more specific the power of the municipal authorities of counties cities boroughs towns and townships to appropriate moneys out of current revenues for library purposes without the levy of a special tax therefor and validating such appropriations heretofore made

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 278, entitled:

An Act to further amend the title and section one of the act approved the twenty-eighth day of June one thousand nine hundred and thirty-five (P. L. 477), entitled "An act providing for the payment of the salary medical and hospital expenses of policemen and firemen by cities (except of the second class A) boroughs towns and townships who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period" extending the provisions of said act to cities of the second class A.

And said bill having been read at length the second time and agreed to,

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 281, entitled:

An Act to amend section two thousand twenty-two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" authorizing township commissioners to record certificates denying responsibility for certain roads streets lanes alleys or drainage facilities in connection therewith

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 296, on second reading, entitled:

An Act providing that taxes levied by political subdivisions of the Commonwealth on real estate of service persons shall not bear interest or be subject to penalties; and providing for abatement of certain accrued interest and penalties

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 319, entitled:

An Act to further amend section thirty-two of the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointee of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" by further regulating the check-up of registered electors

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 320, entitled:

An Act to further amend section thirty-one of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 814) entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real esate brokers rental agents and boards of school directors and imposing penalties" by futher regulating the check-up of registered electors

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 321, entitled:

An Act to further amend section thirty-one of the act approved the seventh day of June one thousand nine hundred thirty-seven (P. L. 1132) entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporation real estate brokers rental agents and boards of school directors and imposing penalties" by further regulating the check-up of registered electors

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 322, entitled:

An Act to further amend section thirty-one of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of election and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation" by further regulating the check-up of registered electors

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 323, entitled:

An Act to further amend section thirty of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by further regulating the check-up of registered electors

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 333, on second reading, entitled:

An Act to reenact sections five hundred one five hundred two five hundred three five hundred four five hundred five and five hundred six of the act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 334, on second reading, entitled:

An Act to provide for the appointment of election officers to fill vacancies caused by the expiration of terms of election officers imposing duties on County Board of Elections and conferring powers on courts of quarter sessions

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 335, entitled:

A Joint Resolution proposing an amendment to section fourteen article eight of the Constitution of the Commonwealth of Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 343, entitled:

An Act to further amend section fifteen of the act approved the sixteenth day of May one thousand nine hundred twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" by further providing for and preserving the lien of tax and municipal claims against properties heretofore or hereafter purchased by political subdivisions at sales held for the collection of taxes on municipal claims or other judicial or statutory sales

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 344, entitled:

An Act to further amend section five hundred and forty of the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" further defining the duties of the secretary to the board of supervisors and providing for the preservation and turning over to the successor in office of township records and for the destruction of certain records.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. COX. Mr. President, I ask unanimous consent that Senate Bill No. 434, on second reading, entitled:

An Act to further amend sections twenty-one and thirty-one of, and to add section twenty-one and one-tenth to the act, approved the sixth day of August, one thousand nine hundred forty-one (P. L. 861), entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the 'Pennsylvania Board of Parole'; conferring and defining its jurisdiction, duties, powers and functions, including the supervision of persons placed upon probation in certain designated cases; providing for the method of appointment of its members; regulating the appointment, removal and discharge of its officers, clerks and employes; dividing the Commonwealth into administrative districts for purposes of parole; fixing the salaries of members of the board and of certain other officers and employes thereof; making violations of certain provisions of this act misdemeanors; providing penalties therefor; and for other cognate purposes, and making an appropriation," by further defining the jurisdiction, duties, powers and functions of the Pennsylvania Board of Parole

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. COX. Mr. President, I ask unanimous consent that Senate Bill No. 435, on second reading, entitled:

An Act to repeal certain sections of the act approved the nineteenth day of June, one thousand nine hundred eleven (P. L. 1055) entitled "An act authorizing the release on probation of certain convicts, instead of imposing sentences; the appointment of probation and parole officers, and the payment of their salaries and expenses; regulating the manner of sentencing convicts in certain cases, and providing for their release on parole; their conviction of crime during parole, and their rearrest and reconviction for breach of parole; and extending the powers and duties of boards of prison inspectors of penitentiaries," as amended and supplied

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 440, entitled:

An Act authorizing cities of the third class to establish an optional retirement system for officers and employees independently of any pension system or systems existing in such cities

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 455, entitled:

An Act to amend section twenty-one of, and add section twenty point one to the act, approved the second day

of June, one thousand nine hundred thirty-three (P. L. 1433) entitled "An act defining the powers of the courts of quarter sessions, the Municipal Court of Philadelphia, and the County or Juvenile Court of Allegheny County, with respect to the care, guidance, control, trial, placement and commitment of delinquent, dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency, neglect and dependency of children; and amending, revising and consolidating the law relating thereto," by defining the jurisdiction of the juvenile courts and making parents responsible for delinquency of children under the age of fourteen years; and prescribing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 456, entitled:

An Act to amend section four hundred nineteen of, and to add section four hundred eighteen point one, to the act approved the third day of June, one thousand nine hundred thirty-three (P. L. 1449), entitled "An act establishing a court of record in the county of Allegheny for control, care, guidance, treatment, trial, placement and commitment of delinquent, neglected and dependent children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging delinquency, neglect or dependency of children; defining the jurisdiction and powers of the court, and regulating procedure therein; providing for the transfer thereto of certain powers, functions and duties from other courts, providing for the election of judges thereof, the appointment of probation officers, other necessary staff officials and assistants; providing for housing of same, and providing for detention facilities; making the contributing to or encouraging of the delinquency, neglect or dependency of children a misdemeanor; and providing penalties," by defining the jurisdiction of the juvenile courts; making parents responsible for delinquency of children under the age of fourteen years; and prescribing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. COX. Mr. President, I ask unanimous consent that Senate Bill No. 457, on second reading, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" further revising and changing the penal laws of the Commonwealth

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. COX. Mr. President, I ask unanimous consent that Senate Bill No. 459, on second reading entitled:

An Act to amend section six of the act, approved the twelfth day of June, one thousand eight hundred seventy-eight (P. L. 196), entitled "An act to consolidate revise and amend the penal laws of this Commonwealth," by fixing the time for the commencement and prosecution of indictments for certain felonies committed by certain persons

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 462, entitled:

An Act establishing a mode of selecting and drawing jurors for counties of the first class, and imposing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 475, on second reading, entitled:

An Act requiring cities boroughs towns and townships to notify adjacent political subdivisions of proposed streets roads and highways leading into them

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 483, entitled:

An Act to add clause fifty-five to section two thousand four hundred three of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" authorizing the acquisition and maintenance of parking lots and the exercise of the power of eminent domain therefor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 484, entitled:

An Act to amend Article six Section six hundred and two of the act approved May eighteenth one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by making further provision relating to the acquisition of real estate for the construction of school buildings

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 488, entitled:

An Act to amend Section 3 of the act approved the twelfth day of June one thousand nine hundred thirty-one (P. L. 568) entitled "An act to expedite and simplify the collection and payment by banks of checks and other instruments for the payment of money" by making further provision concerning the revocation of credits given by a bank for items drawn on or payable at such bank

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 510, entitled:

An Act to amend section four hundred eleven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by providing for the appointment of two additional members of the Pennsylvania Historical Commission

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. COX. Mr. President, I ask unanimous consent that Senate Bill No. 518, on second reading, entitled:

An Act to amend section two thousand two of and to add section two thousand thirteen to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" expanding the activities and extending the courses of instruction at the Cheyney Training School for Teachers and making an appropriation

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 523, entitled:

An Act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. COX. Mr. President, I ask unanimous consent that House Bill No. 569, on second reading, entitled:

An Act to further amend section nine hundred one of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by further regulating the filling of vacancies in elective borough offices

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HALUSKA. Mr. President, I ask unanimous consent to introduce a bill at this time.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HALUSKA. Mr. President, before introducing a bill I would like to advise my colleagues that yesterday there was held a public hearing with reference to Senate Bill No. 307. In that connection practically all of my colleagues have received telegrams and letters with reference to this bill and no doubt over the week-end they will be contacted, so I thought it was no more than fair to tell them what happened at the public hearing.

We agreed upon the contents of a new bill, which I am about to offer. When I say "we" I mean the medical profession came into the picture, the Hospital Association of Pennsylvania, and the Committee on Public Health, and this morning with the kind help of the gentleman from Butler, Senator Carr, the gentleman from Indiana, Senator Wilson, and members of the Hospital Association, we have prepared proper amendments, but it has been suggested that we offer a new bill and drop Senate Bill No. 307, so Senate Bill No. 307 will be dropped for this Session and this bill, Mr. President, will be introduced and will deal directly with pre-operative studies and tests which must be provided before a patient is operated on at any hospital, so when my colleagues go back home they will now be in a position to inform their constituency that Senate Bill No. 307 will be entirely removed from the Calendar and a new bill introduced today to replace it, and therefore I now read in place and present to the Chair the following bill.

BILLS INTRODUCED AND REFERRED

Mr. HALUSKA read in place and presented to the Chair Senate Bill No. 579, entitled:

An Act to safeguard human life prohibiting the performance of operations previous to the making of certain pre-operative studies and tests and the inspection thereof by the person performing the operation, except an emergency operation; defining an emergency operation and a pre-operative study and providing penalties.

Which was committed to the Committee on Public Health.

Mr. THOMAS. Mr. President, I ask unanimous consent to introduce a bill at this time.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. THOMAS read in place and presented to the Chair Senate Bill No. 580, entitled:

An Act to further amend section three of the act, approved the twenty-second day of May, one thousand nine hundred thirty-three (P. L. 912), entitled "An act to protect the public health; defining and providing for the licensing of bakeries, and regulating the inspection, maintenance, and operation of bakeries and premises, stores and shops connected therewith; defining and regulating the manufacture, sale, and offering for sale of bakery products; conferring powers on the Department of Agriculture; and providing penalties," by eliminating certain requirements concerning wrappers.

Which was committed to the Committee on Public Health.

REPORT FROM COMMITTEE

Mr. THOMAS. Mr. President, I ask unanimous consent to make report from committee at this time.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. THOMAS, from the Committee on Forests and Waters, Game and Fish, reported as amended, Senate Bill No. 536, entitled:

An Act authorizing the Department of Forests and Waters, with the approval of the Governor to acquire a certain tract of land for the use of said department, and making an appropriation therefor.

Mr. KEPHART. Mr. President, I ask unanimous consent to introduce a bill at this time.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. KEPHART. I might say, Mr. President, that before Senator Walker left I asked him whether he would like to co-sponsor this bill with me and he said he would and therefore I have included his name as well as my own.

BILL INTRODUCED AND REFERRED

Messrs. KEPHART and WALKER read in place and presented to the Chair Senate Bill No. 581, entitled:

An Act to further amend section three hundred three of and to add section three hundred seven to the act approved the twenty-ninth day of November one thousand nine hundred and thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district and distcict attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties' by providing for the appointment of assistant managers in Pennsylvania Liquor Stores and by establishing minimum salaries for certain employees of the Pennsylvania Liquor Control Board working in Pennsylvania Liquor Stores.

Which was committed to the Committee on Law and Order.

BILLS ON FIRST READING

Mr. HEYBURN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. HOMSHER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 3, entitled:

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum, Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 16, entitled:

An Act making an appropriation from the State Stores Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Stores Fund.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 17, entitled:

An Act making appropriations to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented and to adjust errors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 29, entitled:

An Act making an appropriation from the Banking Department Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes Retirement System with respect to State Employes receiving compensation from the Banking Department Fund.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 42, entitled:

An Act making an appropriation from the Game Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Game Fund.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 43, entitled:

An Act making an appropriation from the Motor License Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Motor License Fund.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 49, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 51, entitled:

An Act making an appropriation from the Manufacturing Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Manufacturing Fund.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 61, entitled:

An Act making an appropriation from the Motor License Fund to the Board of Finance and Revenue to meet interest sinking fund and service requirements on the State debt.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 64, entitled:

An Act making an appropriation to the Moore Institute of Art Science and Industry formedly Philadelphia School of Design for Women at Philadelphia Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 66, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 90, entitled:

An Act making an appropriation to the Department of Health for the purpose of conducting cancer research.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 180, entitled:

An Act making an appropriation to the Pennsylvania School for the Deaf at Philadelphia, Pennsylvania, for the purpose of replacing and renewing certain equipment and machinery.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 349, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment to Somerset County Institution District to reimburse said district on account of certain property damages, under agreement between the Commonwealth and the institution district.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 421, entitled:

An Act to further amend section fifty-four of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," requiring that counties shall pay the premiums on bonds of parole or probation officers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 469, entitled:

An Act to repeal the act, approved the twenty-first day of March, one thousand nine hundred twenty-nine (P. L. 34), entitled "An act authorizing the judges of the courts of common pleas and orphans' courts in counties of the third class to employ stenographers, typists, and clerks to facilitate the business of the courts, and to provide for the payment of their compensation by the county, and validating former employments and payments therefor."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 475, entitled:

An Act to further amend section two of the act, approved the thirteenth day of June, one thousand eight hundred eighty-three (P. L. 119) entitled "An act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose and to prevent unauthorized uses and traffic in human bodies," authorizing administrative officers of county institution districts at their discretion to bury unclaimed bodies.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 476, entitled:

An Act to amend section five hundred ninety of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by extending provisions of act to include memorials erected to commemorate services of women who have been members of organizations officially connected with the armed forces of the United States.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 480, entitled:

An Act to add subsection nineteen to section twenty-one to the act approved the fourteenth day of April one thousand eight hundred sixty-eight (P. L. 1083) entitled "A supplement to an act entitled 'An act appropriating ground for public purposes in the city of Philadelphia' approved the twenty-sixth day of March Anno Domini one thousand eight hundred and sixty-seven" providing that children under the age of seventeen years shall not be charged for the use of certain recreational facilities within Fairmount Park

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 526, entitled:

A Supplement to the act approved the fourth day of June, one thousand nine hundred forty-three (Appropriation Acts, page 59), entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and forty-three; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and forty-three," providing a deficiency for indexing the Legislative Journal.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 530, entitled:

An Act authorizing the Department of Justice to prescribe rules of practice for administrative departments, departmental administrative boards and commissions, independent administrative boards and commissions, officers and other agencies of the Commonwealth; authorizing such agencies to adopt rules; providing for the appointment of an Administrative Rules Committee and fixing its powers and duties; and imposing certain duties upon State officers and agencies.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 536, entitled:

An Act authorizing the Department of Forests and Waters, with the approval of the Governor to acquire certain tracts of land for the use of said department, and making an appropriation therefor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 543, entitled:

An Act relating to, establishing and regulating the Port of Chester; creating the commission for the Port of Chester as a departmental administrative commission in the Department of Forests and Waters, and prescribing its powers and duties; regulating the acquisition, transfer, construction and use of navigation facilities; providing for regulating services and fixing minimum rates for wharfage, cranage and dockage; authorizing acquisition and construction of facilities by the Commonwealth, and the exercise of the right of eminent domain; providing for the use and leasing of such facilities; authorizing the abatement of nuisances and the correcting of improper conditions, and collecting the cost thereof from the owner or occupant of harbor structures; prescribing penalties; and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

The PRESIDENT PRO TEMPORE (M. Harvey Taylor) in the Chair.

BILLS SIGNED

The PRESIDENT PRO TEMPORE (M. Harvey Taylor) announced that the Acting Chief Clerk having reported that the following bills had posed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 38, entitled:

An Act making an appropriation to the Department of Property and Supplies for completing the construction of accommodations and furnishing facilities for the conduct of a nautical school for use by the Navigation Commission for the Delaware River and its navigable tributaries.

House Bill No. 52, entitled:

An Act to amend clause six of section thirteen of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "School Employes Retirement Law," further defining the disability retirement rights of members of the School Employes' Retirement Association who engage in active military service.

House Bill No. 64, entitled:

An Act to further amend section twenty-three of the act approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June, Anno Domini, one thousand eight hundred and seventy-nine," by increasing for a further limited period of time the rate of tax imposed by the act upon the gross receipts of certain companies, limited partnerships, associations, joint-stock associations, copartnerships and persons

House Bill No. 83, entitled:

An Act to reenact and amend the title and the act, approved the fourteenth day of June, one thousand nine hundred thirty-five (P. L. 341), entitled, as amended, "Cigarette Tax Act," as previously reenacted and amended, by extending the provisions of the act for a further limited period of time.

House Bill No. 320, entitled:

An Act to amend the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 319 No. 141), entitled "An act authorizing the waiver of trial by jury in certain criminal cases, by a judge without a jury; regulating such trials; and conferring a jurisdiction upon the judges of the several courts in such cases," by extending the act to all cases except murder and treason.

House Bill No. 374, entitled:

An Act to further amend the second paragraph of section five of the act, approved the eleventh day of June, one thousand nine hundred thirty-five (P. L. 326), entitled "An act relating to counties of the first class; defining deceased service persons; providing for contributions by the county to the funeral expenses for such persons and their widows; providing for the erection and care of markers, headstones, and flags, and for the compilation of war records," making counties in which deceased service persons are buried liable for the cost of headstones.

Whereupon,

The PRESIDENT PRO TEMPORE (M. Harvey Taylor) in the presence of the Senate signed the same.

ANNOUNCEMENT OF FOUR DAY SESSIONS

Mr. HEYBURN. Mr. President, I would like to remind my colleagues of the Senate that beginning next week the Senate will have four sessions a week, Monday to Thursday, inclusive.

ADJOURNMENT

Mr. HEYBURN. Mr. President, I move that the Senate do now adjourn until Monday, March 26, 1945, at 4:00 o'clock p. m., Eastern War Time.

Mr. BECKER. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 12:48 o'clock p. m., Eastern War Time until Monday, March 26, 1945, at 4:00 o'clock p. m., Eastern War Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, March 21, 1945

The House met at 11 a. m.

The SPEAKER (Ira T. Fiss) in the Chair.

PRAYER

The Chaplain, Rev. Lester C. Updegrove, offered the following prayer:

Almighty and everlasting God, we are grateful that, amid the bewildering changes in human affairs, Thou art ever the same. Bless and protect our leaders. Guide all those who are set to guide us. Give victory to our righteous cause. Strengthen us to do our whole duty. In Thee, O Lord, have we trusted. Let us never be confounded nor throw our confidence away. Through Jesus Christ, our Lord. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Tuesday, March 20, 1945.

The Clerk proceeded to read the Journal of Tuesday, March 20, 1945, when, on motion of Mr. HOWELLS unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. WESCOTT. HOUSE BILL No. 1233.

An Act to amend the title and section two of the act, approved the tenth day of May, one thousand nine hundred twenty-three (P. L. 198), entitled "An act authorizing courts of quarter sessions to commit the care of certain burial grounds to the councils of boroughs, township commissioners and township supervisors of townships; and requiring boroughs and townships to pay the expenses in connection therewith," providing for the payment of the cost of such care by the Commonwealth, out of appropriations made to the Department of Agriculture.

Referred to the Committee on Agriculture.

By Messrs. MADDEN and WEISS. HOUSE BILL No. 1234.

An Act to further amend sections one and ten of the act, approved the fourth day of June, one thousand nine hundred thirty-seven (P. L. 1625) entitled "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the third class; and imposing certain charges on counties," extending and further regulating such retirement systems.

Referred to the Committee on Counties.

By Mr. FROST. HOUSE BILL No. 1235.

An Act making an appropriation to the Department of Labor and Industry for the payment of certain claims against the Commonwealth and that department arising out of professional services rendered by physicians in workmen's compensation cases.

Referred to the Committee on Appropriations.

By Messrs. GALLAGHER and TATE.

HOUSE BILL No. 1236.

An Act making an appropriation from the Motor License Fund for the construction of a boulevard in the city of Philadelphia as a memorial to the heroism of Sergeant Albert Schmidt.

Referred to the Committee on Highways.

By Mr. HERMAN. HOUSE BILL No. 1237.

An Act to amend sections seventeen, eighteen, twenty-five and twenty-six of the act, approved the thirty-first day of July, one thousand nine hundred forty-one (P. L. 616) entitled "An act defining, regulating and providing for the licensing and registration of employment agents and their representatives, including private employment agents, theatrical employment agencies and nurses' registries; providing for revocation and suspension of licenses and registrations subject to appeal and for their reinstatement; defining the powers and duties of the Department of Labor and Industry and the Department of Public Instruction; providing penalties and repealing existing laws," further regulating the registration of applicants for employment and providing penalties.

Referred to the Committee on Labor.

By Mr. HERMAN. HOUSE BILL No. 1238.

An Act to fix the number of Representatives in the General Assembly of the State; and to apportion the State into representative districts, as provided by the Constitution.

Referred to the Committee on Apportionment.

By Messrs. ROSE and HOGGARD.

HOUSE BILL No. 1239.

An Act to amend section six and twenty-one of the act, approved the fifth day of June, one thousand nine hundred thirty-seven (P. L. 1705), entitled "An act to promote public health, morals, safety, and welfare by providing for the supervision and encouragement of housing creating a State Board of Housing, a departmental administrative board within the Department of Health; providing for the organization of the board, the appointment and removal of its members; enumerating its duties and powers; including the powers to conduct investigations, issue subpoenas, apply to courts for punishment of contempts, make orders, rules and regulations, prescribe forms, require reports, supervise the operations of limited dividend housing companies and housing authorities and their members and employes; acquire property by eminent domain for limited dividend housing companies; commence actions to prevent violations of law to surcharge members of authorities, supervise rental charged by limited dividend companies, charge fees for services; providing for the selection and removal of the board's employes, providing for appeals from its orders; and making an appropriation," extending the general powers and the duties of the State Housing Board to receive funds appropriated and dispensing same to counties, cities, townships, boroughs and local housing authorities and for making an appropriation to the State Board of Housing in the Department of Health.

Referred to the Committee on Appropriations.

By Messrs. ROSE and TRACHTMAN.

HOUSE BILL No. 1240.

An Act giving veterans opportunity for educational and vocational rehabilitation; conferring powers and imposing duties on the Department of Public Instruction; making an appropriation; and providing penalties.

Referred to the Committee on Military Affairs.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 279.

An Act defining and providing for the licensing and regulation of private trade schools and classes; conferring powers and imposing duties on the State Board for Vocational Education; and prescribing penalties.

Referred to the Committee on Education.

SENATE BILL No. 393.

An Act to further amend clauses six, seven, twenty and twenty-three of section two of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender or abandonment of their powers, privileges, and franchises, defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including, to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed, or kept by persons, associations, companies, corporations or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossing of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts, of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," exempting from the provisions thereof motor vehicles engaged in the transportation of logs or pulpwood.

Referred to the Committee on Public Utilities.

SENATE BILL No. 403.

An Act to further amend clause eighteen of section one and subsection one of section twelve of the act,

approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by terminating interest on accumulated deductions on the date of separating from school service.

Referred to the Committee on State Government.

SENATE BILL No. 421.

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section.

Referred to the Committee on Constitutional Amendments.

SENATE BILL No. 482.

An Act to add section two thousand two point two to the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing for cooperation of State Teachers' Colleges with other agencies in vocational rehabilitation education of veterans and defense workers.

Referred to the Committee on Education.

The Clerk of the Senate, Mr. Steinfeld, being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence 224, 337.

House Bills concurred in by Senate 320, 374.

Resolution for concurrence memoralizing Congress—amendment to Constitution limiting tenure of President.

Senate Bills for signature 123, 138, 145, 317, 333.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 123.

An Act to repeal Section one thousand thirty-three (1033) of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justice of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds as last amended by the Act approved May twenty-first one thousand nine hundred forty-three (P. L. 559).

SENATE BILL No. 138.

An Act to amend section four hundred thirty-six of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278 No. 447) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by extending authorization to counties to make appropriations for historical compilations and publications relating to their own counties.

SENATE BILL No. 145.

An Act to amend section three of the act approved the twentieth day of May, one thousand nine hundred twenty-one (P. L. 938), entitled "An act to provide for the better preservation of the books and papers in the office of the prothonotaries in the counties of this Commonwealth by copying, transcribing, and certification of dilapidated, faded, or injured books or papers," by providing for instances in which originals of said books and papers may be destroyed.

SENATE BILL No. 317.

An Act providing that all fines and penalties collected in summary proceedings shall be turned over quarterly to the Commonwealth of Pennsylvania for the use of the appropriate state department the county treasurer for the use of the county or the political or municipal subdivision entitled to the payment of said fine penalty or forfeiture and providing a penalty for neglect to comply therewith.

SENATE BILL No. 333.

An Act to further amend part of section four hundred thirty-nine of the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by changing the name of the veterans' grave registrar appointed by the county commissioners to the director of veterans affairs.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 320.

An Act to amend the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 319) entitled "An act authorizing the waiver of trial by jury in certain criminal cases and the trial of such cases by a judge without a jury regulating such trials and con-

ferring a jurisdiction upon the judges of the several courts in such cases" by extending the act to all cases except murder and treason.

HOUSE BILL No. 374.

An Act to further amend the second paragraph of section five of the act, approved the eleventh day of June, one thousand nine hundred thirty-five (P. L. 326), entitled "An act relating to counties of the first class; defining deceased service persons; providing for contributions by the county to the funeral expenses for such persons and their widows; providing for the erection and care of markers, headstones, and flags, and for the compilation of war records," making counties in which deceased service persons are buried liable for the cost of headstones.

With the information that the Senate has passed the same without amendment.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 320.

An Act to amend the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 319) entitled "An act authorizing the waiver of trial by jury in certain criminal cases and the trial of such cases by a judge without a jury regulating such trials and conferring a jurisdiction upon the judges of the several courts in such cases" by extending the act to all cases except murder and treason.

HOUSE BILL No. 374.

An Act to further amend the second paragraph of section five of the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" making counties in which deceased service persons are buried liable for the cost of headstones

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

LEAVES OF ABSENCE

By consent of the House leave of absence was granted as follows:

Mr. Trout for Mr. PAUL G. MURRAY for today's session.

Mr. Paul A. Brunner for Messrs. READINGER and GRANT for today's session.

COMMITTEE REPORTS

Mr. FLEMING from the Committee on Appropriations reported as committed House Bill No. 89, entitled:

An Act making an appropriation from the State Workmen's Insurance Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Workmen's Insurance Fund.

Mr. FLEMING from the Committee on Appropriations reported as committed House Bill No. 155, entitled:

An Act making an appropriation from the Fish Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Fish Fund.

Mr. EWING from the Committee on Cities and Counties—Second Class reported as committed House Bill No. 439, entitled:

An Act providing for the establishment in counties of the second class of the lot and block plan for the registration of land titles, for the accumulation of county tax liens, and for the enumeration of the parcels of real estate to be assessed for county, city, borough, township, school and institution district taxation; providing for the incurring of indebtedness for the installation thereof; and imposing duties upon the county controller and the deed registrar in each of such counties.

Mr. GOODLING from the Committee on Counties reported as committed House Bill No. 448, entitled:

An Act to add section nineteen and two-tenths to the act, approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298), entitled "An act authorizing the creation of, and providing for, and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class, imposing certain charges on counties, and fixing penalties," by providing for the admission of assessors into membership of such retirement systems.

Mr. GYGER from the Committee on Highways reported as committed House Bill No. 482, entitled:

An Act to amend section seven of the act, approved the fourth day of June, one thousand nine hundred forty-three (P. L. 883), entitled "An act authorizing and directing the Department of Highways to erect and maintain, as a post war construction project, a toll bridge over the Allegheny River between a point in or near the Borough of Tarentum, Allegheny County, and a point in Westmoreland County, and to provide the necessary approaches and connections with State highways; providing for the acceptance of Federal aid; empowering counties to pay certain damages; providing for the collection of tolls on such bridge; and making an appropriation," by appropriating funds from the Motor License Fund for the construction of said bridge.

Mr. PICKENS from the Committee on Cities and Counties—Second Class reported as committed House Bill No. 655, entitled:

An Act to add section six to the act, approved the tenth day of June, one thousand nine hundred eleven (P. L. 872), entitled "A supplement to an act, entitled 'An act for the government of cities of the second class, approved the seventh day of March, Anno Domini one thousand nine hundred and one; creating and regulating a City Planning Department, giving it jurisdiction, extending it over the city and for three miles beyond the city limits, and regulating the laying out of plans of lots within the limits of the city," requiring notice of proposed roads, streets and highways leading to adjoining political subdivisions to be given to the authorities thereof by the City Planning Commission in cities of the second class A.

Mr. KIRLEY from the Committee on Cities and Counties—Second Class reported as committed House Bill No. 664, entitled:

An Act to add section twenty-one point one to the act, approved the thirteenth day of May, one thousand nine hundred twenty-seven (P. L. 1011), entitled "A supplement to an act entitled 'An act for the government of cities of the second class,' approved the seventh day of March, Anno Domini one thousand nine hundred and one, creating a department of city planning; providing for its organization and powers; regulating the platting of ground; prohibiting the recording of plans and sales of lots therein before their approval, under penalties; making it a misdemeanor for the recorder of deeds to record an unapproved plan; restricting accepting, laying out, opening and improving private streets; prohibiting the erection of buildings on land not abutting on public streets or streets not shown on the official master plan or an approved plat; transferring to the department of city planning powers conferred by other statutes over plats or subdivisions of land, the reservation of locations of mapped streets for future use and authorizing the asessment of damages for same, the preparation and compilation of an official street map; providing penalties for the violation of this act; and repealing certain statutes," requiring notice of proposed roads, streets and highways leading to adjoining political subdivisions, to be given to the authorities thereof.

Mr. HAMILTON from the Committee on Welfare reported as committed House Bill No. 691, entitled:

An Act to further amend section five hundred three of the act approved the eleventh day of July, one thousand nine hundred twenty-three (P. L. 998), entitled "An act for the prevention and treatment of mental diseases, mental defect, epilepsy, and inebriety; regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics; governing the transfer, discharge, interstate rendition, and deportation of mental patients; providing for the payment by individuals, counties or the Commonwealth of the cost of the admission, care, and discharge of mental patients; and imposing penalties," granting an exemption to the estates of mental patients from the cost of maintenance in mental institutions, otherwise liable for such maintenance.

Mr. POWERS from the Committee on Cities and Counties—Second Class reported as committed House Bill No. 721, entitled:

An Act to amend section ten, and to further amend section twelve, of the act approved the twelfth day of May, one thousand nine hundred twenty-five (P. L. 603), entitled "An act concerning conditional sales; and to make uniform the law relating thereto," by changing the fees to which the filing officer shall be entitled.

Mr. O'CONNOR from the Committee on State Government reported as committed House Bill No. 823, entitled:

An Act to further amend subsection (1) of section six of the act, approved the nineteenth day of July, one thousand nine hundred thirty-five (P. L. 1356), entitled "An act to regulate the sale and delivery of solid fuel, as herein defined; providing for appointment of licensed weighmasters; prescribing their powers and duties; authorizing substitute licensed weighmasters; imposing certain duties on the Department of Internal Affairs; and providing penalties," further regulating the return of part of the weighmaster's license fee to cities and counties.

Mr. KLINE from the Committee on State Government reported as committed House Bill No. 824, entitled:

An Act to repeal certain statutes relating to weights and measures.

Mr. COOPER from the Committee on Cities and Counties—Second Class reported as committed House Bill No. 936, entitled:

An Act to amend section two of the act, approved th twelfth day of May, one thousand nine hundred eleve (P. L. 295), entitled "A supplement to an act, entitle 'An act for the government of cities of the second class approved the seventh day of March, Anno Domini on thousand nine hundred and one; providing for the levy collection, and disbursement of taxes and water-rent and conferring certain powers and duties in referenc thereto upon the city treasurer, the board of wate assessors, and the collector of delinquent taxes; and re pealing certain acts relating to matters herein provide for," by fixing a limit for taxes to be levied on real estat

Mr. ELDER from the Committee on State Governmer reported as committed House Bill No. 1002, entitled:

An Act providing for vocational rehabilitation for dis abled individuals by the State Board of Vocational Edu cation; authorizing cooperation with other department and agencies and reciprocal agreements with other State requiring cooperation with the Federal Government; mak ing the State Treasurer custodian and disbursement ager of Federal vocational rehabilitation funds; prohibitin misuse of vocational rehabilitation lists and records; limit ing political activity by persons engaged in the admin istration of vocational rehabilitation; and prescribin penalties.

Mr. MOSER from the Committee on State Governmer reported as committed House Bill No. 1004, entitled:

An Act to further amend sections one and six of th act approved the twenty-ninth day of September, on thousand nine hundred thirty-eight (P. L. 53), entitle "An act relating to institutions of counties, cities and in stitution districts for the care, maintenance and treat ment of mental patients; providing for the transfer c such institutions to the Commonwealth; providing fc the management and operation or closing and abandon ment thereof, and the maintenance of mental patien therein, including the collection of maintenance in cer tain cases; providing for the retransfer of certain prop erty to institution districts under certain circumstance conferring and imposing upon the Governor, the Depart ment of Welfare, the courts of common pleas and coun ties, cities and institution districts certain powers an duties; prohibiting cities, counties and institution dis tricts from maintaining and operating institutions, i whole or in part, for the care and treatment of menta patients; and repealing inconsistent laws," as amende and reenacted, by further regulating the procedure re lating to property of such institutions abandoned by th Commonwealth, and to institutions closed.

Mr. COOPER from the Committee on Cities and Coun ties—Second Class reported as committed House Bill N 1050, entitled:

An Act to further amend clause I of section three c article XIX of the act, approved the seventh day c March, one thousand nine hundred one (P. L. 20), en titled "An act for the government of cities of the secon class," making the real estate of public service com panies subject to taxation and providing certain excep tions.

Mr. WAGNER from the Committee on State Goverr ment reported as committed House Bill No. 1068, entitled

An Act to protect the health, safety and welfare of th public by empowering and authorizing the Water an Power Resources Board of the Department of Forests an Waters to act as the agency of the Commonwealth to carr into effect a project to correct the existing and prevei the future silting of the Schuylkill River and its tribu taries by wastes from anthracite coal mining operation defining the powers and duties of said Board; authorizir purchase or condemnation of necessary properties, eas

ments, rights and right-of-ways; and making an appropriation.

Mr. PENTRACK from the Committee on Game reported as committed House Bill No. 1095, entitled:

An Act to amend section one thousand one hundred one of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals, and amending, revising, consolidating and changing the law relating thereto," requiring the Pennsylvania Game Commission to pay bounties to public employees.

Mr. STUART from the Committee on Cities and Counties—Second Class reported as committed House Bill No. 1110, entitled:

An Act providing for the equalization of salaries for tipstaves in the courts of common pleas oyer and terminer, and general jail delivery, quarter sessions of the peace, county court of Allegheny County and orphans' courts in counties of the second class.

Mr. McKINNEY from the Committee on State Government reported as committed House Bill No. 1139, entitled:

An Act to create a commission to act jointly with commissions appointed for like purpose by the States of West Virginia and Maryland, the Commonwealth of Virginia and the District of Columbia, which together with three members to be appointed by the President of the United States shall constitute the Interstate Commission on the Potomac River Basin, with power to cooperate in the abatement of the existing pollution and in the control of future pollution of the waters of the drainage basin of the Potomac River within the States of Maryland and West Virginia the Commonwealth of Virginia and the District of Columbia, to authorize the Governor of the state to execute on behalf of this State a compact with representatives of other states for the purpose of forming the above-mentioned commission and creating a Potomac Valley Conservancy District, providing for the appointment of the Pennsylvania members of said commission and their terms of office and providing an appropriation.

Mr. BREISCH from the Committee on Elections reported as committed House Bill No. 1232, entitled:

An Act to amend section nine hundred ten of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by providing that in the case of a candidate for nomination as a judge of a court of record who is in the armed service in time of war, the affidavit to his nomination petition may be made by the chairman of the political party.

Mr. COHEN from the Committee on State Government reported as committed Senate Bill No. 184, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in the Thirty-Fifth Ward in the City of Philadelphia, Commonwealth of Pennsylvania, known as the Naval Aviation Supply Depot; and ceding jurisdiction to the United States.

Mr. COHEN from the Committee on State Government reported as committed Senate Bill No. 185, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately twenty-seven acres of land in the Twenty-Sixth and Forty-Eighth Wards in the City of Philadelphia, known as the Naval Hospital; and ceding jurisdiction to the United States.

Mr. COHEN from the Committee on State Government reported as committed Senate Bill No. 186, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately sixty-five acres of land in the Fortieth Ward of the City of Philadelphia, known as the Naval Ammunition Depot at Fort Mifflin and ceding jurisdiction to the United States.

Mr. COHEN from the Committee on State Government reported as committed Senate Bill No. 266, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America, of approximately two thousand four hundred acres of land in the County of Mercer, Commonwealth of Pennsylvania, for use in connection with Camp Reynolds, and ceding jurisdiction to the United States.

Mr. COHEN from the Committee on State Government reported as committed Senate Bill No. 357, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America, approximately five hundred fifty-seven acres of land in the Township of South Lebanon, County of Lebanon, and Commonwealth of Pennsylvania, known as the Veterans' Administration Facility at Lebanon, Pennsylvania; and ceding jurisdiction to the United States.

Mr. COHEN from the Committee on State Government reported as committed Senate Bill No. 405, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of certain tracts of land in Chester County, Pennsylvania, for use in connection with the Valley Forge General Hospital, and ceding jurisdiction to the United States.

Mr. COHEN from the Committee on State Government reported as committed Senate Bill No. 422, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract of land in Lebanon County, Pennsylvania, containing approximately sixty-four acres, for use in connection with the Indiantown Gap Military Reservation; and ceding jurisdiction to the United States.

Mr. COHEN from the Committee on State Government reported as committed Senate Bill No. 429, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of three tracts of land in Cumberland County, Pennsylvania, containing approximately nine hundred forty-three acres, for use in connection with a military reservation known as Carlisle Barracks, and ceding jurisdiction to the United States.

Mr. COHEN from the Committee on State Government reported as committed Senate Bill No. 431, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of certain tracts of land in Dauphin County, Pennsylvania, for use in connection with the Middle-

town Air Depot, and ceding jurisdiction to the United States.

Mr. LEONARD from the Committee on Welfare reported as amended House Bill No. 3, entitled:

An Act to further amend clause (b) of section four of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-seven, (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," prohibiting the requiring of security for repayment of public assistance; cancelling existing obligations; and providing for reconveyance of real property.

Mr. KLINE from the Committee on State Government reported as amended House Bill No. 58, entitled:

An Act to further amend section two hundred twenty-two of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providinig for and reorganizinig the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers; and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by further regulatinig the vacation leave and sick leave to which State employes are entitled with pay.

Mr. FULLERTON from the Committee on Highways reported as amended House Bill No. 411, entitled:

An Act relating to roads, streets, highways and bridges; amending, revising, consolidating, and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto.

Mr. ELDER from the Committee on State Government reported as amended House Bill No. 685, entitled:

An Act to further amend section one of the act, approved the twenty-fourth day of June, one thousand nine hundred and nineteen (P. L. 579), entitled "An act to fix the salary and mileage of the members of the General Assembly, and to provide for the furnishing of such postage, stationery, and supplies, as may be necessary for the conduct of their offices; and repealing all acts or parts of acts inconsistent therewith," increasing the mileage rate of members of the General Assembly

Mr. STUART from the Committee on Welfare reported as amended House Bill No. 686, entitled:

An Act fixing the per diem rate for free or part payment service in State-aided hospitals.

Mr. HELM from the Committee on Counties reported as amended House Bill No. 689, entitled:

An Act to amend section two hundred thirty-three and one-tenth of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," authorizing the recorder of deeds, the prothonotary, the clerks of the court of quarter sessions and the clerk of the orphans' court in counties of the fifth class to appoint solicitors; and fixing their maximum salary

Mr. WORLEY from the Committee on Elections reported as amended Senate Bill No. 44, entitled:

An Act to further amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 814), entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," as amended by further regulating and changing the provisions of the act relating to cancellation of registration upon the failure to vote within two years

Mr. WORLEY from the Committee on Elections reported as amended Senate Bill No. 45, entitled:

An Act to further amend sections three and thirty-nine of the act, approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 849), entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legislation," as amended by further regulating and changing the provisions of the act relating to cancellation of registration upon the failure to vote within two years

Mr. WORLEY from the Committee on Elections reported as amended Senate Bill No. 46, entitled:

An Act to further amend sections two and thirty-ght of the act, approved the twenty-ninth day of April, ne thousand nine hundred thirty-seven (P. L. 487), en-tled "An act to provide for the permanent personal egistration of electors in boroughs, towns, and townships a condition of their right to vote at elections and pri-aries, and their enrollment as members of political arties as a further condition of their right to vote at pri-aries; prescribing certain procedure for the conduct of ections and primaries and the challenge and proof of ualifications of electors; requiring the county commis-oners of the various counties to act as a registration ommission therefor; and prescribing the powers and uties of citizens, parties, political bodies, registration ommissions, commissioners, registrars, inspectors of egistration and other appointees of registration com-issions, county election boards, election officers, munic-al officers, departments and bureaus, police officers, urts, judges, prothonotaries, sheriffs, county commis-oners, peace officers, county treasurers, county con-ollers, registrars of vital statistics, certain public utility rporations, real estate brokers, rental agents, and oards of school directors; and imposing penalties," as nended, by further regulating and changing the pro-isions of the act relating to cancellation of registration pon failure to vote within two years

Mr. WORLEY from the Committee on Elections reported amended Senate Bill No. 47, entitled:

An Act to further amend the act, approved the thirtieth ay of March, one thousand nine hundred and thirty-even (P. L. 115), entitled "An act to provide for the ermanent personal registration of electors in cities of ne first class as a condition of their right to vote at elec-ons and primaries, and their enrollment as members of olitical parties as a further condition of their right to ote at primaries; prescribing certain procedure for the nduct of elections and primaries and the challenge and roof of qualifications of electors; and prescribing the owers and duties of citizens, parties, bodies of electors, egistration commissions, commissioners, registrars, in-pectors of registration and other appointees of registra-on commission, election officers, municipal officers, de-artments and bureaus, police officers, courts, judges, pro-onotaries, sheriffs, county commissioners, peace officers, unty treasurers, county controllers, registrars of vital atistics, real estate brokers, rental agents, certain public rvice companies, persons, firms and corporations oper-ing vehicles for moving furniture and household goods, nd boards of school directors; and imposing penalties," amended by further regulating and changing the pro-sions of the act relating to cancellation of registration on failure to vote within certain periods

Mr. WORLEY from the Committee on Elections reported amended Senate Bill No. 48, entitled:

An Act to further amend the act, approved the first y of June, one thousand nine hundred thirty-seven (P. 1132) entitled "An act to provide for the permanent rsonal registration of electors in cities of the second ass A as a condition of their right to vote at elections nd primaries, and their enrollment as members of olitical parties as a further condition of their right to te at primaries; prescribing certain procedure for the nduct of elections and primaries and the challenge d proof of qualifications of electors; and prescribing e powers and duties of citizens, parties, political bodies, gistration commissions, commissioners, registrars, in-ectors of registration and other appointees of registra-n commissions, county election boards, election officers, unicipal officers, departments and bureaus, police offi-rs, courts, judges, prothonotaries, sheriffs, county com-ssioners, peace officers, county treasurers, county con-llers, registrars of vital statistics, certain public utility rporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," as amended, by further regulating and changing the provisions of the act relating to cancellation of registration upon the failure to vote within two years

Mr. McKINNEY from the Committee on State Government reported as amended Senate Bill No. 52, entitled:

An Act relating to the practice, procedure, regulations and adjudications of departments, departmental administrative boards and commissions, independent administrative boards and commissions, officers and other administrative agencies of this Commonwealth, and judicial review thereof; and preserving equitable jurisdiction in certain cases.

Mr. McKINNEY from the Committee on State Government reported as amended Senate Bill No. 57, entitled:

An Act providing for the Pennsylvania Register for the publication and distribution of certain orders, regulations, rules, notices, proclamations, and similar instruments; imposing powers and duties on the Legislative Reference Bureau and the Department of Property and Supplies; creating the Pennsylvania Register Board and defining its powers and duties; and making an appropriation for payment of expenses and costs of publication, and distribution of the Pennsylvania Register.

Mr. KIRLEY from the Committee on Cities and Counties—Second Class reported as committed Senate Bill No. 59, entitled:

An Act to further amend the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by providing rest periods, sick leave, hospital and medical expenses, and extra compensation in certain cases for police in counties of the second class.

Mr. ROYER from the Committee on State Government reported as amended Senate Bill No. 197, entitled:

An Act authorizing the Department of Property and Supplies to acquire all property of The General State Authority and to purchase its outstanding bonds and obligations; authorizing and directing said Authority to cancel its bonds, discharge its obligations and to transfer all its property to the Commonwealth of Pennsylvania; authorizing and directing the Department of Property and Supplies to transfer to any land grant college any properties acquired by it from The General State Authority which are being used by such land grant college; and making an appropriation.

Mr. RUDISILL from the Committee on Counties reported as committed House Bill No. 1093, entitled:

An Act to establish a separate orphans' Court in and for the County of Beaver.

Mr. McKINNEY from the Committee on Elections reported as committed House Bill No. 1082, entitled:

An Act to further amend the act, approved the thirtieth day of March, one thousand nine hundred thirty-seven (P. L. 115), entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, bodies of electors, registration com-

missioners, commissioners, registrars, inspectors of registration and other appointees of registration commission election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents, certain public service companies, persons, firms, and corporations operating vehicles for moving furniture and household goods, and boards of school directors; and imposing penalties," by changing the provisions of said act as to the registration of electors before and after certain elections, the preparation of street lists, the cancellation of registrations for failure to vote, and the destruction of records.

Mr. HEATHERINGTON from the Committee on Cities and Counties—Second Class reported as committed, House Bill No. 1135, entitled:

An Act conferring upon counties of the second class, power to enter upon private property and open and maintain drainage channels along county roads or highways; and providing penalty for interference with such drains or ditches.

Mr. STONIER from the Committee on State Government report as committed House Bill No. 1132, entitled:

An Act to amend the title and sections 2, 3, 4, 6, and 10, to repeal section 19 of and to add section 21.1 to the act, approved the fifth day of June, one thousand nine hundred thirty-seven (P. L. 1705), entitled "An act to promote public health, morals, safety, and welfare by providing for the supervision and encouragement of housing; creating a State Board of Housing, a departmental administrative board within the Department of Health; providing for the organization of the board, the appointment and removal of its members; enumerating its duties and powers, including the powers to conduct investigations, issue subpoenas, apply to courts for punishment of contempts, make orders, rules and regulations; prescribe forms, require reports, supervise the operations of limited dividends housing companies and housing authorities and their members and employes; acquire property by eminent domain for limited dividend housing companies; commence action to prevent violations of law and to surcharge members of authorities, supervise rental charged by limited dividend companies, charge fees for services; providing for the selection and removal of the board's employes, providing for appeals from its orders; and making an appropriation." by substituting the Department of Commerce for the Department of Health, eliminating the honorarium for members of the board, requiring the approval of the Secretary of Commerce for the appointment and compensation of an executive director, enlarging the board's general powers and the plans to be filed therewith, rescinding the provisions for selection and removal of the board's employes, to transfer the board from the Department of Health to the Department of Commerce, and making an appropriation.

Mr. WATKINS from the Committee on State Government reported as committed House Bill No. 620, entitled:

An Act to prohibit discriminatory employment practices based upon race, color, creed, national origin, or ancestry; to create a State Commission Against Discrimination within the Department of Labor and Industry; prescribing its powers and duties; providing for an educational program; authorizing the issuance of subpoenas by the commission or its agents; conferring jurisdiction upon courts to punish contempts of orders of the commission; providing for appeals to the courts from decisions of the commission; imposing penalties; providing appropriations.

Mr. DILLON from the Committee on Professional Licensure re-reported as amended House Bill No. 359, entitled:

An Act to further amend sections three four and five of the act approved the nineteenth day of June one thousand nine hundred thirty-one (P. L. 589) entitled "An act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering regulating barber shops and barber schools and apprentices and students therein regulating compensation for service rendered conferring certain powers and duties on the Department of Public Instruction and providing penalties" by further regulating the examination and licensing of those who desire to engage in the occupation of barbering.

BILLS ON FIRST READING

Mr. RUDISILL asked and obtained unanimous consent for House Bill No. 1093 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1093, entitled:

An Act to establish a separate orphans' court in and for the County of Beaver.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Mr. WATKINS asked and obtained unanimous consent for House Bill No. 620 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 620, entitled:

An Act to prohibit discriminatory employment practices based upon race color creed national origin or ancestory to create a State Commission Against Discrimination within the Department of Labor and Industry prescribing its powers and duties providing for an education program authorizing the issuance of subpoenas by the commission or its agents conferring jurisdiction upon courts to punish contempts of orders of the commission providing for appeals to the courts from decisions of the commission imposing penalties providing appropriations

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

QUESTION OF PERSONAL PRIVILEGE

Mr. ANDREWS. I rise, Mr. Speaker, on a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. ANDREWS. At this stage of the proceedings, last Wednesday, Mr. Speaker, certain of my very able, very industrious colleagues on this side of the House took occasion to criticize, if not to castigate the Majority and Minority Leaders on the score that they had made certain arrangements involving parliamentary procedure. The question was asked if the Majority and the Minority Floor Leaders make a lot of agreements what are the rest of the Members here for?

First of all, Mr. Speaker, the majority and the minority leaders never discuss party politics. We do discuss parliamentary procedure, parliamentary routine, and if we didn't discuss parliamentary procedure and parliamentary routine the Members of this House would spend many a weary hour here in this Hall that they wouldn't otherwise spend here. When some little point of parliamentary procedure arises it is not expeditious for the Majority

Leader or the Minority Leader to poll every Member in the House.

Now, the question arose concerning the presence or the lack of it of first reading bills on the desks of the Members. A great many Members I fear are under the impression that there is something in the rules that requires a bill before the House to be on the desks of the Members. As far as the rules are concerned and as far as the Constitution is concerned, if a Member arises and says "Mr. Speaker, that bill is not on my desk," the Speaker under the rules and under the Constitution would be at liberty to tell that Member, "All right, that's too bad; just go down to the Sergeant-at-Arms' office and get yourself a copy."

It is prescribed that the bills must be on the calendar and it is prescribed that the bills be printed for the use of the Members, but there is nothing in the Constitution or the rules that prescribes whether you print one bill and the man go down to the Speaker's office and read it, or whether you print five hundred copies and put them on the desks of the Members.

So much for the rules. Now, as a matter of practical procedure it would be quite all right with me when any one objects to consideration of first reading bills because they are not on the desks of the Members, to excuse all the Members of the House and let the ones who object stay until the Printer gets the bills out. There isn't any sound parliamentary reason why a bill that is printed in pink and has not been amended should not receive the consideration of the House. Moreover, the question if it is raised, is a question for the House to decide. If some Member should rise and say "Mr. Speaker, that bill is not on my desk," by that simple objection he cannot tie up the machinery of the House; it would be up to the House to decide whether it wanted to proceed, the objections of the gentleman to the contrary notwithstanding.

Mr. HEATHERINGTON. Mr. Speaker, I thank the gentleman for his explanation. Being up here in the House in 1941, 1942, 1943, 1944 and now 1945 I was led to believe that the bills had to be on your desk, by the Democratic organization, and if the bills didn't happen to be on the desk, it was the privilege, as I understand, for the two floor leaders to make an agreement to go on with the bills when they are not printed. I am interested mostly in the fellows that stay here on Wednesdays. Wednesday before last both Floor Leaders made a beautiful speech of what they were going to do the next Wednesday toward keeping the Members in the House. I haven't seen them do it yet.

If I held the House up last Wednesday, I apologize for it, but I want it understood from now on, as the gentleman says, the bills do not have to be printed and on your desk.

Mr. LICHTENWALTER. Mr. Speaker, I had not intended to take part in this debate because it was apparently on the minority side of the House, but the criticism was evidently directed to both the minority leader and myself.

I want to compliment the gentleman from Allegheny in giving credit to those Members who remain here on Wednesday. I know that both the gentleman from Cambria and myself appreciate the loyalty of the men on both sides of the House who remain here on Wednesday, so that we can properly conduct the business of the House and of the Commonwealth. I don't know what the gentleman might suggest as to how we might keep everyone here. We cannot seem to tie them with a rope and keep them here for Wednesday sessions. After all, we are dealing with grown men and women. I feel personally as the Majority Leader, and without having consulted with him the Minority Leader I feel confident feels as I do that certainly the people elected to this House, the men and women who have been sworn by oath to obey and defend the Constitution and represent their districts to the best of their ability, certainly want to stay here if at all possible and do a job.

The gentleman referred last week to an agreement, and he again repeats it today that on the first bill on the third reading calendar there will be a roll call, a slow roll call asked, and only those answering to their names will be recorded. That is the roll call which shall govern all the bills on the calendar. I mean by unanimous agreement for the Wednesday session, that only those who are actually in attendance in the Wednesday session are being recorded on the bills which we pass on Wednesday.

Mr. MORAN. Mr. Speaker, I listened with a great deal of interest to some of the remarks made in regard to having some of the Members attend here on Wednesday, or some that didn't attend. I was just wondering why we have to coax anybody to remain here on Wednesday. I wonder why we couldn't put a time clock here in the back of the House and punch a card, and when they are not present they don't get paid. If they worked in private industry they would have to work all the time or they wouldn't get paid. Why don't we do that here? Or why, if they don't want to stay on the job, why don't they resign and let somebody take their place who will attend?

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. DALRYMPLE asked and obtained permission for the Committee on Elections to meet during the session of the House.

The SPEAKER. The Chair requests the gentleman from Fayette, Mr. Burns to preside during the first reading calendar.

MR. BURNS IN THE CHAIR

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 86, entitled:

An Act making an appropriation to the several fire companies of the City of Harrisburg Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 87, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania located at East Falls Philadelphia Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 88, entitled:

An Act making an appropriation to the Cresson Volunteer Fire Company for the protection of State property

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 91, entitled:

An Act making an appropriation to the National Farm School at Doylestown Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 112, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Indiana State Teachers' College to acquire a certain tract of land for the use of said school and making an appropriation therefor

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 145, entitled:

An Act making an appropriation to The Glen Mills Schools situate in Delaware County Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 151, entitled:

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 153, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 158, entitled:

An Act making an appropriation to the Trustees of the College of Lincoln University Chester County

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 160, entitled:

An Act making an appropriation to the Department of Forests and Waters for the use of the Vallege Forge Park Commission for payment of lands acquired by condemnation and of the necessary expenses incurred incident thereto

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 168, entitled:

An Act making an appropriation for aid to free public nonsectarian county libraries and for the purchase and transportation of books

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 215, entitled:

An Act making an appropriation to the Orlando S. Johnson Industrial School of Scranton Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 216, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 494, entitled:

An Act making an appropriation to the Local Government Commission to continue its work

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 511, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of maintaining dikes along Darby Creek in Tinicum and Darby Townships Delaware County and in Philadelphia

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 869, entitled:

An Act making an appropriation to the Trustees of the George Jr. Republic Association Grove City Pennsylvania for the payment of costs of new construction and repairs

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1170, entitled:

An Act making an appropriation to the Department of Property and Supplies for the installation of an electric roll call system in the Hall of the House of Representatives

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 517, entitled:

An Act increasing the fees of Justices of the Peace and Aldermen in cases of summary conviction relating to motor vehicles

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 553, entitled:

An Act to amend section two hundred twelve of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws," changing the retaliatory provisions of law so as to equalize the burdens and prohibitions as herein defined placed on and relating to the insurance business and the insurance of motorists and motor vehicles between other states and this Commonwealth

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 633, entitled:

An Act to add section 1402.1, and to further amend section 2556 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" providing that the city treasurer shall appoint the assistants and employes of his office and requiring the various taxing authorities to pay the cost of insuring the city treasurer against losses of tax money through no fault of his own

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 717, entitled:

An Act further amending and supplementing the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State department boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by adding to Article III Section three hundred two thereof a new subsection to be designated as (sixteen) empowering every business corporation to make contributions out of its income in any taxable year for public and charitable purposes to an amount which does not exceed fifteen per centum (15%) of the net income of such business corporation for such taxable year as returned by it to the Federal Government for income tax purpose

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 795, entitled:

An Act to further amend clause (f) of section two hundred one and to add clause (n) to section two hundred one of the act approved the twenty-fifth day of May one thousand nine hundred thirty-three (P. L. 1001) entitled as amended "An act providing for the regulation of aeronautics within this Commonwealth conferring powers and imposing duties upon the Pennsylvania Aeronautics Commission and the Department of Revenue in respect thereto providing for the licensing and registration of airman and aircraft establishing the legal status of air navigation providing for sovereignty in and ownership of space providing for lawfulness of flights regulating civil causes of action arising out of operation of aircraft fixing the status of contracts crimes and torts in by or by means of operation of aircraft imposing duties upon officers burgesses magistrates aldermen justices of the peace the courts and clerks thereof providing for denial or revocation of licenses providing for certain penalties and their disposition and repealing certain existing laws" by authorizing the commission to assist in the construction of airports and landing fields and to expend moneys appropriated to it for such purposes and to accept moneys from the Federal Government and other sources

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 880, entitled:

An Act providing for the condemnation of lands by nonprofit hospitals incorporated under the laws of this Commonwealth and prescribing the procedure therefor

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 917, entitled:

An Act to validate certain acknowledgments and to regulate the effect thereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 984, entitled:

An Act to amend section one thousand eighty of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" authorizing collection by the tax collector of moneys other than taxes levied or assessed against real property

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1087, entitled:

An Act to amend section one of the act approved the eighteenth day of March one thousand eight hundred seventy-five (P. L. 32) entitled "An act requiring recorders of deeds to prepare and keep in their respective offices general direct and ad sectum indexes of deeds and mortgages recorded therein prescribing the duty of said recorders and declaring that the entries in said general indexes shall be notice to all Persons" further prescribing the entries to be made by recorders of deeds in the indexes for deeds and indexes for mortgages

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1098, entitled:

An Act authorizing cities of the third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1099, entitled:

An Act to add section seventeen point one to the act approved the third day of May one thousand nine hundred thirty-three (P. L. 242) entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties" by declaring the right of Municipalities to adopt ordinances for the regulation of beauty shops and beauty schools

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1111, entitled:

An Act to amend section one thousand two hundred two of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" authorizing borough councils to make appropriations of certain sums for community nursing and ambulance service

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1172, entitled:

An Act to further amend the first six paragraphs of section four hundred seven of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," increasing the membership of the Pennsylvania Aeronautics Commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 72, entitled:

An Act to further amend section six hundred one of the act approved the twenty-fifth day of May, one thousand nine hundred thirty-three (P. L. 1001), entitled "An act providing for the regulation of aeronautics within this Commonwealth conferring powers and imposing duties upon the Pennsylvania Aeronautics Commission and the Department of Revenue in respect thereto providing for the licensing and registration of airman and aircraft establishing the legal status of air navigation providing for sovereignty in and ownership of space providing for lawfulness of flights regulating civil causes of action arising out of operation of aircraft fixing the status of contracts, crimes and torts in, by or by means of operation of aircraft imposing duties upon officers, burgesses, magistrates, aldermen, justices of the peace, the courts and clerks thereof, providing for denial or revocation of licenses providing for certain penalties and their disposition and repealing certain existing laws," by reducing the amount of the minimum fine which may be imposed for certain violations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 113, entitled:

An Act to empower political subdivisions to promulgate, administer, and enforce airport zoning regulations limiting the height of structures and objects of natural growth, and otherwise regulating the use of property in the vicinity of airports, and to acquire, by purchase, grant, or con-

demnation, air rights and other interests in land; to authorize penalties and remedies for violations of this act or of any ordinances or regulations made under the authority conferred herein; and to authorize appropriations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 115, entitled:

An Act to repeal Section forty-five of the Act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 447), entitled, as amended, "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 188, entitled:

An Act to amend section four hundred twenty as added to the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled, "An act relating to insurance; amending, revising and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by including annuity policy contracts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 195, entitled:

An Act relating to suits by shareholders against officers or directors in a corporation, domestic or foreign, to enforce a secondary right because the corporation refuses to enforce rights which may be asserted by it; requiring that plaintiff be a shareholder at the time of the transaction of which he complains or that his shares thereafter devolved upon him by operation of law; requiring security for defendant's expenses, including attorney's fees; and providing for the assessment and recovery of such expenses, including attorney's fees.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 356, entitled:

An Act to further amend Section 411, subsection B of Section 512, Section 1012 Section 1108 and subsection B of Section 1109 of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and duties and limitations upon powers of corporations and persons authorized to engage in a banking or fiduciary business or both.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 424, entitled:

An Act to amend Section 686 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by providing that a cashier of a bank who engages in any gainful profession occupation or calling other than that of his duty as cashier shall not be guilty of a misdemeanor

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 460, entitled:

An Act to further amend Subsection A of Section one thousand one of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled, "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National Banks into State banks, and for the licensing of prirvate bankers; defining the rights, powers, duties, liabilities, and

immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporatoins or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions and officers; imposing penalties; and repealing certain acts and parts of acts" by regulating the making of certain classes of loans and clarifying the powers and limitations on powers of banks and bank and trust companies.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 90, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to school

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 141, entitled:

An Act making an appropriation to Sleighton Farm School for Girls situate in Delaware County Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 214, entitled:

An Act making an appropriation to the Franklin Institute of the State of Pennsylvania at Philadelphia

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS PASSED OVER

The SPEAKER pro tempore. The remainder of the bills on first reading on pages 12 and 13 are not on file and will therefore be passed over.

THE SPEAKER (Ira T. Fiss) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Fayette, Mr. Burns, for presiding.

BILLS ON SECOND READING

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 404, entitled:

An Act to amend section one thousand four hundred one of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," further regulating the establishment and maintenance of sidewalks.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 163, entitled:

An Act to further amend clauses (a) (d) and (f) of section one thousand three hundred four of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" providing for regulation of preliminary education of candidates for licenses to practice professions or work at trades or occupations granted by the Department of Public Instruction or other departments of the Commonwealth.

The first section was read.
On the question,
Will the House agree to the section?
It was agreed to.
On the question,
Shall the bill pass finally?

BILL POSTPONED

Mr. MAHANY. Mr. Speaker, I move that this bill be placed on the postponed calendar.
The motion was agreed to.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 901, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by transferring the State Board of Undertakers from the Department of Health to the Department of Public Instruction

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Mr. BARTON offered the following amendment:

Amend Sec. 2 (sec. 419), page 9, line 6, by inserting after the word "undertakers" the following:

"The practicing undertakers hereinafter appointed, shall be appointed from a full list of the members in good standing of the Funeral Directors Association of the State of Pennsylvania, Inc., which list shall be furnished to the Governor by the president and secretary of such association annually."

It was agreed to.

The section was agreed to as amended.

The third and fourth sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 943, entitled:

An Act to further amend clause (a) of section one thousand two hundred seven of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further providing for the disposition of fines and penalties collected

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. TROUT. Mr. Speaker, I move that this bill be recommitted to the Committee on Motor Vehicles for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 725, entitled:

An Act authorizing certain organizations with permission of the court of quarter sessions to conduct bingo games and award prizes to the winners, fixing fees and providing penalties

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection House Bill No. 51, Printer's No. 166, and House Bill No. 528, Printer's No. 232, were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 321, as follows:

An Act to amend the title and section one of the act approved the eleventh day of May one thousand eight hundred ninety-nine (P. L. 289) entitled "An act providing for the payment to the county or counties of the moneys or bonus which any foreign railway corporation is required to pay into the State Treasury for the right to pass through the said county or counties and by which payment such foreign railway corporation is relieved from local taxation" by providing for payments to counties irrespective of whether relief from payment of local taxes results from payment of the bonus

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and section one of the act approved the eleventh day of May one thousand eight hundred ninety-nine (P. L. 289) entitled "An act providing for the payment to the county or counties of the moneys or bonus which any foreign railway corporation is required to pay into the State Treasury for the right to pass through said county or counties and by which payment such foreign railway corporation is relieved from local taxation" are hereby amended to read as follows

An Act providing for the payment to the county or counties of the [moneys or] annual bonus which any foreign railway corporation is required to pay into the State Treasury for the right to pass through said county or counties [and by which payment such foreign railway corporation is relieved from local taxation]

Section 1 Be it enacted &c That whenever by provision of law a railway corporation of any other state is required to pay [a] an annual bonus into the State Treasury for the right of passing through one or more counties of this Commonwealth [and by virtue of the payment of such bonus is relieved from the payment of local taxes in the districts through which its lines are located] the money so paid into the State Treasury shall be paid to the county or counties through which said lines are located and the county commissioners shall have discretionary authority to use the same for county purposes or to divide the whole or any part thereof among the districts in their respective counties for the purpose of relieving such districts from the oppressive taxation that exists on account of the exemption of the property of such foreign railway corporations from local taxation and of the appropriation of otherwise taxable realty by the said foreign railway corporation

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constiution the yeas and nays were taken and were as follows:

YEAS—186

Andrews,	Fox,	Lovett,	Riley,

Baker,	Freed,	Lyons,	Robertson,
Barrett,	Frost,	Madden,	Royer,
Barton,	Fullerton,	Madigan,	Rudisill,
Baumunk,	Gaffney,	Mahany,	Salus,
Bentley,	Gardner,	Matthews,	Scanlon,
Bentzel,	Getchey,	McAtee,	Schuster,
Bonawitz,	Gibson,	McClester,	Serrill,
Boney,	Goodling,	McCormack,	Shaffer,
Boorse,	Gore,	McDowell,	Shoemaker,
Boory,	Greenwood,	McKinney,	Skale,
Bower,	Greer,	McLanahan,	Sloan,
Brancato,	Guthrie,	McMillen,	Smith,
Breisch,	Gyger,	McNair,	Snider,
Brice,	Haberlen,	McNally,	Snyder,
Brothers,	Hall,	Mihm,	Sollenberger,
Brunner, C. H.,	Hamilton,	Mikula,	Sorg,
Brunner, P. A.,	Hare,	Miller,	Stank,
Burns,	Haudenshield,	Milliken,	Stockham,
Cadwalader,	Heatherington,	Mills,	Stonier,
Chervenak,	Helm,	Mooney,	Stuart,
Chudoff,	Hennihan,	Moore, C. E.,	Swope,
Cohen,	Herman,	Moore, W. J.,	Tate,
Coleman,	Hewitt,	Moran,	Tittle,
Cook,	Hoffman,	Moser,	Trachtman,
Cooper,	Hoopes,	Murray, M. L.,	Trent,
Corrigan,	Howells,	Myhan,	Trout,
Costa,	Hunter,	Nagel,	Turbett,
Coulson,	Huntley,	Nelson,	Turner,
Coyle,	James,	O'Brien,	Varallo,
Cullen,	Jones,	O'Connor,	Verona,
Dague,	Kennedy,	O'Dare,	Wachhaus,
Dalrymple,	Kirley,	O'Donnell,	Wagner,
Dennison,	Kline,	Owens,	Waterhouse,
Depuy,	Kolankiewicz,	Pentrack,	Watkins,
Dillon,	Komorofski,	Petrosky,	Weiss,
Dix,	Krise,	Pettigrew,	Welsh,
Dougherty,	Kurtz,	Pickens,	Wescott,
Dye,	Lane,	Polaski,	White,
Elder,	Laughner,	Polen,	Wood, N.,
Elish,	Lee,	Powers,	Worley,
Erb,	Leisey,	Propert,	Wright,
Ewing,	Leonard,	Reagan,	Yeakel,
Finnerty,	Lichtenwalter,	Regan,	Yester,
Flack,	Loftus,	Reidenbach,	Fiss,
Fleming,	Longo,	Reilly,	Speaker.
Foor,	Lopez,	Reynolds,	

NAYS—0

NOT VOTING—15

Boies,	Hering,	Munley,	Rose,
Duffy,	Hersch,	O'Neill,	Tahl,
Gallagher,	Hoggard,	Reese, D. P.,	Wood, L. H.,
Green,	Levy,	Root,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection Senate Bill No. 243, Printer's No. 113.

House Bill No. 792, Printer's No. 248.

House Bill No. 846, Printer's No. 265.

House Bill No. 522, Printer's No. 300,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 18, as follows:

An Act to amend sections one and two of the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1303) entitled "An act to regulate the sale of certain hypnotic analgesic and body-weight reduction drugs in the interest of public health" by redefining the meaning of "other hypnotic drug or analgesic drug or body-weight reducing drug" and adding "inhalers" to the remedies permitted to be sold at retail

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one and two of the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1303) entitled "An act to regulate the sale of certain hypnotic analgesic and body-weight reduction drugs in the interest of public health" are hereby amended to read as follows

Section 1 Be it enacted That the following words and phrases shall for the purpose of this act have the meanings respectively ascribed to them in this section except where the context clearly indicates a different meaning

"Hypnotic drug" shall mean the drugs known as barbital and the salts of barbituric acid also known as malonylurea or any derivative or compounds or any preparations or mixtures thereof possessing hypnotic properties or effects

"Other hypnotic drug or analgesic drug or body-weight reducing drug" shall be held to mean and include sulphonethylmethane (Trional) or sulphonmethane (Sulphonal) or diethylsulphon diethylmethane (Tetronal) or bromdiethylacetyl-carbamide (Carbromal) by whatever name they may be known or paraldehyde or any derivatives or compounds or preparations or mixtures thereof possessing hypnotic properties or effects and chloral or chloralhydrate or chlorbutanol or any compounds or mixtures thereof possessing hypnotic properties or effects or phenylcinchoninic acid (Cinchophen) an analgesic antirheumatic drug or any derivative or compound including Atophan and Atoquinol or dinitrophenol a metabolic accelerator body-weight reduction drug or any dinitro compounds including dinitrophenol sodium and dinitrocresol sodium Amphetamine (Benzedrine) and Thyroid when the drugs herein defined or any derivatives or compounds or mixtures or preparations thereof

Section 2 No hypnotic drug or analgesic or body-weight reduction drug as defined herein shall be sold at retail or dispensed to any person except upon the written prescription of a duly licensed physician dentist or veterinarian compounded or dispensed by a registered pharmacist or under the immediate personal supervision of a registered pharmacist and no pharmacist shall dispense any such drug without affixing to the container in which the drug is sold or dispensed a label bearing the name and address of the pharmacist the date compounded and the consecutive number of the prescription under which it is recorded in his prescription files together with the name of the physician dentist or veterinarian prescribing it Provided That the provisions of this section of this act shall not apply to a duly licensed physician dentist or veterinarian Provided however That they keep a record of the amount of such drugs purchased and a dispensing record showing the date name of the quantity of the drugs dispensed and the name and address of the patient No physician dentist or veterinarian shall dispense any such drug without affixing to the container in which the drug is sold or dispensed a label bearing the name and address of the dispenser the date dispensed the name and address of the patient and the directions for the use of the drug by the patient

Sprays eye lotions tooth-ache drops linaments inhalers and external preparations not including vaginal or rectal remedies may be sold at retail provided that such compound or mixture or preparation intended as a spray eye lotion tooth-ache drops linament inhalers or external application shall contain in addition to the content of Chlorbutanol or other drug defined under this act some other drug or drugs conferring upon it medicinal qualities other than those possessed by the drug used as specified in this act and that such compounds or mixtures or preparations shall be sold in good faith for the purpose for which they are intended and not for the purpose of evading the provisions of this act

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—186

Andrews,	Fox,	Lopez,	Reynolds,
Baker,	Freed,	Lovett,	Riley,
Barrett,	Frost,	Lyons,	Robertson,
Barton,	Fullerton,	Madden,	Royer,
Baumunk,	Gaffney,	Madigan,	Rudisill,
Bentley,	Gardner,	Mahany,	Salus,
Bentzel,	Getchey,	Matthews,	Scanlon,
Bonawitz,	Gibson,	McAtee,	Schuster,
Boney,	Goodling,	McClester,	Serrill,
Boorse,	Gore,	McCormack,	Shaffer,
Boory,	Greenwood,	McDowell,	Shoemaker,
Bower,	Greer,	McKinney,	Skale,
Brancato,	Guthrie,	McLanahan,	Sloan,
Breisch,	Gyger,	McMillen,	Smith,
Brice,	Haberlen,	McNair,	Snider,
Brothers,	Hall,	McNally,	Snyder,
Brunner, C. H.,	Hamilton,	Mihm,	Sollenberger
Brunner, P. A.,	Hare,	Mikula,	Sorg,
Burns,	Haudenshield,	Miller,	Stank,
Cadwalader,	Heatherington,	Milliken,	Stockham,
Chervenak,	Helm,	Mills,	Stonier,
Chudoff,	Hennihan,	Mooney,	Stuart,
Cohen,	Herman,	Moore, C. E.,	Swope,
Coleman,	Hewitt,	Moore, W. J.,	Tate,
Cook,	Hoffman,	Moran,	Tittle,
Cooper,	Hoopes,	Moser,	Trachtman,
Corrigan,	Howells,	Murray, M. L.,	Trent,
Costa,	Hunter,	Myhan,	Trout,
Coulson,	Huntley,	Nagel,	Turbett,
Coyle,	James,	Nelson,	Turner,
Cullen,	Jones,	O'Brien,	Varallo,
Dague,	Kennedy,	O'Connor,	Verona,
Dalrymple,	Kirley,	O'Dare,	Wachhaus,
Dennison,	Kline,	O'Donnell,	Wagner,
Depuy,	Kolankiewicz,	Owens,	Waterhouse,
Dillon,	Komorofski,	Pentrack,	Watkins,
Dix,	Krise,	Petrosky,	Weiss,
Dougherty,	Kurtz,	Pettigrew,	Welsh,
Dye,	Lane,	Pickens,	Wescott,
Elder,	Laughner,	Polaski,	White,
Elish,	Lee,	Polen,	Wood, N.,
Erb,	Leisey,	Powers,	Worley,
Ewing,	Leonard,	Propert,	Wright,
Finnerty,	Lichtenwalter,	Reagan,	Yeakel,
Flack,	Loftus,	Regan,	Yester,
Fleming,	Longo,	Reidenbach,	Fiss,
Foor,		Reilly,	Speaker.

NAYS—0

NOT VOTING—15

Boies,	Hering,	Munley,	Rose,
Duffy,	Hersch,	O'Neill,	Tahl,
Gallagher,	Hoggard,	Reese, D. P.,	Wood, L. H.,
Green,	Levy,	Root,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 45, as follows:

An Act to further amend section two hundred one of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of cetain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" exempting from registration tractors and trailers used by farmers in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred one of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-fifth day of June one thousand nine hundred thirty-seven (P. L. 2318) is hereby further amended to rea das follows

Section 201 Registration of Tractors and Trailers Required Except as hereinafter provided no tractor or trailer shall be operated or driven upon any highway of this Commonwealth until the said tractor or trailer shall have been registered with the department as hereinafter provided and the registration plate that has been issued for the vehicle for the current year is received and displayed as required by this act

Tractors and trailers including farm wagons and agricultural equipment drawn by tractors with or without a trailer used exclusively by any person upon the farm or farms he owns or operates or upon highways connecting by [the most] a direct route any farms or portions of farms under the [single] ownership or operation of such person to any other farm or to any garage for the purpose of having the same repaired shall be exempt from registration

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—186

Andrews,	Fox,	Lopez,	Reynolds,
Baker,	Freed,	Lovett,	Riley,
Barrett,	Frost,	Lyons,	Robertson,

Barton,	Fullerton,	Madden,	Royer,
Baumunk,	Gaffney,	Madigan,	Rudisill,
Bentley,	Gardner,	Mahany,	Salus,
Bentzel,	Getchey,	Matthews,	Scanlon,
Bonawitz,	Gibson,	McAtee,	Schuster,
Boney,	Goodling,	McClester,	Serrill,
Boorse,	Gore,	McCormack,	Shaffer,
Boory,	Greenwood,	McDowell,	Shoemaker,
Bower,	Greer,	McKinney,	Skale,
Brancato,	Guthrie,	McLanahan,	Sloan,
Breisch,	Gyger,	McMillen,	Smith,
Brice,	Haberlen,	McNair,	Snider,
Brothers,	Hall,	McNally,	Snyder,
Brunner, C. H.,	Hamilton,	Mihm,	Sollenberger,
Brunner, P. A.,	Hare,	Mikula,	Sorg,
Burns,	Haudenshield,	Miller,	Stank,
Cadwalader,	Heatherington,	Milliken,	Stockham,
Chervenak,	Helm,	Mills,	Stonier,
Chudoff,	Hennihan,	Mooney,	Stuart,
Cohen,	Herman,	Moore, C. E.,	Swope,
Coleman,	Hewitt,	Moore, W. J.,	Tate,
Cook,	Hoffman,	Moran,	Tittle,
Cooper,	Hoopes,	Moser,	Trachtman,
Corrigan,	Howells,	Murray, M. L.,	Trent,
Costa,	Hunter,	Myhan,	Trout,
Coulson,	Huntley,	Nagel,	Turbett,
Coyle,	James,	Nelson,	Turner,
Cullen,	Jones,	O'Brien,	Varallo,
Dague,	Kennedy,	O'Connor,	Verona,
Dalrymple,	Kirley,	O'Dare,	Wachhaus,
Dennison,	Kline,	O'Donnell,	Wagner,
Depuy,	Kolankiewicz,	Owens,	Waterhouse,
Dillon,	Komorofski,	Pentrack,	Watkins,
Dix,	Krise,	Petrosky,	Weiss,
Dougherty,	Kurtz,	Pettigrew,	Welsh,
Dye,	Lane,	Pickens,	Wescott,
Elder,	Laughner,	Polaski,	White,
Elish,	Lee,	Polen,	Wood, N.,
Erb,	Leisey,	Powers,	Worley,
Ewing,	Leonard,	Propert,	Wright,
Finnerty,	Lichtenwalter,	Reagan,	Yeakel,
Flack,	Loftus,	Regan,	Yester,
Fleming,	Longo,	Reidenbach,	Fisa,
Foor,		Reilly,	Speaker.

NAYS—0

NOT VOTING—15

Boies,	Hering,	Munley,	Rose,
Duffy,	Hersch,	O'Neill,	Tahl,
Gallagher,	Hoggard,	Reese, D. P.,	Wood, L. H.,
Green,	Levy,	Root,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 48, as follows:

An Act to further amend section four hundred one of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by exempting trailers and semitrailers from registration when used exclusively for the business of farming

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred one of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of thier motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended by the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 401 Registration of Motor Vehicles Trailers and Semi-Trailers Required

(a) Except as is hereinafter provided no motor vehicle trailer or semi-trailer shall be operated upon any highway in this Commonwealth until such motor vehicle trailer or semi-trailer shall have been properly registered with the department as hereinafter provided and the registration plate or plates that have been issued for the vehicle for the current year are received and displayed as required by this act and no motor vehicle shall be registered until a certificate of title has been obtained therefor

(b) The owner of a foreign vehicle operated within this Commonwealth for the transportation of persons for compensation either regularly according to schedule or for a period exceeding thirty (30) days in the calendar year unless exempted from registration under the terms of a reciprocity agreement shall register such vehicle and pay the same fees therefor as are required for like vehicles owned by residents of this Commonwealth

(c) Every nonresident including any foreign corporation carrying on business within this Commonwealth and owning and regularly operating in such business any motor vehicle trailer or semi-trailer within this Commonwealth unless exempted from registration under the terms of a reciprocity agreement shall be required to register each such vehicle and pay the same fee therefor as is required with reference to like vehicles owned by residents of this Commonwealth

(d) Motor vehicles [trailers and semi-trailers] determined by the department to be used exclusively by any person or his agents and employes upon the farm or farms he owns or operates or upon highways connecting by the most direct route any farms or portions of farms all of which are situated in any one county or county next adjoining thereto and under the single ownership or operation of such person shall be exempt from registration on issuance by the department of a certificate of exemption Provided That motor vehicles [trailers and semi-trailers] exempt from registration under this act may be operated upon highways connecting by the

nearest route such farm or farms and the nearest official inspection station for purposes of inspection as provided for in this act

(e) Trailers and semi-trailers used exclusively b ya person who owns or operates a farm or his agents or employes for purposes pertaining to the operation of such farm shall be exempt from registration and may be operated for such purposes upon the highways

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—186

Andrews,	Fox,	Lovett,	Riley,
Baker,	Freed,	Lyons,	Robertson,
Barrett,	Frost,	Madden,	Royer,
Barton,	Fullerton,	Madigan,	Rudisill,
Baumunk,	Gaffney,	Mahany,	Salus,
Bentley,	Gardner,	Matthews,	Scanlon,
Benizel,	Getchey,	McAtee,	Schuster,
Bonawitz,	Gibson,	McClester,	Serrill,
Boney,	Goodling,	McCormack,	Shaffer,
Boorse,	Gore,	McDowell,	Shoemaker,
Boory,	Greenwood,	McKinney,	Skale,
Bower,	Greer,	McLanahan,	Sloan,
Brancato,	Guthrie,	McMillen,	Smith,
Breisch,	Gyger,	McNair,	Snider,
Brice,	Haberlen,	McNally,	Snyder,
Brothers,	Hall,	Mihm,	Sollenberger,
Brunner, C. H.,	Hamilton,	Mikula,	Sorg,
Brunner, P. A.,	Hare,	Miller,	Stank,
Burns,	Haudenshield,	Milliken,	Stockham,
Cadwalader,	Heatherington,	Mills,	Stonier,
Chervenak,	Helm,	Mooney,	Stuart,
Chudoff,	Hennihan,	Moore, C. E.,	Swope,
Cohen,	Herman,	Moore, W. J.,	Tate,
Coleman,	Hewitt,	Moran,	Tittle,
Cook,	Hoffman,	Moser,	Trachtman,
Cooper,	Hoopes,	Murray, M. L.,	Trent,
Corrigan,	Howells,	Myhan,	Trout,
Costa,	Hunter,	Nagel,	Turbett,
Coulson,	Huntley,	Nelson,	Turner,
Coyle,	James,	O'Brien,	Varallo,
Cullen,	Jones,	O'Connor,	Verona,
Dague,	Kennedy,	O'Dare,	Wachhaus,
Dalrymple,	Kirley,	O'Donnell,	Wagner,
Dennison,	Kline,	Owens,	Waterhouse,
Depuy,	Kolankiewicz,	Pentrack,	Watkins,
Dillon,	Komorofski,	Petrosky,	Weiss,
Dix,	Krise,	Pettigrew,	Welsh,
Dougherty,	Kurtz,	Pickens,	Wescott,
Dye,	Lane,	Polaski,	White,
Elder,	Laughner,	Polen,	Wood, N.,
Elish,	Lee,	Powers,	Worley,
Erb,	Leisey,	Propert,	Wright,
Ewing,	Leonard,	Reagan,	Yeakel,
Finnerty,	Lichtenwalter,	Regan,	Yester,
Flack,	Loftus,	Reidenbach,	Fiss,
Fleming,	Longo,	Reilly,	Speaker.
Foor,	Lopez,	Reynolds,	

NAYS—0

NOT VOTING—15

Boies,	Hering,	Munley,	Rose,
Duffy,	Hersch,	O'Neill,	Tahl,
Gallagher,	Hoggard,	Reese, D. P.,	Wood, L. H.,
Green,	Levy,	Root,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 812, as follows:

An Act to further amend the last paragraph of section eight of the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" changing the name of the veterans' grave registrar to director of veterans' affairs and prescribing his duties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The last paragraph of section eight of the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" as amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 294) is hereby further amended to read as follows

Section 8 Compilation of War Records

* * * * * *

For the purpose of locating the burial places of deceased service persons the Grand Army of the Republic the United Spanish War Veterans the Veterans of Foreign Wars of the United States the American Legion and the Disabled American Veterans through their local camps posts and branches in this State are authorized without expense to the county to collect the required data and prepare and file with the county commissioners certificates embodying the information provided for in this section For the purpose of carrying into effect the provisions of this section the county commissioners shall appoint a [veterans grave registrar] director of veterans' affairs who shall receive such compensation as the salary board may fix

It shall also be the duty of the director of veterans' affairs to

(1) Assist the county commissioners in administering the provisions of this act relating to the burial of deceased service persons and their widows and to furnishing markers and placing headstones on their graves

(2) Assist war veterans and their families in securing their rights as such in matters relating to their person property and care of family under any of the laws of this Commonwealth and of the United States and for such services the grave registrar shall be entitled to his expenses incurred therein and additional compensation and both expenses and compensation shall be subject to the approval of the salary board or county commissioners as the case may be

(3) Carry into effect the provisions of this act relating to the compilation of war records

(4) Perform all other duties heretofore performed by the veterans' grave registrar

The veterans' grave registrar of each county in office on the effective date of this act shall continue in the office of director of veterans' affairs and as such be subject to the provisions of existing law

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—186

Andrews,	Fox,	Lovett,	Riley,
Baker,	Freed,	Lyons,	Robertson,
Barrett,	Frost,	Madden,	Royer,
Barton,	Fullerton,	Madigan,	Rudisill,
Baumunk,	Gaffney,	Mahany,	Salus,
Bentley,	Gardner,	Matthews,	Scanlon,
Bentzel,	Getchey,	McAtee,	Schuster,
Bonawitz,	Gibson,	McClester,	Serrill,
Boney,	Goodling,	McCormack,	Shaffer,
Boorse,	Gore,	McDowell,	Shoemaker,
Boory,	Greenwood,	McKinney,	Skale,
Bower,	Greer,	McLanahan	Sloan,
Brancato,	Guthrie,	McMillen,	Smith,
Breisch,	Gyger,	McNair,	Snider,
Brice,	Haberlen,	McNally,	Snyder,
Brothers,	Hall,	Mihm,	Sollenberger,
Brunner, C. H.,	Hamilton,	Mikula,	Sorg,
Brunner, P. A.,	Hare,	Miller,	Stank,
Burns,	Haudenshield,	Milliken,	Stockham,
Cadwalader,	Heatherington,	Mills,	Stonier,
Chervenak,	Helm,	Mooney,	Stuart,
Chudoff,	Hennihan,	Moore, C. E.,	Swope,
Cohen,	Herman,	Moore, W. J.,	Tate,
Coleman,	Hewitt,	Moran,	Tittle,
Cook,	Hoffman,	Moser,	Trachtman,
Cooper,	Hoopes,	Murray, M. L.,	Trent,
Corrigan,	Howells,	Myhan,	Trout,
Costa,	Hunter,	Nagel,	Turbett,
Coulson,	Huntley,	Nelson,	Turner,
Coyle,	James,	O'Brien,	Varallo,
Cullen,	Jones,	O'Connor,	Verona,
Dague,	Kennedy,	O'Dare,	Wachhaus,
Dalrymple,	Kirley,	O'Donnell,	Wagner,
Dennison,	Kline,	Owens,	Waterhouse,
Depuy,	Kolankiewicz,	Pentrack,	Watkins,
Dillon,	Komorofski,	Petrosky,	Weiss,
Dix,	Krise,	Pettigrew,	Welsh,
Dougherty,	Kurtz,	Pickens,	Wescott,
Dye,	Lane,	Polaski,	White,
Elder,	Laughner,	Polen,	Wood, N.,
Elish,	Lee,	Powers,	Worley,
Erb,	Leisey,	Propert,	Wright,
Ewing,	Leonard,	Reagan,	Yeakel,
Finnerty,	Lichtenwalter,	Regan,	Yester,
Flack,	Loftus,	Reidenbach,	Fiss,
Fleming,	Longo,	Reilly,	Speaker.
Foor,	Lopez,	Reynolds,	

NAYS—0

NOT VOTING—15

Boies,	Hering,	Munley,	Rose,
Duffy,	Hersch,	O'Neill,	Tahl,
Gallagher,	Hoggard,	Reese, D. P.,	Wood, L. H.,
Green,	Levy,	Root,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 98, as follows:

An Act to amend an act approved the sixth day of June one thousand eight hundred and seventy-one (P. L. 1353) entitled "An act relative to plans of survey and regulation in the City of Philadelphia" by restricting the operation of the act to original plans and revisions changing the time and number and character of the newspapers in which notice of the proposed plans and revisions shall be published and of the hearing thereon eliminating the requirement that streets which are the subjects of such plans or revisions must extend from street to street as thoroughfares and must be called public streets and abrogating the provisions for widening the streets upon the petition of the owners or majority of feet frontage thereon or on one side thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That the act approved the sixth day of June one thousand eight hundred seventy-one (P. L. 1353) entitled "An act relative to plans of survey and regulation in the city of Philadelphia" be and the same is hereby amended to read as follows

Section 1 Be it enacted &c That the board of surveyors of the city of Philadelphia as elected and constituted under acts of Assembly be and the the same [are] is hereby invested with full authority to examine and finally confirm or reject all original plans [of surveys or] and revisions of plans of the city of Philadelphia when the same have been made by direction of the [select and common councils] council of the said city and for the purpose of enabling the said board to carry out the intent of this act [they are] it is hereby authorized through [their] its presiding officer to administer oaths and affirmations and hear testimony and shall use a seal for all official papers

Section 2 No plan for survey or regulation or a revision of either or both shall be finally acted upon by the said board of surveyors until [public] advertisement shall have been made for two times in each of three [of the public] daily newspapers of general circulation in the city of Philadelphia [six times in each] [during] The first insertion in each newspaper to be inserted the thirty days immediately preceding the proposed action and the second notice to be inserted not less than fifteen days thereafter and that handbills be posted upon and throughout the area covered by the plan to be considered giving notice of a hearing thereof for at least days prior to said hearing and that upon the confirmation of any plan of surveys and regulations by the said board of surveyors the seal of the board shall be affixed thereto and attested by the presiding officer said confirmation to be final and conclusive without appeal

Section 3 No street shall hereafter be added to any confirmed plan of the city of Philadelphia [and called a public street] until the same shall have been approved by the board of surveyors as to location width and grades [and shall extend from street to street as a thoroughfare] Provided That an appeal may be taken to the court of quarter sessions of the city and county of Philadelphia at any time within three months after said board of surveyors shall have finally confirmed any plan as aforesaid when said court may after a hearing confirm said plan as submitted or remand it back to the board of surveyors for reconsideration and revision

[Section 4 That whenever a petition asking for the widening of any street in the city of Philadelphia shall be signed by a majority of the owners of property or the owners of a majority of feet front fronting on one side of said street and shall be submitted to the board of surveyors of the said city they shall examine into the expediency of granting the petition as asked for and if approved by them the said street shall be widened upon the side on which they property of the said petitioners may be located in accordance with the existing laws relative to the opening of streets in said city of Philadelphia]

Section 2 This act shall take effect immediately upon its final passage

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—186

Andrews,	Fox,	Lovett,	Riley,
Baker,	Freed,	Lyons,	Robertson,
Barrett,	Frost,	Madden,	Royer,
Barton,	Fullerton,	Madigan,	Rudisill,
Baumunk,	Gaffney,	Mahany,	Salus,
Bentley,	Gardner,	Matthews,	Scanlon,
Bentzel,	Getchey,	McAtee,	Schuster,
Bonawitz,	Gibson,	McClester,	Serrill,
Boney,	Goodling,	McCormack,	Shaffer,
Boorse,	Gore,	McDowell,	Shoemaker,
Boory,	Greenwood,	McKinney,	Skale,
Bower,	Greer,	McLanahan,	Sloan,
Brancato,	Guthrie,	McMillen,	Smith,
Breisch,	Gyger,	McNally,	Snider,
Brice,	Haberlen,	McNair,	Snyder,
Brothers,	Hall,	Mihm,	Sollenberger,
Brunner, C. H.,	Hamilton,	Mikula,	Sorg,
Brunner, P. A.,	Hare,	Miller,	Stank,
Burns,	Haudenshield,	Milliken,	Stockham,
Cadwalader,	Heatherington,	Mills,	Stonier,
Chervenak,	Helm,	Mooney,	Stuart,
Chudoff,	Hennihan,	Moore, C. E.,	Swope,
Cohen,	Herman,	Moore, W. J.,	Tate,
Coleman,	Hewitt,	Moran,	Tittle,
Cook,	Hoffman,	Moser,	Trachtman,
Cooper,	Hoopes,	Murray, M. L.,	Trent,
Corrigan,	Howells,	Myhan,	Trout,
Costa,	Hunter,	Nagel,	Turbett,
Coulson,	Huntley,	Nelson,	Turner,
Coyle,	James,	O'Brien,	Varallo,
Cullen,	Jones,	O'Connor,	Verona,
Dague,	Kennedy,	O'Dare,	Wachhaus,
Dalrymple,	Kirley,	O'Donnell,	Wagner,
Dennison,	Kline,	Owens,	Waterhouse,
Depuy,	Kolankiewicz,	Pentrack,	Watkins,
Dillon,	Komorofski,	Petrosky,	Weiss,
Dix,	Krise,	Pettigrew,	Welsh,
Dougherty,	Kurtz,	Pickens,	Wescott,
Dye,	Lane,	Polaski,	White,
Elder,	Laughner,	Polen,	Wood, N.,
Elish,	Lee,	Powers,	Worley,
Erb,	Leisey,	Propert,	Wright,
Ewing,	Leonard,	Reagan,	Yeakel,
Finnerty,	Lichtenwalter,	Regan,	Yester,
Flack,	Loftus,	Reidenbach,	Fiss,
Fleming,	Longo,	Reilly,	Speaker.
Foor,	Lopez,	Reynolds,	

NAYS—0

NOT VOTING—15

Boies,	Hering,	Munley,	Rose,
Duffy,	Hersch,	O'Neill,	Tahl,
Gallagher,	Hoggard,	Reese, D. P.,	Wood, L. H.,
Green,	Levy,	Root,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 493, as follows:

An Act to amend the act approved the fourth day of June one thousand nine hundred and forty-three (Appropriation Acts page fifty-nine) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-three" providing for a deficiency in the appropriation made by said act to the Department of the Auditor General for the fiscal biennium ending May thirty-first one thousand nine hundred and forty-five

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred twenty-three thousand dollars ($123,000) or so much thereof as may be necessary is hereby specifically appropriated to the Deuartment of the Auditor General for the payment of the deficiency in the appropriation for the fiscal biennium ending the thirty-first day of May one thousand nine hundred and forty-five made to such department by the act to which this is a supplement for the payment of salaries wages and other compensation of a deputy Auditor General and other employes for the payment of general expenses for the payment of rentals of patented leased office devices for the purchase of automobiles furniture furnishings and equipment and for the purchase of supplies printing binding patent indices records law books and other books necessary for the proper conduct of the work of the department

The sum of three thousand dollars ($3,000) os so much thereof as may be necessary for the payment of the deficiency in the appropriation for the payment of salaries and expenses of the Board of Arbitration of Claims

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the years and nays were taken and were as follows:

YEAS—186

Andrews,	Fox,	Lovett,	Reynolds,
Baker,	Freed,	Lyons,	Riley,
Barrett,	Frost,	Madden,	Robertson,
Barton,	Fullerton,	Madigan,	Royer,
Baumunk,	Gaffney,	Mahany,	Rudisill,
Bentley,	Gardner,	Matthews,	Salus,
Bentzel,	Getchey,	McAtee,	Scanlon,
Bonawitz,	Gibson,	McClester,	Schuster,
Boney,	Goodling,	McCormack,	Serrill,
Boorse,	Gore,	McDowell,	Shaffer,
Boory,	Greenwood,	McKinney,	Shoemaker,
Bower,	Greer,	McLanahan,	Skale,
Brancato,	Guthrie,	McMillen,	Sloan,
Breisch,	Gyger,	McNair,	Smith,
Brice,	Haberlen,	McNally,	Snider,
Brothers,	Hall,	Mihm,	Snyder,
Brunner, C. H.,	Hamilton,	Mikula,	Sollenberger,
Brunner, P. A.,	Hare,	Miller,	Sorg,
Burns,	Haudenshield,	Milliken,	Stank,
Cadwalader,	Heatherington,	Mills,	Stockham,
Chervenak,	Helm,	Mooney,	Stonier,
Chudoff,	Herman,	Moore, C. E.,	Stuart,
Cohen,	Hennihan,	Moore, W. J.,	Swope,
Coleman,	Hewitt,	Moran,	Tate,
Cook,	Hoffman,	Moser,	Tittle,
Cooper,	Hoopes,	Murray, M. L.,	Trachtman,
Corrigan,	Howells,	Myhan,	Trent,
Costa,	Hunter,	Nagel,	Trout,
Coulson,	Huntley,	Nelson,	Turbett,
Coyle,	James,	O'Brien,	Turner,
Cullen,	Jones,	O'Connor,	Varallo,
Dague,	Kennedy,	O'Dare,	Verona,
Dalrymple,	Kirley,	O'Donnell,	Wachhaus,
Dennison,	Kline,	Owens,	Wagner,
Depuy,	Kolankiewicz,	Pentrack,	Waterhouse,
Dillon,	Komorofski,	Petrosky,	Watkins,
Dix,	Krise,	Pettigrew,	Weiss,
Dougherty,	Kurtz,	Pickens,	Welsh,
Dye,	Lane,	Polaski,	Wescott,
Elder,	Laughner,	Polen,	White,
Elish,	Lee,	Powers,	Wood, N.,
Erb,	Leisey,	Propert,	Worley,
Ewing,	Leonard,	Reagan,	Wright,
Finnerty,	Lichtenwalter,	Regan,	Yeakel,
Flack,	Loftus,	Reidenbach,	Yester,
Fleming,	Longo,	Reilly,	Fiss,
Foor,	Lopez,		Speaker.

NAYS—0

NOT VOTING—15

Boies,	Hering,	Munley,	Rose,
Duffy,	Hersch,	O'Neill,	Tahl,
Gallagher,	Hoggard,	Reese, D. P.,	Wood, L. H.,
Green,	Levy,	Root,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 878, as follows:

An Act to further amend sections three and four of the act approved the twenty-first day of May one thousand nine hundred thirty-seven (P. L. 787) entitled as amended "An act authorizing subject to approval of the court of common pleas the compromise or reduction of tax and municipal claims on real property purchased by any county city borough town school district or poor district at any sale for the nonpayment of taxes or municipal claims and the reconveyance or private sale of such property" by further providing for the distribution of the proceeds of such reconveyance or sale

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the twenty-first day of May one thousand nine hundred thirty-seven (P. L. 787) entitled as amended "An act authorizing subject to approval of the court of common pleas the compromise or reduction of tax and munipical claims on real property purchased by any county city borough town school district or poor district at any sale for the nonpayment of taxes or municipal claims and the reconveyance or private sale of such property" as last amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 282) is hereby further amended to read as follows

Section 3 Upon presentation of any such petition by any taxing authority having an interest therein or by the other party concerned the court shall fix a day not more than thirty days thereafter for a hearing thereon At least five days' notice of such hearing shall be given to all the taxing authorities having tax or municipal claims against such real estate and notice shall also be given by publication in at least one newspaper of general circulation published in the county setting forth a description of the property the total amount of taxes municipal claims penalties and interest due and costs and also all moneys expended by the county in the demolition and removal of any building or structure on such property or the repair thereof in order to make the same safe pursuant to an order by the authorities of the political subdivision in which the property is located after such building or structure had been condemned as unsafe and all moneys expended by the county on order of the Pennsylvania State Police or an assistant to the Pennsylvania State Police in removing or remedying any condition on such property that is found to be a fire menace or hazard and the amount which it is proposed to accept in compromise or redemption or for the sale of said property

Section 2 Section four of said act as last amended by the act approved the twenty-ninth day of July one thousand nine hundred forty-one (P. L. 600) is hereby further amended to read as follows

Section 4 If after such hearing the court is satisfied that the proposed compromise or private sale is proper and to the advantage of all the taxing authorities interested it shall enter a decree approving such compromise settlement private sale or such other settlement as the court may find to be proper and directing a conveyance of such property to the person or persons with whom the agreement has been made upon the payment of the agreement amount or such amount as the court may approve and all costs of the proceeding The proceeds of such compromise or private sale shall be distributed first to the costs of sale whereat the property was acquired second all moneys expended by the county in the demolition removal or repair of any building or structure on such property after the same had been condemned as unsafe by the political subdivision in which the same is located third all moneys expended by the county on order of the Pennsylvania State Police or an assistant to the Pennsylvania State Police in removing or remedying any condition on such property that is found to be a fire menace or hazard and fourth the balance to the respective taxing authorities in proportion to their tax and municipal claims The title conveyed shall be free and clear of all tax and municipal liens but shall not discharge any other liens not discharged by the tax sale or sale on municipal claim

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the years and nays were taken and were as follows:

YEAS—186

Andrews,	Fox,	Lovett,	Riley,
Baker,	Freed,	Lyons,	Robertson,
Barrett,	Frost,	Madden,	Royer,
Barton,	Fullerton,	Madigan,	Rudisill,
Baumunk,	Gaffney,	Mahany,	Salus,
Bentley,	Gardner,	Matthews,	Scanlon,
Bentzel,	Getchey,	McAtee,	Schuster,
Bonawitz,	Gibson,	McClester,	Serrill,
Boney,	Goodling,	McCormack,	Shaffer,
Boorse,	Gore,	McDowell,	Shoemaker,
Boory,	Greenwood,	McKinney,	Skale,
Bower,	Greer,	McLanahan,	Sloan,
Brancato,	Guthrie,	McMillen,	Smith,
Breisch,	Gyger,	McNair,	Snider,
Brice,	Haberlen,	McNally,	Snyder,
Brothers,	Hall,	Mihm,	Sollenberger,
Brunner, C. H.,	Hamilton,	Mikula,	Sorg,
Brunner, P. A.,	Hare,	Miller,	Stank,
Burns,	Haudenshield,	Milliken,	Stockham,
Cadwalader,	Heatherington,	Mills,	Stonier,
Chervenak,	Helm,	Mooney,	Stuart,
Chudoff,	Hennihan,	Moore, C. E.,	Swope,
Cohen,	Herman,	Moore, W. J.,	Tate,
Coleman,	Hewitt,	Moran,	Tittle,
Cook	Hoffman,	Moser,	Trachtman,
Cooper,	Hoopes,	Murray, M. L.,	Trent,
Corrigan,	Howells,	Myhan,	Trout,
Costa,	Hunter,	Nagel,	Turbett,
Coulson,	Huntley,	Nelson,	Turner,
Coyle,	James,	O'Brien,	Varallo,
Cullen,	Jones,	O'Connor,	Verona,
Dague,	Kennedy,	O'Dare,	Wachhaus,
Dalrymple,	Kirley,	O'Donnell,	Wagner,
Dennison,	Kline,	Owens,	Waterhouse,
Depuy,	Kolankiewicz,	Pentrack,	Watkins,
Dillon,	Komorofski,	Petrosky,	Weiss,
Dix,	Krise,	Pettigrew,	Welsh,
Dougherty,	Kurtz,	Pickens,	Wescott,
Dye,	Lane,	Polaski,	White,
Elder,	Laughner,	Polen,	Wood, N.,
Elish,	Lee,	Powers,	Worley,
Erb,	Leisey,	Propert,	Wright,
Ewing,	Leonard,	Reagan,	Yeakel,
Finnerty,	Lichtenwalter,	Regan,	Yester,
Flack,	Loftus,	Reidenbach,	Fiss,
Fleming,	Longo,	Reilly,	Speaker.
Foor,	Lopez,	Reynolds,	

NAYS—0

NOT VOTING—15

Boies,	Hering,	Munley,	Rose,
Duffy,	Hersch,	O'Neill,	Tahl,
Gallagher,	Hoggard,	Reese, D. P.,	Wood, L. H.,
Green,	Levy,	Root,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 162, as follows:

An Act to further amend section one thousand three hundred eleven of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicles conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractural relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporation or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County execlusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by authorizing the court to impose prison sentences in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand three hundred eleven of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and dutiy of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractural relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" as last amended by the act approved the third day of July one thousand nine hundred forty-one (P. L. 267) is hereby further amended to read as follows

Section 1311 Violations by Motor Carriers Common Carriers by Airplane or Brokers Any person or corporation operating as a motor carrier or as a common carrier by airplane and any operator or employe of such carrier and any person or corporation operating as a broker without a certificate of public convenience permit or license authorizing the service performed as required by this act shall upon conviction of a first or second offense in a summary proceeding before any person having the power of a committing magistrate be sentenced to pay the costs of prosecution and a fine of not less than twenty-five dollars nor more than three hundred dollars and in default of the payment thereof shall be imprisoned for a period not exceeding thirty (30) days and any subsequent offense by such person or corporation shall constitute a misdemeanor and upon conviction thereof such person or corporation shall be sentenced to pay the costs of prosecution and a fine of not less than one hundred dollars nor more than five hundred dollars or undergo imprisonment not exceeding six months or both in the discretion of the court Whenever imprisonment is imposed under this section the term "person" or "corporation" as applied to associations shall mean the partners or members thereof and as applied to corporations the officers thereof

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—186

Andrews,	Fox,	Lovett,	Riley,
Baker	Freed,	Lyons,	Robertson,
Barrett,	Frost,	Madden,	Royer,
Barton,	Fullerton,	Madigan,	Rudisill,
Baumunk,	Gaffney,	Mahany,	Salus,
Bentley,	Gardner,	Matthews,	Scanlon,
Bentzel,	Getchey,	McAtee,	Schuster,
Bonawitz,	Gibson,	McClester,	Serrill,
Boney,	Goodling,	McCormack,	Shaffer,
Boorse,	Gore,	McDowell,	Shoemaker,
Boory,	Greenwood,	McKinney,	Skale,
Bower,	Greer,	McLanahan,	Sloan,
Brancato,	Guthrie,	McMillen,	Smith,
Breisch,	Gyger,	McNair,	Snider,
Brice,	Haberlen,	McNally,	Snyder,
Brothers,	Hall,	Mihm,	Sollenberger,
Brunner, C. H.,	Hamilton,	Mikula,	Sorg,
Brunner, P. A.,	Hare,	Miller,	Stank,
Burns,	Haudenshield,	Milliken,	Stockham,
Cadwalader,	Heatherington,	Mills,	Stonier,
Chervenak,	Helm,	Mooney,	Stuart,
Chudoff,	Hennihan,	Moore, C. E.,	Swope,
Cohen,	Herman,	Moore, W. J.,	Tate,
Coleman,	Hewitt,	Moran,	Tittle,
Cook,	Hoffman,	Moser,	Trachtman,
Cooper,	Hoopes,	Murray, M. L.,	Trent,
Corrigan,	Howells,	Myhan,	Trout,
Costa,	Hunter,	Nagel,	Turbett,
Coulson,	Huntley,	Nelson,	Turner,
Coyle,	James,	O'Brien,	Varallo,
Cullen,	Jones,	O'Connor,	Verona,
Dague,	Kennedy,	O'Dare,	Wachhaus,
Dalrymple,	Kirley,	O'Donnell,	Wagner,
Dennison,	Kline,	Owens,	Waterhouse,
Depuy,	Kolankiewicz,	Pentrack,	Watkins,
Dillon,	Komorofski,	Petrosky,	Weiss,
Dix,	Krise,	Pettigrew,	Welsh,
Dougherty,	Kurtz,	Pickens,	Wescott,
Dye,	Lane,	Polaski,	White,
Elder,	Laughner,	Polen,	Wood, N.,
Elish,	Lee,	Powers,	Worley,
Erb,	Leisey,	Propert,	Wright,
Ewing,	Leonard,	Reagan,	Yeakel,
Finnerty,	Lichtenwalter,	Regan,	Yester,
Flack,	Loftus,	Reidenbach,	Fiss,
Fleming,	Longo,	Reilly,	Speaker,
Foor,	Lopez,	Reynolds,	

NAYS—0

NOT VOTING—15

Boies,	Hering,	Munley,	Rose,
Duffy,	Hersch,	O'Neill,	Tahl,
Gallagher,	Hoggard,	Reese, D. P.,	Wood L. H.,
Green,	Levy,	Root,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 457, as follows:

An Act to permit the sale and purchase of imitation butter or oleomargarine for consumption by inmates and employes of charitable and penal institutions within the Commonwealth for a period of two years and suspending certain provisions of the law prohibiting such sales and purchase for the same period of time under certain circumstances requiring the keeping of records and the making of reports and providing penalties

Whereas The General Assembly of the Commonwealth of Pennsylvania has heretofore made a legislative finding of fact that "milk is the most necessary human food vital for the promotion of the public's health and for development of strength and vigor in the race" and

Whereas Butter produced from pure unadulterated milk has a recognized food value unequalled by any imitation product made from other substances and

Whereas By the Act of May 23 1893 (P. L. 112) the use or purchase by or the sale to or the furnishing to the inmates of any charitable or penal institution in Pennsylvania of any article designed to take the place of butter produced from pure unadulterated milk or cream from the same or of any imitation or adulterated butter was prohibited and made unlawful and

Whereas Due to the present war effort and to the exportation of vast quantities of butter to our Allies there is a present shortage of butter and such charitable and penal institutions are presently unable to purchase adequate supplies of butter for the use of the inmates of such institutions and

Whereas It may become necessary for a limited period of time for such institutions to supplement the available supplies of butter through the purchase and use of imitation butter or oleomargarine

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The provisions of the act approved the twenty-third day of May one thousand eight hundred ninety-three (P. L. 112) are hereby modified and suspended as follows

(1) Any charitable or penal institution shall not use or furnish to its inmates any imitation butter or oleomargarine when adequate quantities of butter are available or obtainable from the usual sources of supply or from normal markets

(2) In the event adequate quantities of butter are not available in or obtainable from the usual sources of supply or from normal markets each such institution shall purchase all of the butter which is available or obtainable

(3) In the event of the rationing of butter as a part of the war effort any such institution shall purchase the full amount of butter apportioned to its inmates and to its employes residing within the institution

(4) In the event that adequate quantities of butter are not available in or obtainable from the usual sources of supply or from normal markets or through rationing any such institution may purchase sufficient quantities of imitation butter or oleomargarine to supplement the quantities of butter so available

(5) Each charitable or penal institution so purchasing imitation butter or oleomargarine shall keep full and accurate records of all purchases of imitation butter or oleomargarine showing the date and amount of such purchase the amount paid and the name and address of the person partnership or corporation from whom purchased Such record shall be open to the inspection of the Secretary of Agriculture or his designated representative

(6) The Secretary of Agriculture from time to time and for such periods of time as he may determine may require any charitable or penal institution other than a State-owned and State operated institution to report within the period of thirty days from the date of his request the amount of such purchases the source of such purchases the date of purchase and the price paid together with information of the total quantity of butter purchased during the same periods

Section 2 Any persons knowingly violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine not exceeding one thousand dollars ($1,000) or imprisonment not exceeding two (2) years for each offense or both at the discretion of the court

Section 3 This act is a temporary act and shall be effective only until the expiration of the session of the General Assembly of one thousand nine hundred forty-seven

Section 4 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—186

Andrews,	Freed,	Lyons,	Riley,
Baker,	Frost,	Madden,	Robertson,
Barrett,	Fullerton,	Madigan,	Royer,
Barton,	Gaffney,	Mahany,	Rudisill,
Baumunk,	Gardner,	Matthews,	Salus,
Bentley,	Getchey,	McAtee,	Scanlon,
Bentzel,	Gibson,	McClester,	Schuster,
Bonawitz,	Goodling,	McCormack,	Serrill,
Boney,	Gore,	McDowell,	Shaffer,
Boorse,	Greenwood,	McKinney,	Shoemaker,
Boory,	Greer,	McLanahan,	Skale,
Bower,	Guthrie,	McMillen,	Sloan,
Brancato,	Gyger,	McNair,	Smith,
Breisch,	Haberlen,	McNally,	Snider,
Brice,	Hall,	Mihm,	Snyder,
Brothers,	Hamilton,	Mikula,	Sollenberger,
Brunner, C. H.,	Hare,	Miller,	Sorg,
Brunner, P. A.,	Haudenshield,	Milliken,	Stank,
Burns,	Heatherington,	Mills,	Stockham,
Cadwalader,	Helm,	Mooney,	Stonier,
Chervenak,	Hennihan,	Moore, C. E.,	Stuart,
Chudoff,	Herman,	Moore, W. J.,	Swope,
Cohen,	Hewitt,	Moran,	Tate,
Coleman,	Hoffman,	Moser,	Tittle,
Cook,	Hoopes,	Murray, M. L.,	Trachtman,
Cooper,	Howells,	Myhan,	Trent,
Corrigan,	Hunter,	Nagel,	Trout,
Costa,	Huntley,	Nelson,	Turbett,
Coulson,	James,	O'Brien,	Turner,
Coyle,	Jones,	O'Connor,	Varallo,
Cullen,	Kennedy,	O'Dare,	Verona,
Dague,	Kirley,	O'Donnell,	Wachhaus,
Dalrymple,	Kline,	Owens,	Wagner,
Dennison,	Kolankiewicz,	Pentrack,	Waterhouse,
Depuy,	Komorofski,	Petrosky,	Watkins,
Dillon,	Krise,	Pettigrew,	Weiss,
Dix,	Kurtz,	Pickens,	Welsh,
Dougherty,	Lane,	Polaski,	Wescott,
Dye,	Laughner,	Polen,	White,
Elder,	Lee,	Powers,	Wood, N.,
Elish,	Leisey,	Propert,	Worley,
Erb,	Leonard,	Reagan,	Wright,
Ewing,	Lichtenwalter,	Regan,	Yeakel,
Finnerty,	Loftus,	Reidenbach,	Yester,
Flack,	Longo,	Reilly,	Fiss,
Fleming,	Lopez,	Reynolds,	Speaker.
Foor,	Lovett,		
Fox,			

NAYS—0

NOT VOTING—15

Boies,	Hering,	Munley,	Rose,
Duffy,	Hersch,	O'Neill,	Tahl,
Gallagher,	Hoggard,	Reese, D. P.,	Wood, L. H.,
Green,	Levy,	Root,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 472, as follows:

An Act prohibiting the sale of drugs chemicals and preparations thereof without a label bearing certain information and prescribing a penalty

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 No person shall sell at retail or dispense any drug chemical or preparation thereof without affixing to the bottle box vessel or package containing same a label printed or plainly written containing the name of the article and any other necessary information required by any other law and the name and place of business of the compounder or manufacturer Such labels shall have only one address upon it and shall not conflict with any laws regulating the manufacture sale or distribution of poisons or narcotics

Section 2 Any person violating any of the provisions of this act shall upon summary conviction be sentenced to pay a fine of not more than fifty dollars ($50)

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—186

Andrews,	Fox,	Lovett,	Riley,
Baker,	Freed,	Lyons,	Robertson,
Barrett,	Frost,	Madden,	Royer,
Barton,	Fullerton,	Madigan,	Rudisill,
Baumunk,	Gaffney,	Mahany,	Salus,
Bentley,	Gardner,	Matthews,	Scanlon,
Bentzel,	Getchey,	McAtee,	Schuster,
Bonawitz,	Gibson,	McClester,	Serrill,
Boney,	Goodling,	McCormack,	Shaffer,
Boorse,	Gore,	McDowell,	Shoemaker,
Boory,	Greenwood,	McKinney,	Skale,
Bower,	Greer,	McLanahan,	Sloan,
Brancato,	Guthrie,	McMillen,	Smith,
Breisch,	Gyger,	McNair,	Snider,
Brice,	Haberlen,	McNally,	Snyder,
Brothers,	Hall,	Mihm,	Sollenberger,
Brunner, C. H.,	Hamilton,	Mikula,	Sorg,
Brunner, P. A.,	Hare,	Miller,	Stank,
Burns,	Haudenshield,	Milliken,	Stockham,
Cadwalader,	Heatherington,	Mills,	Stonier,
Chervenak,	Helm,	Mooney,	Stuart,
Chudoff,	Hennihan,	Moore, C. E.,	Swope,
Cohen,	Herman,	Moore, W. J.,	Tate,
Coleman,	Hewitt,	Moran,	Tittle,
Cook,	Hoffman,	Moser,	Trachtman,
Cooper,	Hoopes,	Murray, M. L.,	Trent,
Corrigan,	Howells,	Myhan,	Trout,
Costa,	Hunter,	Nagel,	Turbett,
Coulson,	Huntley,	Nelson,	Turner,
Coyle,	James,	O'Connor,	Varallo,
Cullen,	Jones,	O'Brien,	Verona,
Dague,	Kennedy,	O'Dare,	Wachhaus,
Dalrymple,	Kirley,	O'Donnell,	Wagner,
Dennison,	Kline,	Owens,	Waterhouse,
Depuy,	Kolankiewicz,	Pentrack,	Watkins,
Dillon,	Komorofski,	Petrosky,	Weiss,
Dix,	Krise,	Pettigrew,	Welsh,
Dougherty,	Kurtz,	Pickens,	Wescott,
Dye,	Lane,	Polaski,	White,
Elder,	Laughner,	Polen,	Wood, N.,
Elish,	Lee,	Powers,	Worley,
Erb,	Leisey,	Propert,	Wright,
Ewing,	Leonard,	Reagan,	Yeakel,
Finnerty,	Lichtenwalter,	Regan,	Yester,
Flack,	Loftus,	Reidenbach,	Fiss,
Fleming,	Longo,	Reilly,	Speaker.
Foor,	Lopez,	Reynolds,	

NAYS—0

NOT VOTING—15

Boies,	Hering,	Munley,	Rose,
Duffy,	Hersch,	O'Neill,	Tahl,
Gallagher,	Levy,	Reese, D. P.,	Wood, L. H.,
Green,	Hoggard,	Root,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 614, as follows:

An act to further amend section nine hundred and three of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the maximum gross weight of certain commercial motor vehicles and truck tractors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section nine hundred and three of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including lien encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 751) the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2329) the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1135) and the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 618) is hereby further amended to read as follows

Section 903 Weight of Vehicles and Loads

(a) Commercial motor vehicles and truck tractors other than those electrically operated shall not be used or operated on any highway with gross weight exceeding those specified for the several classes and weights of chassis as follows

Four-Wheeled (2 Axles) Class	Chassis Weight in Pounds	Maximum Gross Weight in Pounds
R	Less than 2000	5000
S	2000 and over but less than 3000	7000
T	3000 and over but less than 4000	11000
U	4000 and over but less than 5000	15000
V	5000 and over but less than 6000	[18000] 19000
W	6000 and over but less than 7500	[22000] 23000
Y	7500 and over but less than 9000	[25000] 27000
Z	9000 and over	[26000] 30000

Six-Wheeled (3 Axles) Class	Chassis Weight in Pounds	Maximum Gross Weight in Pounds
RZ	2000 and over but less than 3000	12000
SZ	3000 and over but less than 4000	14000
TZ	4000 and over but less than 5000	16000
UZ	5000 and over but less than 6000	[22000] 24000
VZ	6000 and over but less than 7500	[26000] 28000
WZ	7500 and over but less than 9000	[30000] 32000
YZ	9000 and over but less than 12000	[34000] 36000
ZZ	12000 and over	[36000] 40000

(b) Electrically operated commercial motor vehicles and truck tractors shall not be used or operated on any highways with gross weight exceeding those specified for the several classes as follows

Four Wheeled (2 Axles) Class	Maximum Gross Weight in Pounds
R	5000
S	7000
T	11000
U	15000
V	18000
W	22000
Y	25000
Z	26000

Six-Wheeled (3 Axles) Class	Maximum Gross Weight in Pounds
RZ	12000
SZ	14000
TZ	16000
UZ	22000
VZ	26000
WZ	30000
YZ	34000
ZZ	36000

(c) Trailers and semi-trailers shall not be used or operated on any highway with gross weight exceeding those specified for the several classes as follows

Four-Wheeled (2 Axles) Trailer or Semi-Trailer Class	Weight in Pounds	Maximum Gross Weight in Pounds
A	Less than 1000	3000
B	1000 and over but less than 2000	6000
C	2000 and over but less than 3000	10000
D	3000 and over but less than 4000	16000
E	4000 and over but less than 5000	20000
F	5000 and over but less than 6000	24000
G	6000 and over	26000

Six-Wheeled (3 Axles) Trailer Class	Weight in Pounds	Maximum Gross Weight in Pounds
AZ	Less than 3000	12000
BZ	3000 and over but less than 4000	15000
CZ	4000 and over but less than 5000	20000
DZ	5000 and over but less than 6000	26000
EZ	6000 and over but less than 7000	30000
FZ	7000 and over but less than 9000	34000
GZ	9000 and over	36000

Two-Wheeled (1 Axle) Semi-Trailer Class	Weight in Pounds	Maximum Gross Weight in Pounds
A	Less than 1000	3000
B	1000 and over but less than 2000	6000
C	2000 and over but less than 3000	10000
D	3000 and over but less than 4000	12000
E	4000 and over but less than 5000	14000
F	5000 and over but less than 6000	16000
G	6000 and over	18000

(d) No two-wheeled vehicle except fire department equipment shall be operated upon any highway with gross weight in excess of [eighteen thousand (18,000)] twenty thousand (20,000) pounds or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire

(e) No four-wheeled vehicle except fire department equipment and any motor bus operated within a municipality or in a business or residence district shall be operated upon any highway with a gross weight in excess of [twenty-six thousand (26,000)] thirty thousand (30,000) pounds or in excess of [eighteen thousand (18,000)] twenty thousand (20,000) pounds on any axle or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel

(f) No six or more wheeled vehicle except fire department equipment shall be operated upon any highway with gross weight in excess of [thirty-six thousand (36,000)] forty thousand (40,000) pounds or in excess of eight thousand (8,000) pounds on the front axle or in excess of [sixteen thousand five hundred (16,500)] eighteen thousand (18,000) pounds on any one of the rear axles or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel and the two rear axles shall be parallel and shall not be less than thirty-six (36) inches apart

(g) No truck tractor and semi-trailer combined except fire department equipment shall be operated upon any highway with a gross weight in excess of [thirty-nine thousand (39,000)] forty-five thousand (45,000) pounds or in excess of [eighteen thousand (18,000)] twenty thousand (20,000) pounds on any axle or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel axle or axles of semi-trailer shall not be less than ninety-six (96) inches from the axle of the truck tractor

(h) No commercial motor vehicle and trailer combined except fire department equipment shall be operated upon any highway with a gross weight in excess of sixty-two thousand (62,000) pounds or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel

No truck tractor semi-trailer and trailer combined except fire department equipment shall be operated upon any highway with a gross weight in excess of sixty-five thousand (65,000) pounds or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel

(i) Maximum gross weights provided in this section are permissible only under conditions where no other restrictions are provided in this act or in any other laws regulating the gross maximum weight of vehicles

[(j) Notwithstanding any of the foregoing provisions of this section the permitted gross weights of the following types of vehicles hereinbefore provided for shall be as follows during the continuance of the war in which the United States is now engaged and until the end of the next session of the General Assembly to convene after the cessation of hostilities

(1) Four-Wheeled (2 Axles) Class V Chassis Weight 5000 lbs and over but less than 6000 lbs Gross Weight 19,000 lbs

(2) Four-Wheeled (2 Axles) Class W Chassis Weight 6000 lbs and over but less than 7500 lbs Maximum Gross Weight 23,000 lbs

(3) Four-Wheeled (2 Axles) Class Y Chassis Weight 7500 lbs and over but less than 9000 lbs Maximum Gross Weight 27,000 lbs

(4) Four-Wheeled (2 Axles) Class Z Chassis Weight 9000 lbs and over Maximum Gross Weight 30,000 lbs

(5) Six-Wheeled (3 Axles) Class UZ Chassis Weight 5000 lbs and over but less than 6000 lbs Maximum Gross Weight 24,000 lbs

(6) Six-Wheeled (3 Axles) Class VZ Chassis Weight 6000 lbs and over but less than 7500 lbs Maximum Gross Weight 28,000 lbs

(7) Six-Wheeled (3 Axles) Class WZ Chassis Weight 7500 lbs and over but less than 9000 lbs Maximum Gross Weight 32,000 lbs

(8) Six-Wheeled (3 Axles) Class YZ Chassis Weight 9000 lbs and over but less than 12,000 lbs Maximum Gross Weight 36,000 lbs

(9) Six-Wheeled (3 Axles) Class ZZ Chassis Weight 12,000 lbs and over Maximum Gross Weight 40,000 lbs

(10) Two-Wheeled Vehicles Maximum Gross Weight 20,000 lbs

(11) Four-Wheeled Vehicles Maximum Gross Weight 30,000 lbs Maximum Gross Weight on any Axle 20,000 lbs

(12) Six or more Wheeled Vehicles Maximum Gross Weight 40,000 lbs Maximum Gross Weight on any one of the rear Axles 18,000 lbs

(13) Truck Tractor and Semi-trailer Combined Maximum Gross Weight 45,000 lbs Maximum Gross Weight on any Axle 20,000 lbs]

Penalty Any person operating any vehicle upon any highway with a gross weight exceeding by more than five (5) per centum the maximum gross weight allowed and not exceeding by more than ten (10) per centum the maximum gross weight allowed shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five ($25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days and any person operating any vehicle on any highway with a gross weight exceeding by more than ten (10) per centum the maximum gross weight allowed shall upon summary conviction before a magistrate be sentenced to pay a fine of fifty ($50) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

Section 2 This act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. MORAN. Mr. Speaker, I would like to draw the attention of the Members of the House to the fact that this is the big truck bill that we are voting on.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—157

Andrews,	Gibson,	Lyons,	Riley,
Baker,	Goodling,	Madden,	Rudisill,
Barton,	Gore,	Madigan,	Royer,
Baumunk,	Green,	Mahany,	Salus,
Bentley,	Greenwood,	Matthews,	Scanlon,
Bentzel,	Greer,	McAtee,	Serrill,
Bonawitz,	Guthrie,	McClester,	Shoemaker,
Boorse,	Gyger,	McCormack,	Skale,
Boory,	Haberlen,	McDowell,	Sloan,
Brancato,	Hall,	McKinney,	Smith,
Breisch,	Hare,	McMillen,	Snider,
Brice,	Haudenshield,	McNair,	Snyder,
Brothers,	Heatherington,	Mihm,	Stank,
Brunner, C. H.,	Helm,	Mikula,	Stockham,
Brunner, P. A.,	Herman,	Milliken,	Stonier,
Burns,	Hewitt,	Mills,	Stuart,
Chudoff,	Hoffman,	Mooney,	Swope,
Cohen,	Hoopes,	Moore, C. E.,	Tate,
Coleman,	Howells,	Moser,	Tittle,
Cook,	Hunter,	Munley,	Trachtman,
Costa,	Huntley,	Myhan,	Trent,
Coulson,	James,	Nagel,	Trout,
Coyle,	Jones,	Nelson,	Turbett,
Cullen,	Kennedy,	O'Brien,	Turner,
Dague,	Kirley,	O'Dare,	Varallo,
Dennison,	Kline,	O'Neill,	Verona,
Depuy,	Kolankiewicz,	Owens,	Wachhaus,

Dillon,	Komorofski,	Pentrack,	Wagner,
Dix,	Kurtz,	Petrosky,	Waterhouse,
Dougherty,	Lane,	Pettigrew,	Watkins,
Dye,	Laughner,	Pickens,	Weiss,
Elder,	Lee,	Polen,	Welsh,
Elish,	Leisey,	Powers,	Wescott,
Ewing,	Leonard,	Propert,	Wood, N.,
Fleming,	Lichtenwalter,	Reagan,	Worley,
Foor,	Loftus,	Regan,	Wright,
Fox,	Longo,	Reidenbach,	Yeakel,
Freed,	Lopez,	Reilly,	Fiss,
Frost,	Lovett,	Reynolds,	Speaker.

NAYS—20

Barrett,	Hamilton,	Moran,	Schuster,
Boney,	Hennihan,	Murray, M. L.,	Shaffer,
Dalrymple,	Krise,	O'Connor,	Sollenberger,
Erb,	Miller,	O'Donnell,	Sorg,
Gaffney,	Moore, W. J.,	Polaski,	Yester,
Gardner,			

NOT VOTING—24

Boies,	Finnerty,	Hersch,	Robertson,
Bower,	Flack,	Hoggard,	Root,
Cadwalader,	Fullerton,	Levy,	Rose,
Chervenak,	Gallagher,	McLanahan,	Tahl,
Cooper,	Getchey,	McNally,	White,
Corrigan,	Hering,	Reese, D. P.,	Wood, L. H.,
Duffy,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 662, as follows:

An Act to promote interstate cooperation for the conservation and protection of water resources in the Delaware River Basin

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

(1) Whereas the States of New York New Jersey Pennsylvania and Delaware have each created and now maintain a Commission (or Committee) on Interstate Cooperation for the purpose of establishing and maintaining governmental machinery to facilitate communcation negotiation understanding and cooperation between said states respectively and other states of the Union both regionally and nationally with power to establish such committees sub-committees and advisory boards as are deemed advisable to conduct conferences and to formulate proposals concerning subjects of intergovernmental cooperation to study the laws of the several states hold public or private hearings make findings and recommendations and to submit drafts of legislation to promote uniform laws for the elmination of the confusion and conflict between the serveral states of the Union and the Federal government in the matter of laws and administrate practices concerning conservation prevention abatement and control of pollution water supply public welfare flood control and other subjects and

(2) Whereas said Commissions (or Committees) on Interstate Cooperation of said states have organized and established and are now maintaining as an instrument of governmental machinery a joint advisory board known as "The Interstate Commission on the Delaware River Basin" as a regional commission composed of standing subcommittees of said Commissions (or Committees) on Interstate Cooperation respectively for the purpose of entering upon a program to study the conservation water supply pollution and other potential uses and benefits of and to develop integrated plans to conserve and protect the waters and other resources of the Delawaer River Basin in the following specified particulars

A To serve as a fact-coordinating body and to develop the means and procedure by which the general plans and policies proposed for the development of the region may be carried out

B To sponsor the carrying out of properly developed plans which result from surveys and research concerning population land and water resources and uses and other related subjects

C To coordinate the activities of the Commission and Committees on Interstate Cooperation and their joint agency the Council of State Government with the work of the appropriate state and Federal agencies for the prevention and abatement of pollution for flood control and for the proper general use and control of the waters of the Delaware River

D To encourage interstate compacts and the enactment of uniform state laws for the abatement of water pollution for flood control and for the proper general use and control of the waters of the Delaware River

E To advance perpetuate and outline the work recommended by its conferences and to develop and propose new objectives and

(3) Whereas it is the purpose of the Commissions (or Committees) on Interstate Cooperation of said four states acting through said Interstate Commission on the Delaware River Basin to eliminate confusion and conflict among said states by the promotion and enactment of uniform laws in said states to preserve in a safe and sanitary condition the waters and watershed of said Delaware River Basin and to provide uniform concurrent regulations for the control and the enforcement of the elimination of pollution in the waters thereof in said states respectively and

(4) Whereas said Interstate Commission on the Delaware River Basin in cooperation with the state health departments of said states respectively has made a study for the purposes above recited of said Delaware River and its tributaries in said Delaware River Basin and has formulated proposals for the intergovernmental cooperation of said states in the correction and control of pollution of the waters thereof which have been formally approved ratified and accepted by the health departments of said states respectively in the following form

A Reciprocal Agreement as drafted and negotiated by the Interstate Commission on the Delaware River Basin with subsequent formal ratification by the State Departments of Health of Delaware-New Jersey-New York-Pennsylvania for the Conservation and Control of Pollution of the Waters of the Interstate Delaware River

Whereas a substantial part of the territory of the states of New York New Jersey Pennsylvania and Delaware is situated within the Delaware River drainage basin and

Whereas the incerase in population of the various municipal areas within the Delaware River Basin and the growth of industrial activity within the Basin have resulted in increasingly serious pollution of the waters of the Interstate Delaware River and its tributaries and

Whereas such pollution constitutes a grave menace to the health welfare and recreational facilities of the people living in the Delaware River Basin and occasions great economic loss and

Whereas the control of future pollution and the correction of existing pollution of the waters of the interstate Delaware River and its tributaries is of prime importance to the people living in the Delaware River Basin and can best be accomplished through the cooperation of the representatives of the people in the Basin in the states of New York New Jersey Pennsylvania and Delaware

Now therefore the State of New York and the State of New Jersey and the Commonwealth of Pennsylvania and the State of Delaware agree and are bound as follows

Article I

Each of the signatory states pledges to each of the other signatory states faithful cooperation in the control of future pollution and in the correction of existing pollution of the waters of the interstate Delaware River and its West Branch from the New York-Pennsylvania boundary line down to the Atlantic Ocean In order to effect such objects each of the states agrees to enact adequate legislation if necessary to enable each such state so to

require the treatment of sewage industrial waste or other artificial polluting matter as to place and maintain the waters of the aforesaid interstate Delaware River and of the tributaries thereof just above the confluence with the Delaware River in the clean and sanitary conditions required by the provisions of this agreement Furthermore each such state agrees so to enforce the provisions of these requirements and other supplementary applicable legislation if any as to bring about the attainment of the objectives of pollution control and correction in accordance with such reasonable and effective programs as may be determined from time to time by the states in the manner prescribed herein

Article II

It is recognized by the sighatory states that due to such variable factors as location size character and flow and of the many varied uses of the waters of the interstate Delaware River and its aforesaid West Branch such as water supply recreation navigation industrial developments maintenance of fish life shellfish culture agriculture and other purposes that no single standard of sewage and waste treatment and of quality of receiving waters is practical for all parts of the river Therefore in order to apply minimum requirements for the attainment of correction and control of pollution which will be appropriate to the varied factors including the existing and potential quality and uses of the waters the interstate Delaware River is hereby divided into four zones to wit

Zone I Zone 1 is that part of the Delaware River and its West Branch extending from the New York-Pennsylvania boundary line to the head of tidewater at Trenton New Jersey and Morrisville Pennsylvania

The drainage basin contributory to this zone excepting part of the Lehigh River Basin is relatively sparsely inhabited and contains few sewered communities and relatively few industrial establishments producing waste water The streams draining this area being in general relatively clean and of high elevation are well adapted as sources of public water supplies after treatment or purification

The principal uses of the waters of the Delaware River in Zone 1 are expected to be for water supply after such treatment or purification as may be necessary and for recreation bathing maintenance of fish and acquatic life agriculture and for other related purposes

Zone II Zone 2 is that part of the Delaware River extending from the head of tidewater at Trenton New Jersey and Morrisville Pennsylvania to a line drawn perpendicular to the channel of the Delaware River from the mouth of Pennypack Creek in Philadelphia Pennsylvania to the corresponding point on the New Jersey shore

The drainage basin contributary to this zone is somewhat more densely populated than that of Zone 1 and it contains more sewered communities and industrial establishments

The principal uses of the waters of the Delaware River in Zone 2 are expected to be for water supply after treatment or purification and for recreation navigation maintenance of fish and aquatic life agricultural industrial and other purposes

Zone III Zone 3 is that part of the Delaware River extending from the aforesaid line connecting the mouth of Pennypack Creek in Philadelphia and the corresponding point in New Jersey to the Pennsylvania-Delaware boundary line

The drainage basin contributary to this zone contains populous metropolitan areas including Philadelphia Pennsylvania and Camden New Jersey

The principal uses of the waters of the Delaware River in Zone 3 are expected to be for navigation industrial water supply and other purposes

The water in this zone however should be of such sanitary quality that it will not be unfit for use as sources of water supply will not be harmful to fish life and will not adversely affect the quality of the waters of tidal tributaries

Zone IV Zone 4 is that part of the Delaware River extending from the Pennsylvania-Delaware boundary line to the Atlantic Ocean

The principal uses of the waters of the Delaware River in Zone 4 are expected to be for navigation industrial water supplies commercial fishing shellfish culture recreation and other purposes

In order to attain conditions of cleanliness and sanitation of the waters of the Delaware River which will be consistent wit the appropriate existing and future quality and uses of such waters the following minimum requirements shall apply to thme several zones herein provided It is the purpose and intent of such requirements to apply to artificial (not natural) causes of pollution

Article III

In order to put and maintain the waters of the interstate Delaware River and its West Branch as aforesaid in a clean and sanitary condition no sewage industrial wastes or other polluting matter shall be discharged into or be permitted to flow or fall into or be placed in any respective zone of the interstate Delaware River as herein established unless such sewage industrial waste or other artificial polluting matter shall first have been so treated as to produce an effluent which will meet the following minimum requirements

Zone 1 1 Such effluent shall be free of noticeable floating solids color oil grease or sleek and practically free of suspended solids

2 Such effluent shall be sufficiently free of turbidity that it will not cause noticeable turbidity in the water of the Delaware River

3 Such effluent shall show a reduction of organic substances of at least eighty-five (85) per cent as measured by the bio-chemical oxygen demand and furthermore such effluent in no case shall exceed a bio-chemical oxygen demand of fifty (50) parts per million and furthermore the discharge of such effluent after disperson in the water of the river shall not cause a reduction of the dissolved oxygen content of such water of more than five (5) per cent The aforesaid reduction in dissolved oxygen content shall be determined by the average results obtained from dissolved oxygen tests made upon samples collected on not less than six (6) consecutive days from points in the river above and below the point or points of effluent discharge

4 Such effluent shall be of such quality that the most probable number of organisms of the Coli Areogones group shall not exceed one (1) per milliliter in more than ten (10) per cent of the samples of sewage effluent tested by the confirmed test and provided further that no single sample shall contain more than one hundred (100) organisms of the Coli Aerogenes group in one (1) milliliter

5 Such effluent shall be sufficiently free of acids alkalis and other toxic or deleterious substances that it will not create a menace to the public health through the use of the waters of the Delaware River for public water supplies for recreation bathing agriculture and other purposes nor be inimical to fish animal or aquatic life

6 Such effluent shall be free of offensive odors and also be free of substances capable of producing offensive tastes or odors in public water supplies derived from the Delaware River at any place below the discharge of such effluent

Zone 2 1 Such effluent shall be free of noticeable floating solids color oil or grease and practically free of both suspended solids and sleek

2 Such effluent shall be sufficiently free of turbidity that it will not cause noticeable turbidity in the water of the Delaware River

3 Such effluent shall show a reduction of organic substance of at least eighty-five (85) per cent as measured by the bio-chemical oxygen demand and furthermore such effluent in no case shall exceed a bio-chemical oxygen demand of one hundred (100) parts per million and furthermore the discharge of such effluent after dispersion in the water of the river shall not cause a reduction of the dissolved oxygen content of such water of more than ten (10) per cent The aforesaid reduction in dissolved oxygen content shall be determined by the

average results obtained by dissolved oxygen tests made upon samples collected on not less than six (6) consecutive days from points in the river above and below the point or points of effluent discharge

4 Such effluent shall be of such quality that the most probable number of organisms of the Coli Aerogenes group shall not exceed one (1) per milliliter in more than twenty-five (25) per cent of the samples of sewage effluent tested by the confirmed test and provided further that no single sample shall contain more than one hundred (100) organisms of the Coli Aerogenes group in one (1) milliliter

5 Such effluent shall be sufficiently free of acids alkalis and other toxic or deleterious sustances that it will not create a menace to the public health through the use of the water of the Delaware River for public water supplies for recreation industrial and other purposes nor be inimical to fish animal or aquatic life

6 Such effluent shall be free of offensive odors and also be free of substances capable of producing offensive tastes and odors in public water supplies derived from the Delaware River at any place above or below the discharge of such effluent

Zone 3 1 Such effluent shall be free of noticeable floating solids oil or grease and substantially free of both settleable solids and sleek

2 Such effluent shall be sufficiently free of turbidity that it will not cause substantial turbidity in the water of the Delaware River after dispersion in the water of the river

3 Such effluent shall show a reduction of at least fifty-five (55) per cent of the total suspended solids and a reduction of not less than thirty-five (35) per cent of the bio-chemical demand (It is the intent of this requirement to restore the dissolved oxygen content of the river water in this zone to at least fifty (50) per cent saturation To accomplish this it may be necessary in the case of certain wastes to obtain reductions greater than those required under this item)

4 Such effluent if it be discharged within two miles of a public water works intake or within prejudicial influence thereof shall at all times be effectively treated with a germicide

5 Such effluent shall be sufficiently free of acids alkalis and other toxic or deleterious substances that it will not create a menace to the public health through the use of the waters of the Delaware River for public water supplies or render such waters unfit for industrial and other purposes or cause the water of the Delaware River to be harmful to fish life

6 Such effluent shall be practically free of substances capable of producing offensive tastes or odors in public water supplies derived from the Delaware River

Zone 4 1 Such effluent shall be free of noticeable floating solids oil or grease and substantially free of both settleable solids and sleek

2 Such effluent shall be sufficiently free of turbidity that it will not cause substantial turbidity in the waters of the Delaware River after dispersion in the water of the river.

3 Such effluent shall show a reduction of at least fifty-five (55) per cent of the total suspended solids and shall be subject to such further treatment as may be needed to prevent a nuisance

4 Such effluent if it be discharged within prejudicial influence of a public water works intake or of recreational areas or of shell fish grounds shall at all times be effectively treated with a germicide except that in the case of recreational area influence such treatment need not be provided during the period from October 15th to May 15th of each year

5 Such effluent shall be sufficiently free of acids alkalis and other toxic or deleterious substances that it will not create a menace to the public health through the use of the waters of the Delaware River for public water supplies or render such waters unfit for commercial fishing shell fish culture recreational industrial or other purposes

6 Such effluent shall be practically free of substances capable of producing offensive tastes or odors in public water supplies derived from the Delaware River

It is further recognized by the signatory states that the quality of the waters of the intrastate tributaries of the Delaware River and its aforesaid West Branch are of interstate concern at their points of confluence with the Delaware River and its West Branch Therefore it is also agreed that sewage industrial waste or other artificial polluting matter discharged into or permitted to flow or to fall into or be placed in any intrastate tributary of the aforesaid Delaware River shall be treated to that degree if any necessary to maintain the waters of such intrastate tributary immediately above its confluence with the aforesaid Delaware River in a condition at least equal to the clean and sanitary condition of the waters of the Delaware River immediately above the confluence of such tributary

Analyses and tests regarding the minimum requirements herein prescribed shall be determined in accordance with the provisions contained in the American Public Health Association's latest edition on "Standard Methods for the Examination of Water and Sewage"

The aforesaid requirements as to treatment of sewage industrial wastes or other artificial polluting matter and as to the sanitary quality of receiving waters are minima It is the intent and purpose of these requirements to accomplish reasonable and adequate control and correction of pollution Due to the many variable factors involved however and to the impossibility of forecasting future developments with certainty it may be necessary in the future to impose additional requirements particularly in Zones 2 and 3

The minima herein prescribed therefore shall be considered the first steps toward attaining the objectives sought and if necessary may be required to be supplemented in the case that the general application of such minimum requirements does not adequately improve and maintain the sanitary quality of the waters of the Delaware River

Section 1 That part of the area of the Delaware River Basin lying within this state is hereby established and declared to be a component part of an interstate region for the intergovernmental cooperation by said states in the conservation protection and development of the water resources thereof by means of integrated plans and said Interstate Commission on the Delaware River Basin is hereby recognized as the duly established regional commission or agency of this state for intergovernmental cooperation in effectuating the purposes described in paragraph (2) of the above preamble with full and complete authority to exercise for the accomplishment of said purposes the governmental machinery powers and duties conferred by this state upon said Commission (or Committee) on Interstate Cooperation

Section 2 The reciprocal agreement set forth in paragraph (4) of the above preamble is hereby ratified and applied to the waters and watershed of said Delaware River Basin within the territorial limits of this state and its terms and provisions shall supersede the terms and provisions of any existing laws and regulations applicable to that area to the extent only that the terms and provisions of such existing laws and regulations are inconsistent with the terms and provisions set forth in said reciprocal agreement

Section 3 The Department of Health or such other agency designated by the law of the respective signatory states to deal with control or abatement of pollution is hereby empowered and directed to apply and carry into effect the proposals terms and provisions of said reciprocal agreement in the several zones therein prescribed respectively within the territorial limits of this state and to enforce the same by the exercise of such administrative and legal authority and the institution and prosecution of such actions suits or other proceedings as may be necessary or appropriate as are now or may hereafter be provided under the laws and practice of this state

Section 4 The Department of Health or such other agency designated by the law of the respective signatory states to deal with control or abatement of pollution is hereby authorized and directed to cooperate with said Interstate Commission on the Delaware River Basin in

the further study of the sanitary condition of the waters of Delaware River and its tributaries in said Delaware River Basin and to approve adopt and enforce within this state such reasonable modifications changes or alterations in the zones or standards of quality of water in said river and tributaries as may from time to time be recommended by said Interstate Commission on the Delaware River Basin and approved by the departments of health of the other states constitutent to said Delaware River Basin

Section 5 The terms and provisions of said reciprocal agreement shall become effective upon receipt by the Secretary of State of this state of a certificate from the Executive Secretary of The Interstate Commission on the Delaware River Basin that an act in substantially the same form as this act has been passed by the Legislature and approved by the Governor of one of the other three states constitutent to said Delaware River Basin together with a certified copy of said act of said state and thereupon the Secretary of State shall advise the Department of Health of this state accordingly

Section 6 This act shall take effect immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—186

Andrews,	Fox,	Lovett,	Riley,
Baker,	Freed,	Lyons,	Robertson,
Barrett,	Frost,	Madden,	Royer,
Barton,	Fullerton,	Madigan,	Rudisill,
Baumunk,	Gaffney,	Mahany,	Salus,
Bentley,	Gardner,	Matthews,	Scanlon,
Bentzel,	Getchey,	McAtee,	Schuster,
Bonawitz,	Gibson,	McClester,	Serrill,
Boney,	Goodling,	McCormack,	Shaffer,
Boorse,	Gore,	McDowell,	Shoemaker,
Boory,	Greenwood,	McKinney,	Skale,
Bower,	Greer,	McLanahan,	Sloan,
Brancato,	Guthrie,	McMillen,	Smith,
Breisch,	Gyger,	McNair,	Snider,
Brice,	Haberlen,	McNally,	Snyder,
Brothers,	Hall,	Mihm,	Sollenberger,
Brunner, C. H.,	Hamilton,	Mikula,	Sorg,
Brunner, P. A.,	Hare,	Miller,	Stank,
Burns,	Haudenshield,	Milliken,	Stockham,
Cadwalader,	Heatherington,	Mills,	Stonier,
Chervenak,	Helm,	Mooney,	Stuart,
Chudoff,	Hennihan,	Moore, C. E.,	Swope,
Cohen,	Herman,	Moore, W. J.,	Tate,
Coleman,	Hewitt,	Moran,	Tittle,
Cook,	Hoffman,	Moser,	Trachtman,
Cooper,	Hoopes,	Murray, M. L.,	Trent,
Corrigan,	Howells,	Myhan,	Trout,
Costa,	Huntley,	Nagel,	Turbett,
Coulson,	Hunter,	Nelson,	Turner,
Coyle,	James,	O'Brien,	Varallo,
Cullen,	Jones,	O'Connor,	Verona,
Dague,	Kennedy,	O'Dare,	Wachhaus,
Dalrymple,	Kirley,	O'Donnell,	Wagner,
Dennison,	Kline,	Owens,	Waterhouse,
Depuy,	Kolankiewicz,	Pentrack,	Watkins,
Dillon,	Komorofski,	Petrosky,	Weiss,
Dix,	Krise,	Pettigrew,	Welsh,
Dougherty,	Kurtz,	Pickens,	Wescott,
Dye,	Lane,	Polaski,	White,
Elder,	Laughner,	Polen,	Wood, N.,
Elish,	Lee,	Powers,	Worley,
Erb,	Leisey,	Propert,	Wright,
Ewing,	Leonard,	Reagan,	Yeakel,
Finnerty,	Lichtenwalter,	Regan,	Yester,
Flack,	Loftus,	Reidenbach,	Fiss,
Fleming,	Longo,	Reilly,	Speaker,
Foor,	Lopez,	Reynolds,	

NAYS—0

NOT VOTING—15

Boies,	Hering,	Munley,	Rose,
Duffy,	Hersch,	O'Neill,	Tahl,
Gallagher,	Hoggard,	Reese, D. P.,	Wood, L. H.,
Green,	Levy,	Root,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

The SPEAKER. The Chair requests the gentleman from Delaware, Mr. Turner, to preside.

MR. TURNER IN THE CHAIR

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 697, as follows:

An Act to further amend clause seven of section one of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" extending the time for officers and employes of the Department of Public Instruction to withdraw from the Retirement System and receive reimburse for moneys paid in and requiring payments from the school Employes' Retirement Fund into the State Employes' Retirement Fund in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That clause seven of section one of the act approved the eighteenth day of July one thousand nine hundredd seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the twelfth day of July one thousand nine hundred thirty-five (P. L. 650) is hereby further amended to read as follows

Section 1 Be it enacted &c That the following words and phrases as used in this act unless a different meaning is plainly required by the context shall have the following meanings

* * * * *

(7) "Employe" shall mean any teacher principal supervisor supervising principal county superintendent district superintendent assistant superintendent any member of the staff of the State [Normal Schools] Teachers Colleges or of the staff of the State Department of Public Instruction or of the staff of the State Council of Education or any clerk stenographer janitor attendance officer or other person engaged in any work concerning or relating to the public schools of this Commonwealth or in connection therewith or under contract or engagement to perform one or more of these functions Provided That no person shall be deemed an employe within the meaning

of this act who is not regularly engaged in performing one or more of these functions as a full-time occupation outside of vacation periods In all cases of doubt the retirement board shall determine whether any person is an employe as defined in this act And provided further That those officers and employes of the Department of Public Instruction who are members of or are entitled to membership in the retirement system herein established may withdraw from the system and be entitled to reimbursement of moneys which they have paid in by so electing in writing filed with the retirement board on or before the [first day of July one thousand nine hundred and thirty-six] thirtieth day of September one thousand nine hundred forty-five After said date all new officers and employes in the Department of Public Instruction shall be members of said system unless they elect otherwise in writing filed with the retirement board within one year after beginning their employment

In every case where a member of the Public School Employes Retirement Association classed as a present employe shall have withdrawn from the Public School Employes Retirement Association and shall have become a member of the State Employes Retirement Association on or before the thirtieth day of September one thousand nine hundred forty-five and thereby receive credit for additional years of prior service the Public school Employes Retirement Board shall transfer from the State Annuity Reserve Account Number Two to the State Annuity Reserve Account Number Two of the State Employes Retirement Fund an amount calculated by the State Employes Retirement Board to be the actuarial value of the additional State annuities related to the additional years of prior service credited to such members by the State Employes Retirement Board

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—186

Andrews,	Fox,	Lovett,	Riley,
Baker,	Freed,	Lyons,	Robertson,
Barrett,	Frost,	Madden,	Royer,
Barton,	Fullerton,	Madigan,	Rudisill,
Baumunk,	Gaffney,	Mahany,	Salus,
Bentley,	Gardner,	Matthews,	Scanlon,
Bentzel,	Getchey,	McAtee,	Schuster,
Bonawitz,	Gibson,	McClester,	Serrill,
Boney,	Goodling,	McCormack,	Shaffer,
Boorse,	Gore,	McDowell,	Shoemaker,
Boory,	Greenwood,	McKinney,	Skale,
Bower,	Greer,	McLanahan,	Sloan,
Brancato,	Guthrie,	McMillen,	Smith,
Breisch,	Gyger,	McNair,	Snider,
Brice,	Haberlen,	McNally,	Snyder,
Brothers,	Hall,	Mihm,	Sollenberger,
Brunner, C. H.,	Hamilton,	Mikula,	Sorg,
Brunner, P. A.,	Hare,	Miller,	Stank,
Burns,	Haudenshield,	Milliken,	Stockham,
Cadwalader,	Heatherington,	Mills,	Stonier,
Chervenak,	Helm,	Mooney,	Stuart,
Chudoff,	Hennihan,	Moore, C. E.,	Swope,
Cohen,	Herman,	Moore, W. J.,	Tate,
Coleman,	Hewitt,	Moran,	Tittle,
Cook,	Hoffman,	Moser,	Trachtman,
Cooper,	Hoopes,	Murray, M. L.,	Trent,
Corrigan,	Howells,	Myhan,	Trout,
Costa,	Hunter,	Nagel,	Turbett,
Coulson,	Huntley,	Nelson,	Turner,
Coyle,	James,	O'Brien,	Varallo,
Cullen,	Jones,	O'Connor,	Verona,
Dague,	Kennedy,	O'Dare,	Wachhaus,
Dalrymple,	Kirley,	O'Donnell,	Wagner,
Dennison,	Kline,	Owens,	Waterhouse,
Depuy,	Kolankiewicz,	Pentrack,	Watkins,
Dillon,	Komorofski,	Petrosky,	Weiss,
Dix,	Krise,	Pettigrew,	Welsh,
Dougherty,	Kurtz,	Pickens,	Wescott,
Dye,	Lane,	Polaski,	White,
Elder,	Laughner,	Polen,	Wood, N.,
Elish,	Lee,	Powers,	Worley,
Erb,	Leisey,	Propert,	Wright,
Ewing,	Leonard,	Reagan,	Yeakel,
Finnerty,	Lichtenwalter,	Regan,	Yester,
Flack,	Loftus,	Reidenbach,	Fiss,
Fleming,	Longo,	Reilly,	Speaker.
Foor,	Lopez,	Reynolds,	

NAYS—0

NOT VOTING—15

Boies,	Hering,	Munley,	Rose,
Duffy,	Hersch,	O'Neill,	Tahl,
Gallagher,	Hoggard,	Reese, D. P.,	Wood, L. H.,
Green,	Levy,	Root,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 698, as follows:

An Act to further amend clauses nine and thirteen of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" further defining original members and prior service in the case of certain former members of the Public School Employes Retirement Association

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clauses nine and thirteen of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 683) are hereby further amended to read as follows

Section 1 Be it enacted &c That the following words and phrases as used in this act unless a different meaning is plainly required by the context shall have the following meanings

* * * * *

9 "Original member" of the retirement association shall mean a State employe who was at any time a State employe prior to January first one thousand nine hundred twenty-five whether or not such employment has been continuous and who shall have become a member of the retirement association on or before December thirty-first

one thousand nine hundred thirty-five or a former member of the Public School Employes' Retirement Association classed as a present employe who shall have withdrawn from such Retirement Association and shall have become a member of the State Employes Retirement Association on or before September thirtieth one thousand nine hundred forty-five

Any such State employe who shall become an original member of the association after the approval of this amendment including those who having heretofore become a new member thereof shall become an original member under the provisions hereof shall pay to the retirement association a sum equal to all the back payments which such person would have made had he or she become a member of the retirement association when the retirement system was established Such back payments may be spread over a period of years by having such regular payroll deductions of such person increased by not less than one-third of the amount thereof which deduction increase shall be credited to such back payments owing and shall be continued until the amount thereof shall be paid in full unless such member is retired under the provisions of this act before such back payments have been completed Any such deduction increase may be anticipated in full by the member at any time and shall be anticipated in full at the time of retirement before a retirement allowance is granted and if not so anticipated then the member's annuity shall be calculated on the total accumulated deductions standing to his credit and his State annuity shall be reduced by an amount equivalent to the reduction which occurs in the member's annuity due to the amount of the back payments not so anticipated

In addition thereto there shall be transferred to the State Annuity Reserve Account Number Two of the State Employes Retirement Fund from the State Annuity Reserve Account Number Two of the Public School Employes Retirement Fund an amount calculated by the State Employes Retirement Board to be the actuarial value of the additional State annuities related to the additional years of prior service credited in accordance with the provisions of this amendment to members of the Public School Employes Retirement Association classed as present employes who shall have withdrawn from such retirement association and shall have become members of the State Employes Retirement Association on or before September thirtieth one thousand nine hundred fiorty-five

Original member of the retirement association shall also mean any judge in service on the second Monday of January one thousand nine hundred thirty who shall elect to become a member of the retirement association at any time during the term for which he was then elected or appointed and any person hereafter elected or appointed a judge who at the time of his election or appointment is an original member of the retirement association or who was retired voluntarily or involuntarily as an original member and is at the time of his election or appointment as a judge receiving a retirement allowance as an original member

13 "Prior Service" shall mean all service as a State employe completed not later than the thirty-first day of December nineteen hundred twenty-three and in the case of judges shall mean all service completed prior to becoming a member of the retirement association and in the case of former members of the Public School Employes Retirement Association classed as present members who shall have transferred to the State Employes Retirement Association on or before September thirtieth one thousand nine hundred forty-five such additional years of prior service as shall have been credited to such members by the Public School Employes Retirement Association

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—186

Andrews,	Fox,	Lovett,	Riley,
Baker,	Freed,	Lyons,	Robertson,
Barrett,	Frost,	Madden,	Royer,
Barton,	Fullerton,	Madigan,	Rudisill,
Baumunk,	Gaffney,	Mahany,	Salus,
Bentley,	Gardner,	Matthews,	Scanlon,
Bentzel,	Getchey,	McAtee,	Schuster,
Bonawitz,	Gibson,	McClester,	Serrill,
Boney,	Goodling,	McCormack,	Shaffer,
Boorse,	Gore,	McDowell,	Shoemaker,
Boory,	Greenwood,	McKinney,	Skale,
Bower,	Greer,	McLanahan,	Sloan,
Brancato,	Guthrie,	McMillen,	Smith,
Breisch,	Gyger,	McNair,	Snider,
Brice,	Haberlen,	McNally,	Snyder,
Brothers,	Hall,	Mihm,	Sollenberger,
Brunner, C. H.,	Hamilton,	Mikula,	Sorg,
Brunner, P. A.,	Hare,	Miller,	Stank,
Burns,	Haudenshield,	Milliken,	Stockham,
Cadwalader,	Heatherington,	Mills,	Stonier,
Chervenak,	Helm,	Mooney,	Stuart,
Chudoff,	Hennihan,	Moore, C. E.,	Swope,
Cohen,	Herman,	Moore, W. J.,	Tate,
Coleman,	Hewitt,	Moran,	Tittle,
Cook,	Hoffman,	Moser,	Trachtman,
Cooper,	Hoopes,	Murray, M. L.,	Trent,
Corrigan,	Howells,	Myhan,	Trout,
Costa,	Hunter,	Nagel,	Turbett,
Coulson,	Huntley,	Nelson,	Turner,
Coyle,	James,	O'Brien,	Varallo,
Cullen,	Jones,	O'Connor,	Verona,
Dague,	Kennedy,	O'Dare,	Wachhaus,
Dalrymple,	Kirley,	O'Donnell,	Wagner,
Dennison,	Kline,	Owens,	Waterhouse,
Depuy,	Kolankiewicz,	Pentrack,	Watkins,
Dix,	Komorofski,	Petrosky,	Weiss,
Dougherty,	Krise,	Pettigrew,	Welsh,
Dillon,	Kurtz,	Pickens,	Wescott,
Dye,	Lane,	Polaski,	White,
Elder,	Laughner,	Polen,	Wood, N.,
Elish,	Lee,	Powers,	Worley,
Erb,	Leisey,	Propert,	Wright,
Ewing,	Leonard,	Reagan,	Yeakel,
Finnerty,	Lichtenwalter,	Regan,	Yester,
Flack,	Loftus,	Reidenbach,	Fiss,
Fleming,	Longo,	Reilly,	Speaker.
Foor,	Lopez,	Reynolds,	

NAYS—0

NOT VOTING—15

Boles,	Hering,	Munley,	Rose,
Duffy,	Hersch,	O'Neill,	Tahl,
Gallagher,	Hoggard,	Reese, D. P.,	Wood, L. H.,
Green,	Levy,	Root,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 714, as follows:

An Act to further amend section one of the act approved the eighth day of July one thousand nine hundred nineteen (P. L. 782) entitled as amended "An act providing that clerks appraisers investigators and other persons assisting the registers of wills in the collection of inheritance taxes in all counties shall be appointed and their compensation fixed by the Secretary of Revenue and prescribing the method of their payment and that of other expenses incident to the collection of said taxes including cost of registers'

bonds" by clarifying the provisions for the payment of the cost of registers' bonds filed with the Departpartment of Revenue

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the eighth day of July one thousand nine hundred nineteen (P. L. 782) entitled as amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 369) "An act providing that clerks appraisers investigators and other persons assisting the registers of wills in the collection of inheritance taxes in all counties shall be appointed and their compensation fixed by the Secretary of Revenue and prescribing the method of their payment and that of other expenses incident to the collection of said taxes including cost of registers' bonds" as amended by the said act of one thousand nine hundred forty-three is hereby further amended to read as follows

Section 1 Be it enacted &c That all clerks appraisers investigators and other persons required to assist any register of wills in any county of the Commonwealth in collecting and paying over inheritance taxes shall be appointed and their compensation fixed by the Secretary of Revenue and upon his approval and order shall be paid out of the said taxes in the hands of the registers together with other necessary expenses incident to the collection of such taxes including the payment of the cost of [registers' bonds to the Commonwealth] the premium on bonds filed by registers with the Department of Revenue

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitutions the yeas and nays were taken and were as follows:

YEAS—188

Andrews,	Freed,	Lyons,	Reynolds,
Baker,	Frost,	Madden,	Riley,
Barrett,	Fullerton,	Madigan,	Robertson,
Barton,	Gaffney,	Mahany,	Royer,
Baumunk,	Gardner,	Matthews,	Rudisill,
Bentley,	Getchey,	McAtee,	Salus,
Bentzel,	Gibson,	McClester,	Scanlon,
Bonawitz,	Goodling,	McCormack,	Schuster,
Boney,	Gore,	McDowell,	Serrill,
Boorse,	Greenwood,	McKinney,	Shaffer,
Boory,	Greer,	McLanahan,	Shoemaker,
Bower,	Guthrie,	McMillen,	Skale,
Brancato,	Gyger,	McNair,	Sloan,
Breisch,	Haberlen,	McNally,	Smith,
Brice,	Hall,	Mihm,	Snider,
Brothers,	Hamilton,	Mikula,	Snyder,
Brunner, C. H.,	Hare,	Miller,	Sollenberger,
Brunner, P. A.,	Haudenshield,	Milliken,	Sorg,
Burns,	Heatherington,	Mills,	Stank,
Cadwalader,	Helm,	Mooney,	Stockham,
Chervenak,	Hennihan,	Moore, C. E.,	Stonier,
Chudoff,	Herman,	Moore, W. J.,	Stuart,
Cohen,	Hewitt,	Moran,	Swope,
Coleman,	Hoffman,	Moser,	Tate,
Cook,	Hoopes,	Munley,	Tittle,
Cooper,	Howells,	Murray, M. L.,	Trachtman,
Corrigan,	Hunter,	Myhan,	Trent,
Costa,	Huntley,	Nagel,	Trout,
Coulson,	James,	Nelson,	Turbett,
Coyle,	Jones,	O'Brien,	Turner,
Cullen,	Kennedy,	O'Connor,	Varallo,
Dague,	Kirley,	O'Dare,	Verona,
Dalrymple,	Kline,	O'Donnell,	Wachhaus,
Dennison,	Kolankiewicz,	O'Neill,	Wagner,
Depuy,	Komorofski,	Owens,	Waterhouse,
Dillon,	Krise,	Pentrack,	Watkins,
Dix,	Kurtz,	Petrosky,	Weiss,
Dougherty,	Lane,	Pettigrew,	Welsh,
Dye,	Laughner,	Pickens,	Wescott,
Elder,	Lee,	Polaski,	White,
Elish,	Leisey,	Polen,	Wood, N.,
Erb,	Leonard,	Powers,	Worley,
Ewing,	Lichtenwalter,	Propert,	Wright,
Finnerty	Loftus,	Reagan,	Yeakel,
Flack,	Longo,	Regan,	Yester,
Fleming,	Lopez,	Reidenbach,	Fiss,
Foor,	Lovett,	Reilly,	Speaker.
Fox,			

NAYS—0

NOT VOTING—13

Boles,	Hering,	Levy,	Rose,
Duffy,	Hersch,	Reese, D P.,	Tahl,
Gallagher,	Hoggard,	Root,	Wood, L. H.,
Green,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 719, as follows:

An Act to amend section one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 558) entitled "An act authorizing the Department of Property and Supplies to sell and convey a lot or piece of land in Delaware County" correcting an erroneous measurement

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 558) entitled "An act authorizing the Department of Property and Supplies to sell and convey a lot or piece of land in Delaware County" is hereby amended to read as follows

Section 1 The Department of Property and Supplies with the approval of the Governor is hereby authorized and empowered to sell and convey for such consideration as may be agreed upon and to make and execute a deed conveying an unimproved lot or piece of ground in the Township of Middletown County of Delaware being bounded and described as follows

Beginning at a point on the line of lands of the School District in the Township of Middletown a corner of lands of John L Booth and wife at the distance of two hundred forty-eight and forty one-hundredths feet [seventy-four and twenty-one and one-hundredths feet] measured South forty-nine degrees thirty minutes West from the center line of the Edgmont or Middletown Road which last said point is a corner common to the lands of the School District and of the said John L Booth and wife thence by said lands South forty-nine degrees thirty minutes West One hundred ninety-nine and seventy-three one-hundredths feet more or less to a point thence North thirty-seven degrees thirty minutes West One hundred fifty-four and seventy-seven one-hundredths feet thence North fifty-two degrees thirty minutes East One hundred ninety-nine and seventy-three one-hundredths feet to a corner of lands of the Pennsylvania Department of Highways and John L Booth and wife thence by the latter South thirty-seven degrees thirty minutes East One hundred forty-four and three tenths feet to the point and place of beginning

The deed of conveyance to the purchaser thereof shall be prepared by the Attorney General and shall be executed by the Secretary of Property and Supplies in the name of the Commonwealth of Pennsylvania The price received as the purchase price of said plot of ground shall be paid into the General Fund of the State Treasury

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—188

Andrews,	Freed,	Lyons,	Reynolds,
Baker,	Frost,	Madden,	Riley,
Barrett,	Fullerton,	Madigan,	Robertson,
Barton,	Gaffney,	Mahany,	Royer,
Baumunk,	Gardner,	Matthews,	Rudisill,
Bentley,	Getchey,	McAtee,	Salus,
Bentzel,	Gibson,	McClester,	Scanlon,
Bonawitz,	Goodling,	McCormack,	Schuster,
Boney,	Gore,	McDowell,	Serrill,
Boorse,	Greenwood,	McKinney,	Shaffer,
Boory,	Greer,	McLanahan,	Shoemaker,
Bower,	Guthrie,	McMillen,	Skale,
Brancato,	Gyger,	McNair,	Sloan,
Breisch,	Haberlen,	McNally,	Smith,
Brice,	Hall,	Mihm,	Snider,
Brothers,	Hamilton,	Mikula,	Snyder,
Brunner, C. H.,	Hare,	Miller,	Sollenberger,
Brunner, P. A.,	Haudenshield,	Milliken,	Sorg,
Burns,	Heatherington,	Mills,	Stank,
Cadwalader,	Helm,	Mooney,	Stockham,
Chervenak,	Hennihan,	Moore, C. E.,	Stonier,
Chudoff,	Herman,	Moore, W. J.,	Stuart,
Cohen,	Hewitt,	Moran,	Swope,
Coleman,	Hoffman,	Moser,	Tate,
Cook,	Hoopes,	Munley,	Tittle,
Cooper,	Howells,	Murray, M. L.,	Trachtman,
Corrigan,	Hunter,	Myhan,	Trent,
Costa,	Huntley,	Nagel,	Trout,
Coulson,	James,	Nelson,	Turbett,
Coyle,	Jones,	O'Brien,	Turner,
Cullen,	Kennedy,	O'Connor,	Varallo,
Dague,	Kirley,	O'Dare,	Verona,
Dalrymple,	Kline,	O'Donnell,	Wachhaus,
Dennison,	Kolankiewicz,	O'Neill,	Wagner,
Depuy,	Komorofski,	Owens,	Waterhouse,
Dillon,	Krise,	Pentrack,	Watkins,
Dix,	Kurtz,	Petrosky,	Weiss,
Dougherty,	Lane,	Pettigrew,	Welsh,
Dye,	Laughner,	Pickens,	Wescott,
Elder,	Lee,	Polaski,	White,
Elish,	Leisey,	Polen,	Wood, N.,
Erb,	Leonard,	Powers,	Worley,
Ewing,	Lichtenwalter,	Propert,	Wright,
Finnerty,	Loftus,	Reagan,	Yeakel,
Flack,	Longo,	Regan,	Yester,
Fleming,	Lopez,	Reidenbach,	Fiss,
Foor,	Lovett,	Reilly,	Speaker
Fox,			

NAYS—0

NOT VOTING—13

Boles,	Hering,	Levy,	Rose,
Duffy,	Hersch,	Reese, D. P.,	Tahl,
Gallagher,	Hoggard,	Root,	Wood, L. H.,
Green,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection House Bill No. 770, Printer's No. 285, was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 942, as follows:

An Act to amend the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 439) entitled "An act authorizing the Governor of the Commonwealth of Pennsylvania with the advice of the Attorney General and the approval of certain members of the General Assembly for a limited period of time to suspend or modify laws either in whole or in part under certain circumstances during the existence of the present war" by extending the effective period of the act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 439) entitled "An act authorizing the Governor of the Commonwealth of Pennsylvania with the advice of the Attorney General and the approval of certain members of the General Assembly for a limited period of time to suspend or modify laws either in whole or in part under certain circumstances during the existence of the present war" is hereby amended to read as follows

Section 5 This act shall become effective the day following the adjournment of the present session of the General Assembly and shall remain in force and effect until sixty days after the first Tuesday in January one thousand nine hundred and [forty-five] forty-seven

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—188

Andrews,	Fox,	Lovett,	Reilly,
Baker,	Freed,	Lyons,	Reynolds,
Barrett,	Frost,	Madden,	Riley,
Barton,	Fullerton,	Madigan,	Robertson,
Baumunk,	Gaffney,	Mahany,	Royer,
Bentley,	Gardner,	Matthews,	Rudisill,
Bentzel,	Getchey,	McAtee,	Salus,
Bonawitz,	Gibson,	McClester,	Scanlon,
Boney,	Goodling,	McCormack,	Schuster,
Boorse,	Gore,	McDowell,	Serrill,
Boory,	Greenwood,	McKinney,	Shaffer,
Bower,	Greer,	McLanahan,	Shoemaker,
Brancato,	Guthrie,	McMillen,	Skale,
Breisch,	Gyger,	McNair,	Sloan,
Brice,	Haberlen,	McNally,	Smith,
Brothers,	Hall,	Mihm,	Snider,
Brunner, C. H.,	Hamilton,	Mikula,	Snyder,
Brunner, P. A.,	Hare,	Miller,	Sollenberger,
Burns,	Haudenshield,	Milliken,	Sorg,
Cadwalader,	Heatherington,	Mills,	Stank,
Chervenak,	Helm,	Mooney,	Stockham,
Chudoff,	Hennihan,	Moore, C. E.,	Stonier,
Cohen,	Herman,	Moore, W. J.,	Stuart,
Coleman,	Hewitt,	Moran,	Swope,
Cook,	Hoffman,	Moser,	Tate,
Cooper,	Hoopes,	Munley,	Tittle,
Corrigan,	Howells,	Murray, M. L.,	Trachtman,
Costa,	Hunter,	Myhan,	Trent,
Coulson,	Huntley,	Nagel,	Trout,
Coyle,	James,	Nelson,	Turbett,
Cullen,	Jones,	O'Brien,	Turner,
Dague,	Kennedy,	O'Connor,	Varallo,
Dalrymple,	Kirley,	O'Dare,	Verona,
Dennison,	Kline,	O'Donnell,	Wachhaus,
Depuy,	Kolankiewicz,	O'Neill,	Wagner,
Dillon,	Komorofski,	Owens,	Waterhouse,
Dix,	Krise,	Pentrack,	Watkins,
Dougherty,	Kurtz,	Petrosky,	Weiss,
Dye,	Lane,	Pettigrew,	Welsh,
Elder,	Laughner,	Pickens,	Wescott,
Elish,	Lee,	Polaski,	White,
Erb,	Leisey,	Polen,	Wood, N.,
Ewing,	Leonard,	Powers,	Worley,
Finnerty,	Lichtenwalter,	Propert,	Wright,
Flack,	Loftus,	Reagan,	Yeakel,
Fleming,	Longo,	Regan,	Yester,
Foor,	Lopez,	Reidenbach,	Fiss,
			Speaker.

NAYS—0

NOT VOTING—13

Boles,	Hering,	Levy,	Rose,
Duffy,	Hersch,	Reese, D. P.,	Tahl,
Gallagher,	Hoggard,	Root,	Wood, L. H.,
Green,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 187, as follows:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately eighty-nine acres of land in the Twenty-Sixth and Forty-eighth Wards of the City of Philadelphia Pennsylvania known as the League Island Navy Yard and ceding jurisdiction to the United States

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The consent of the Commonwealth of Pennsylvania is hereby granted in accordance with the seventeenth clause eighth section of the first article of the Constitution of the United States to the acquisition by the United States of America of two tracts of land in the Twenty-Sixth and Forty-Eighth Wards of the City of Philadelphia Pennsylvania known as the League Island Navy Yard containing eighty-nine acres more or less the first tract containing approximately 76.2581 acres consisting of the following parcels bounded and described as follows

Parcels A B and C

All of these certain lots or pieces of ground described and according to a plan made by Frederick T Thorpe Jr Surveyor and Regulator Second District and dated June 7 1941 Beginning at the point of intersection of the line dividing the lands of the Manor Real Estate and Trust Company and the lands of the Girard Estate with the southwesterly right of way line of the Joint Belt Line of the Pennsylvania Companies and the Baltimore Companies as shown on the said plan thence extending along the southwesterly right of way line of the Joint Belt Line of the Pennsylvania Companies and the Baltimore Companies in a southeasterly direction by an arc curving to the left with a radius of 1511.661 feet and with an arc distance of 998.470 feet to a point on said right of way line thence extending still along said right of way line in a southeasterly direction by an arc curving to the left with a radius of 1491.61 feet and with an arc distance of 1553.887 feet to a point in the southerly right of way line of the Joint Belt Line of the Pennsylvania Companies and the Baltimore Companies which point intersects with the westerly line of 21st Street thence extending 7° 12′ 12″ E 268.069 feet to a point on the southerly line of Government Avenue (120 feet wide) thence extending along the said southerly line of Government Avenue S 81° 23′ 25″ W 2568.846 feet to a point thence leaving Government Avenue and running N 12° 44′ E 1822.764 feet to a point thence N 9° 56′ W 240.687 feet to a point thence N 1° 26′ W 122.656 feet to a point thence extending N 32° 19′ 05″ W 129.386 feet to a point thence S 57° 40′ 55″ W 10 feet to a point thence N 32° 19′ 05″ W 329.477 feet to a point thence extending along a line dividing the lands of the Manor Real Estate and Trust Company and the Girard Estate S 75° 27′ 30″ E 890.415 feet to the first mentioned point and place of beginning Parcel A containing 4.4708 acres more or less Parcel B containing .9627 acres more or less Parcel C containing 57.8794 acres more or less a total of 63.3129 acres more or less

Parcels D E and F

Beginning at the point of intersection of the center line of Sheaff Lane (33 feet wide) and the northeasterly right of way line of the Joint Belt Line of the Pennsylvania Companies and the Baltimore Companies thence extending in a northwesterly direction along the northeasterly right of way line of the Joint Belt Line of the Pennsylvania Companies and the Baltimore Companies by an arc curving to the right with an arc distance of 581.499 feet radius 1315.055 feet to a point lying on a line dividing the lands of the Manor Real Estate and Trust Company and the Girard Estate thence extending along said line S 75° 27′ 30″ E 214.645 feet to a point in the center line of said Sheaff Lane thence extending along the center line of said Sheaff Lane S 13° 17′ 47″ W 530.709 feet to a point and place of beginning Parcel D containing 1.0997 acres more or less Parcel E containing .1819 acres more or less Parcel F containing .3090 acres more or less a total of 1.5906 acres more or less

Parcel G

Beginning at a point in the northerly line of Government Avenue (120 feet wide) whose location from Board Street is described as follows Commencing at the intersection of the northerly line of Government Avenue (120 feet wide) and a line 80 feet westwardly from the center line of Broad Street and parallel thereto thence extending along the northerly line of Government Avenue N 72° 38′ 17″ W 949.088 feet to a point of angle in the northerly line of the said Government Avenue thence extending still along the northerly line of said Government Avenue S 81° 23′ 25″ W 858.295 feet to the said point of beginning thence extending still along the northerly side of said Government Avenue S 81° 23′ 25″ W 776.958 feet to a point in the northerly line of Sproul Street (60 feet wide) thence extending along the northerly line of said Sproul Street N 75° W 155.844 feet to a point thence extending N 15° E 62.720 feet to a point in the right of way in the Joint Belt Line of the Pennsylvania Companies and the Baltimore Companies thence extending along the right of ways of the Joint Belt Line of the Pennsylvania Companies and the Baltimore Companies S 81° 23′ 25″ W 492.540 feet to a point of curve thence extending in a southwesterly direction by an arc curving to the right with a length of 170.982 feet radius 1491.61 feet central angle 6° 34′ 4″ to a point thence extending S 7° 12′ 12″ E 268.069 feet to a point in the southerly line of Government Avenue thence extending along the southerly line of the said Government Avenue N 81° 23′ 25″ E 1602.51 feet to a point thence extending N 29° 40′ W 128.587 feet to the first mentioned point and place of beginning containing 6.5087 acres more or less

Parcel H

Beginning at a point in the southerly line of Government Avenue (120) feet wide) whose location from Broad Street is described as follows Commencing at the intersection of the southerly line of the said Government Avenue and a line 80 feet westwardly from the center line of Broad Street and parallel thereto thence extending along the southerly line of said Government Avenue N 72° 38′ 17″ W 926.365 feet to a point of angle in the southerly line of the said Government Avenue thence extending still along the southerly line of said Government Avenue S 81° 23′ 25″ W 2.695 feet to the said point of beginning thence extending along the southerly line of the said Government Avenue S 81° 23′ 25″ W 781.728 feet to a point thence extending N 29° 40′ W 128.587 feet to a point on the northerly line of the said Government Avenue thence extending along the northerly line of the said Government Avenue N 81° 23′ E 840.880 feet to a point thence extending S 2° 27′ E 120.697 feet to the first mentioned point and place of beginning containing 2.2350 acres more or less

Parcel I

Beginning at the point of intersection of the south line of Government Avenue (120 feet wide) and a line parallel with the center line of Broad Street and 80 ffet wide westwardly therefrom thence extending along the southerly line of Government Avenue N 72° 38′ 17″ W

926.365 feet to a point of angle in the southerly side of Government Avenue thence extending still along the southerly line of the said Government Avenue S 81° 23′ 25″ W 2.695 feet to a point thence extending N 2° 27′ W 120.697 feet to a point in the northerly line of said Government Avenue thence extending along the northerly line of the said Government Avenue N 81° 23′ 25″ E 17.415 feet to a point of angle in the northerly line of Government Avenue thence extending still along the northerly line of said Government Avenue S 72° 38′ 17″ E 949.088 feet to the point of intersection of the northerly line of Government Avenue and a line 80 feet westwardly from the center line of Broad Street and parallel thereto thence extending along the line 80 feet westwardly from the center line of Broad Street and parallel thereto S 15° W 120.102 feet to the first mentioned point and place of beginning containing 2.6109 acres more or less

The second tract containing approximately 13.1124 acres of land consisting of the following parcel bounded and described as follows

Beginning at the point of intersection of the northerly line of Government Avenue (120 feet wide) and a line 80 feet westwardly from the center line of Broad Street thence extending along the northerly line of the said Government Avenue the following courses and distance N 72° 38′ 17″ W 949.088 feet thence S 81° 23′ 25″ W 1635.253 feet to a point in the northerly line of Sproul Street (60 feet wide) thence extending along the northerly line of the said Sproul Street N 75° W 155.844 feet to a point in the bed of Twentieth Street (60 feet wide) thence extending N 15° E 82.720 feet to a point in the southerly right of way line of the four track joint railroad of the Pennsylvania Companies and the Baltimore Companies and thence extending along the same N 81° 23′ 25″ E 2245.865 feet to a point of curve thence extending along the same right of way line by an arc curving to the right with a radius of 996.148 feet arc distance 356.555 feet and central angle of 20° 30′ 29.236″ thence extending N 11° 53′ 54.236″ E 15.567 feet to a point thence extending S 75° E 151.896 feet to a point in the westerly line of Broad Street which point is at the distance of 128.50 feet westwardly from the center line of Broad Street thence extending S 15° W 24.00 feet to a point thence extending S 75° E 1.50 feet to a point thence extending S 15° W 30.00 feet to a point thence extending S 30° E 66.468 feet to a point which is 80 feet westwardly from the center line of Broad Street thence extending S 15° W 362.854 feet along a line parallel to the center line of Broad Street and 80 feet westwardly therefrom to the first mentioned point and place of beginning

Section 2 Exclusive jurisdiction in and over the aforesaid lands is hereby ceded to the United States of America by the Commonwealth of Pennsylvania for the erection of forts magazines arsenals dock yards and other needful buildings with the exception of roads abutting on said lands to be used by the United States for military and other public purposes which are not already under the jurisdiction of the United States

Section 3 The jurisdiction so ceded to the United States of America is granted upon the express condition that the Commonwealth of Pennsylvania shall retain concurrent jurisdiction with the United States in and over the lands and buildings aforesaid in so far that civil process in all cases and such criminal process as may issue under the authority of the Commonwealth of Pennsylvania against anyone charged with crime committed outside said land may be executed thereon in the same manner as if this jurisdiction had not been ceded The United States shall retain such jurisdiction so long as the said land shall be used for the purposes for which jurisdiction is ceded and no longer

Section 4 The jurisdiction so ceded to the United States shall be upon the further condition that the Commonwealth reserves to itself and its political subdivisions whatever power of taxation it may constitutionally reserve to levy and collect all taxes now or hereafter imposed by the Commonwealth and its political subdivisions upon property persons and franchises within the boundaries so ceded

Section 5 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—188

Andrews,	Fox,	Lovett,	Reilly,
Baker,	Freed,	Lyons,	Reynolds,
Barrett,	Frost,	Madden,	Riley,
Barton,	Fullerton,	Madigan,	Robertson,
Baumunk,	Gaffney,	Mahany,	Royer,
Bentley,	Gardner,	Matthews,	Rudisill,
Bentzel,	Getchey,	McAtee,	Salus,
Bonawitz,	Gibson,	McClester,	Scanlon,
Boney,	Goodling,	McCormack,	Schuster,
Boorse,	Gore,	McDowell,	Serrill,
Boory,	Greenwood,	McKinney,	Shaffer,
Bower,	Greer,	McLanahan,	Shoemaker,
Brancato,	Guthrie,	McMillen,	Skale,
Breisch,	Gyger,	McNair,	Sloan,
Brice,	Haberlen,	McNally,	Smith,
Brothers,	Hall,	Mihm,	Snider,
Brunner, C. H.,	Hamilton,	Mikula,	Snyder,
Brunner, P. A.,	Hare,	Miller,	Sollenberger,
Burns,	Haudenshield,	Milliken,	Sorg,
Cadwalader,	Heatherington,	Mills,	Stank,
Chervenak,	Helm,	Mooney,	Stockham,
Chudoff,	Hennihan,	Moore, C. E.,	Stonier,
Cohen,	Herman,	Moore, W. J.,	Stuart,
Coleman,	Hewitt,	Moran,	Swope,
Cook,	Hoffman,	Moser,	Tate,
Cooper,	Hoopes,	Munley,	Tittle,
Corrigan,	Howells,	Murray, M. L.,	Trachtman,
Costa,	Hunter,	Myhan,	Trent,
Coulson,	Huntley,	Nagel,	Trout,
Coyle,	James,	Nelson,	Turbett,
Cullen,	Jones,	O'Brien,	Turner,
Dague,	Kennedy,	O'Connor,	Varallo,
Dalrymple,	Kirley,	O'Dare,	Verona,
Dennison,	Kline,	O'Donnell,	Wachhaus,
Depuy,	Kolankiewicz,	O'Neill,	Wagner,
Dillon,	Komorofski,	Owens,	Waterhouse,
Dix,	Krise,	Pentrack,	Watkins,
Dougherty,	Kurtz,	Petrosky,	Weiss,
Dye,	Lane,	Pettigrew,	Welsh,
Elder,	Laughner,	Pickens,	Wescott,
Elish,	Lee,	Polaski,	White,
Erb,	Leisey,	Polen,	Wood, N.,
Ewing,	Leonard,	Powers,	Worley,
Finnerty,	Lichtenwalter,	Propert,	Wright,
Flack,	Loftus,	Reagan,	Yeakel,
Fleming,	Longo,	Regan,	Yester,
Foor,	Lopez,	Reidenbach,	Fiss,

Speaker.

NAYS—0

NOT VOTING—13

Boies,	Hering,	Levy,	Rose,
Duffy,	Hersch,	Reese, D. P.,	Tahl,
Gallagher,	Hoggard,	Root,	Wood, L. R.,
Green,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 217, as follows:

An Act authorizing agreements between the Secretary of Highways and officials of political subdivisions of the Commonwealth or the Federal Government whereby Federal funds appropriated for the payment of property damages on State highways may be made available to the political subdivisions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Where any political subdivision of the Commonwealth assumes the liability for the payment of property damages resulting from the improvement of a State highway route on which Federal funds are available for the payment of all or part of the property damages the Secretary of Highways is authorized to enter into such agreements as may be necessary with the officials of such political subdivision or the Federal Government to permit payment of such funds to the political subdivision

Section 2 This act shall become effective immediately upon final approval

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—188

Andrews,	Fox,	Lovett,	Reilly,
Baker,	Freed,	Lyons,	Reynolds,
Barrett,	Frost	Madden,	Riley,
Barton,	Fullerton,	Madigan,	Robertson,
Baumunk,	Gaffney,	Mahany,	Royer,
Bentley,	Gardner,	Matthews,	Rudisill,
Bentzel,	Getchey,	McAtee,	Salus,
Bonawitz,	Gibson,	McClester,	Scanlon,
Boney,	Goodling,	McCormack,	Schuster,
Boorse,	Gore,	McDowell,	Serrill,
Boory,	Greenwood,	McKinney,	Shaffer,
Bower,	Greer,	McLanahan,	Shoemaker,
Brancato,	Guthrie,	McMillen,	Skale,
Breisch,	Gyger,	McNair,	Sloan,
Brice,	Haberlen,	McNally,	Smith,
Brothers,	Hall,	Mihm,	Snider,
Brunner, C. H.,	Hamilton,	Mikula,	Snyder,
Brunner, P. A.,	Hare,	Miller,	Sollenberger,
Burns,	Haudenshield,	Milliken,	Sorg,
Cadwalader,	Heatherington,	Mills,	Stank,
Chervenak,	Helm,	Mooney,	Stockham,
Chudoff,	Hennihan,	Moore, C. E.,	Stonier,
Cohen,	Herman,	Moore, W. J.,	Stuart,
Coleman,	Hewitt,	Moran,	Swope,
Cook,	Hoffman,	Moser,	Tate,
Cooper,	Hoopes,	Munley,	Tittle,
Corrigan,	Howells,	Murray, M. L.,	Trachtman,
Costa,	Hunter,	Myhan,	Trent,
Coulson,	Huntley,	Nagel,	Trout,
Coyle,	James,	Nelson,	Turbett,
Cullen,	Jones,	O'Brien,	Turner,
Dague,	Kennedy,	O'Connor,	Varallo,
Dalrymple,	Kirley,	O'Dare,	Verona,
Dennison,	Kline,	O'Donnell,	Wachhaus,
Depuy,	Kolankiewicz,	O'Neill,	Wagner,
Dillon,	Komorofski,	Owens,	Waterhouse,
Dix,	Krise,	Pentrack,	Watkins,
Dougherty,	Kurtz,	Petrosky,	Weiss,
Dye,	Lane,	Pettigrew,	Welsh,
Elder,	Laughner,	Pickens,	Wescott,
Elish,	Lee,	Polaski,	White,
Erb,	Leisey,	Polen,	Wood, N.,
Ewing,	Leonard,	Powers,	Worley,
Finnerty,	Lichtenwalter,	Propert,	Wright,
Flack,	Loftus,	Reagan,	Yeakel,
Fleming,	Longo,	Regan,	Yester,
Foor,	Lopez,	Reidenbach,	Fiss,
			Speaker.

NAYS—0

NOT VOTING—13

Boles,	Hering,	Levy,	Rose,
Duffy,	Hersch,	Reese, D. P.,	Tahl,
Gallagher,	Hoggard,	Root,	Wood, L. H.,
Green,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 324, as follows:

An Act to amend article nine of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" providing for auxiliary State game refuge projects and repealing existing provisions for auxiliary State game refuges

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of subdivision (c) of article nine of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows

(c) Auxiliary Game [Refuges] Refuge Projects

Section 2 Article nine of said act is hereby amended by adding immediately before section nine hundred twenty-four thereof three new sections to read as follows

Section 921 Authorization In order to cooperate with private land owners and others who desire to aid in the conservation of game and other wildlife the commission may create and maintain Auxiliary State Game Refuge Projects of the classifications hereinafter stipulated on suitable lands owned or controlled by individuals corporations associations or municipalities The hunting rights for such land shall be made available to the Commonwealth for the use of the commission by written agreement with the landowner or person having legal control and authority to grant such rights for an uninterrupted period of five (5) years or more When properly signed the the commission may authorize and empower the director to execute such agreements on its behalf

The director on behalf of the commission may cancel any such agreement (a) upon sixty (60) days written notice to the lessor when in the judgment of the commission the use of the lands is no longer needed or desired (b) in case the owner or owners desire to sell the property and the sale cannot be consummated subject to said agreement provided the director is satisfied the principal object of such sale is not to convert to private use hunting rights which have been made more valuable through the utilization of the property for the purposes heren stipulated and (c) in case the lessor becomes dissatisfied with the project and files a written request to the director for such cancellation

Section 922 Classifications Auxiliary State Game Refuge Projects shall be of two classifications (a) General and (b) Cooperative Farm-Game

No Auxiliary State Game Refuge Project of the general classification shall hereafter be established unless the area covered by the agreement contains at least one hundred (100) acres of which not more than one-third may be set apart as an Auxiliary State Game Refuge or refuges and safety zones as provided for by section eight hundred eight of this act The remaining two-thirds or more shall be open to public hunting and trapping

No Auxiliary State Game Refuge Project of the cooperative farm-game classification shall hereafter be established unless its total area comprises at least one thousand (1000) acres of contiguous farm lands or a

combination of tillable lands and farm woodlots suitable for the protection and propagation of species of small game ordinarily found upon or in the immediate proximity of such lands and the owners or persons having legal control thereof have agreed to cooperate in the establishment and maintenance of such a project thereon Not more than one-third of the total acreage of such a project may be set apart as Auxiliary State Game Refuges of such size and number as the Commission may determine and safety zones as provided for by section eight hundred eight of this act The remaining two-thirds or more shall be open to public hunting but any owner or other person in control by suitable reservation in the written agreement may reserve unto himself and members of his family or regular employes or such other person as he may permit the privilege of trapping fur-bearing animals and predators on the public hunting area

Section 923 Refuge Restrictions Entering using traps or firearms or allowing dogs to enter upon Auxiliary State Game Refuges established on projects of either classification shall be governed by the provisions of section nine hundred forty-one of this act

Said restrictions shall not be construed to apply to persons who are appointed agents of the commission for the specific purpose of removing and transferring surplus game or removing fur-bearing animals or predators while actually engaged in the performance of designated official duties during the period stipulated in the written appointment Any such agent may be allowed to retain for his own use fur-bearers or predators removed from refuges

Section 3 Sections nine hundred twenty-four nine hundred twenty-five and nine hundred twenty-six of said act are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—188

Andrews,	Freed,	Lyons,	Reynolds,
Baker,	Frost,	Madden,	Riley,
Barrett,	Fullerton,	Madigan,	Robertson,
Barton,	Gaffney,	Mahany,	Royer,
Baumunk,	Gardner,	Matthews,	Rudisill,
Bentley,	Getchey,	McAtee,	Salus,
Bentzel,	Gibson,	McClester,	Schuster,
Bonawitz,	Goodling,	McCormack,	Scanlon,
Boney,	Gore,	McDowell,	Serrill,
Boorse,	Greenwood,	McKinney,	Shaffer,
Boory,	Greer,	McLanahan,	Shoemaker,
Bower,	Guthrie,	McMillen,	Skale,
Brancato,	Gyger,	McNair,	Sloan,
Breisch,	Haberlen,	McNally,	Smith,
Brice,	Hall,	Mihm,	Snider,
Brothers,	Hamilton,	Mikula,	Snyder,
Brunner, C. H.,	Hare,	Miller,	Sollenberger,
Brunner, P. A.,	Haudenshield,	Milliken,	Sorg,
Burns,	Heatherington,	Mills,	Stank,
Cadwalader,	Helm,	Mooney,	Stockham,
Chervenak,	Hennihan,	Moore, C. E.,	Stonier,
Chudoff,	Herman,	Moore, W. J.,	Stuart,
Cohen,	Hewitt,	Moran,	Swope,
Coleman,	Hoffman,	Moser,	Tate,
Cook,	Hoopes,	Munley,	Tittle,
Cooper,	Howells,	Murray, M. L.,	Trachtman,
Corrigan,	Hunter,	Myhan,	Trent,
Costa,	Huntley,	Nagel,	Trout,
Coulson,	James,	Nelson,	Turbett,
Coyle,	Jones,	O'Brien,	Turner,
Cullen,	Kennedy,	O'Connor,	Varallo,
Dague,	Kirley,	O'Dare,	Verona,
Dalrymple,	Kline,	O'Donnell,	Wachhaus,
Dennison,	Kolankiewicz,	O'Neill,	Wagner,
Depuy,	Komorofski,	Owens,	Waterhouse,
Dillon,	Krise,	Pentrack,	Watkins,
Dix,	Kurtz,	Petrosky,	Weiss,
Dougherty,	Lane,	Pettigrew,	Welsh,
Dye,	Laughner,	Pickens,	Wescott,
Elder,	Lee,	Polaski,	White,
Elish,	Leisey,	Polen,	Wood, N.,
Erb,	Leonard	Powers,	Worley,
Ewing,	Lichtenwalter,	Propert,	Wright,
Finnerty,	Loftus,	Reagan,	Yeakel,
Flack,	Longo,	Regan,	Yester,
Fleming,	Lopez,	Reidenbach,	Fiss,
Foor,	Lovett	Reilly,	Speaker.
Fox,			

NAYS—0

NOT VOTING—13

Boies,	Hering,	Levy,	Rose,
Duffy,	Hersch,	Reese, D. P.,	Tahl,
Gallagher,	Hoggard,	Root,	Wood, L. H.,
Green,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 384, as follows:

An Act to repeal section three hundred twenty and part of section three hundred twenty-one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" eliminating the provisions of said act which require licensees to forward to the commission reports of game and fur-bearing animals killed during the previous season

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three hundred twenty of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" is hereby repealed absolutely

Section 2 Section three hundred twenty-one of said act is hereby repealed in so far as it relates to the imposition of penalties for failure to submit to the commission reports of game birds and animals and fur-bearing animals killed by licensee

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—188

Andrews,	Freed,	Lyons,	Reynolds,
Baker,	Frost,	Madden,	Riley,
Barrett,	Fullerton,	Madigan,	Robertson,
Barton,	Gaffney,	Mahany,	Royer,
Baumunk,	Gardner,	Matthews,	Rudisill,
Bentley,	Getchey,	McAtee,	Salus,
Bentzel,	Gibson,	McClester,	Scanlon,
Bonawitz,	Goodling,	McCormack,	Schuster,
Boney,	Gore,	McDowell,	Serrill,
Boory,	Greenwood,	McKinney,	Shaffer,
Boorse,	Greer,	McLanahan,	Shoemaker,
Bower,	Guthrie,	McMillen,	Skale,
Brancato,	Gyger,	McNair,	Sloan,
Breisch,	Haberlen,	McNally,	Smith,
Brice,	Hall,	Mihm,	Snider,
Brothers,	Hamilton,	Mikula,	Snyder,

Brunner, C. H.,	Hare,	Miller,	Sollenberger,
Brunner, P. A.,	Haudenshield,	Milliken,	Sorg,
Burns,	Heatherington,	Mills,	Stank,
Cadwalader,	Helm,	Mooney,	Stockham,
Chervenak,	Hennihan,	Moore, C. E.,	Stonier,
Chudoff,	Herman,	Moore, W. J.,	Stuart,
Cohen,	Hewitt,	Moran,	Swope,
Coleman,	Hoffman,	Moser,	Tate,
Cook,	Hoopes,	Munley,	Tittle,
Cooper,	Howells,	Murray, M. L.,	Trachtman,
Corrigan,	Hunter,	Myhan,	Trent,
Costa,	Huntley,	Nagel,	Trout,
Coulson,	James,	Nelson,	Turbett,
Coyle,	Jones,	O'Brien,	Turner,
Cullen,	Kennedy,	O'Connor,	Varallo,
Dague,	Kirley,	O'Dare,	Verona,
Dalrymple,	Kline,	O'Donnell,	Wachhaus,
Dennison,	Kolankiewicz,	O'Neill,	Wagner,
Depuy,	Komorofski,	Owens,	Waterhouse,
Dillon,	Krise,	Pentrack,	Watkins,
Dix,	Kurtz,	Petrosky,	Weiss,
Dougherty,	Lane,	Pettigrew,	Welsh,
Dye,	Laughner,	Pickens,	Wescott,
Elder,	Lee,	Polaski,	White,
Elish,	Leisey,	Polen,	Wood N.,
Erb,	Leonard	Powers,	Worley,
Ewing,	Lichtenwalter,	Propert,	Wright,
Finnerty,	Loftus,	Reagan,	Yeakel,
Flack,	Longo,	Regan,	Yester,
Fleming,	Lopez,	Reidenbach,	Fiss,
Foor,	Lovett,	Reilly,	Speaker.
Fox,			

NAYS—0

NOT VOTING—13

Boies,	Hering,	Levy,	Rose,
Duffy,	Hersch,	Reese, D. P.,	Tahl,
Gallagher,	Hoggard,	Root,	Wood, L. H.,
Green,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 37, as follows:

An Act to further amend subsection (9) of section eight of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" permitting contributors to change from the one one-hundred-sixtieth (1/160) to the one one-hundredth (1/100) class and providing for obtaining of full benefits by contributors heretofore or hereafter making such change

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (9) of section eight of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by section four of the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 683) is hereby further amended to read as follows

Section 8 * * * * * *

(9) A contributor whether an original member or a new members who is in active service on the [date when this amendment becomes effective] first day of June one thousand nine hundred forty-five may transfer from the one one-hundred-sixtieth (1-160) class to the one one-hundredth (1-100) class Provided That he completes the transfer on or before the thirty-first day of December one thousand nine hundred and [thirty-seven] forty-five Provided also That in the event of such transfer the per-centum of salary deductions applicable to such transferred member in the one one-hundredth (1-100) class shall be based upon the same age of the contributor as was used in determining the per centum of salary deduction applicable while in the one one-hundred-sixtieth (1-160) class

Where a member has transferred from the one one-hundred-sixtieth (1-160) class to the one one-hundredth (1-100) class as above provided his State annuity upon retirement shall except as hereinafter provided be calculated as follows

(a) For service prior to the time of transfer at the one one-hundred-sixtieth (1-160) rate

(b) For service subsequent to the date of transfer to the date of retirement at the one one-hundredth (1-100) rate

(c) For all service prior to the time of commencing contribution as the time he contributed at the one one-hundred-sixtieth (1-160) rate bears to the total time of contribution and as the time he contributed at the one one-hundredth (1-100) rate bears to the total time of contribution

A contributor whether an original member or a new member who is in active service on the date when this amendment becomes effective and who heretofore has transferred or shall hereafter transfer from the one one-hundred-sixtieth (1-160) class to the one one-hundredth (1-100) class as above provided may on or before the thirty-first day of December one thousand nine hundred forty-five pay to the retirement association a sum equal to the difference between the sum of the amounts that would have been deducted from his or her pay-roll each pay-roll period since he or she became a member if he or she had elected to contribute in the one one-hundredth (1-100) class and the sum of the amounts actually deducted together with an amount equal to the additional regular interest that would have been credited to his or her accumulated deductions had he or she contributed in the one one-hundredth (1-100) class from the time he or she first became a member The State annuity upon retirement of any member having made such payments shall be the same as though the member had elected to contribute in the one one-hundredth (1-100) class immediately upon becoming a member

Section 2 This act shall become effective the first day of June one thousand nine hundred forty-five

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—188

Andrews,	Fox	Lovett,	Reilly,
Baker,	Freed,	Lyons,	Reynolds,
Barrett,	Frost	Madden,	Riley,
Barton,	Fullerton,	Madigan,	Robertson,
Baumunk,	Gaffney,	Mahany,	Royer,

Bentley,	Gardner,	Matthews,	Rudisill,
Bentzel,	Getchey,	McAtee,	Salus,
Bonawitz,	Gibson,	McClester,	Scanlon,
Boney,	Goodling,	McCormack,	Schuster,
Boorse,	Gore,	McDowell,	Serrill,
Boory,	Greenwood,	McKinney,	Shaffer,
Bower,	Greer,	McLanahan,	Shoemaker,
Brancato,	Guthrie,	McMillen,	Skale,
Breisch,	Gyger,	McNair,	Sloan,
Brice,	Haberlen,	McNally,	Smith,
Brothers,	Hall,	Mihm,	Snider,
Brunner, C. H.,	Hamilton,	Mikula,	Snyder,
Brunner, P. A.,	Hare,	Miller,	Sollenberger,
Burns,	Haudenshield,	Milliken,	Sorg,
Cadwalader,	Heatherington,	Mills,	Stank,
Chervenak,	Helm,	Mooney,	Stockham,
Chudoff,	Hennihan,	Moore, C. E.,	Stonier,
Cohen,	Herman,	Moore, W. J.,	Stuart,
Coleman,	Hewitt,	Moran,	Swope,
Cook,	Hoffman,	Moser,	Tate,
Cooper,	Hoopes,	Munley,	Tittle,
Corrigan,	Howells,	Murray, M. L.,	Trachtman,
Costa,	Hunter,	Myhan,	Trent,
Coulson,	Huntley,	Nagel,	Trout,
Coyle,	James,	Nelson,	Turbett,
Cullen,	Jones,	O'Brien,	Turner,
Dague,	Kennedy,	O'Connor,	Varallo,
Dalrymple,	Kirley,	O'Dare,	Verona,
Dennison,	Kline,	O'Donnell,	Wachhaus,
Depuy,	Kolankiewicz,	O'Neill,	Wagner,
Dillon,	Komorofski,	Owens,	Waterhouse,
Dix,	Krise,	Pentrack,	Watkins,
Dougherty,	Kurtz,	Petrosky,	Weiss,
Dye,	Lane,	Pettigrew,	Welsh,
Elder,	Laughner,	Pickens,	Wescott,
Elish,	Lee,	Polaski,	White,
Erb,	Leisey,	Polen,	Wood, N.,
Ewing,	Leonard,	Powers,	Worley,
Finnerty,	Lichtenwalter,	Propert,	Wright,
Flack,	Loftus,	Reagan,	Yeakel,
Fleming,	Longo,	Regan,	Yester,
Foor,	Lopez,	Reidenbach,	Fiss,

Speaker.

NAYS—0

NOT VOTING—13

Boies,	Hering,	Levy,	Rose,
Duffy,	Hersch,	Reese, D. P.,	Tahl,
Gallagher,	Hoggard,	Root,	Wood, L. H.,
Green,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 119, as follows:

An Act providing for the construction erection and maintenance of roadside rests adjacent to State highway routes providing for the acquisition of interests in land by gift purchase or condemnation granting powers to and imposing duties upon the Department of Highways the Secretary of Highways the Governor and the Department of Property and Supplies authorizing rules and regulations and providing penalties for violations thereof and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Highways is hereby authorized and empowered to construct erect and maintain roadside rests adjacent to State highway routes for the health safety welfare and accommodation of the traveling public The number location and size of such roadside rests shall be determined by the Secretary of Highways and with the approval of the Governor

Section 2 The Department of Highways shall have the right and the power to acquire by gift purchase or condemnation such easements right of ways and other rights in real estate as may be necessary for the construction erection maintenance and protection from encroachment of such roadside rests The power of eminent domain for the purpose of condemnation of such easements right of ways or other rights in real estate shall be exercised in the same manner as is now or may hereafter be provided by law for the condemnation of property in changing the widths lines and locations of State highways

Section 3 The construction and erection of such roadside rests may be done either by contract or by employes of the Department of Highways within the discretion of the Secretary of Highways Contracts for the construction and erection of such roadside rests shall be entered into in the same manner as is now or may hereafter be provided by law for the construction of State highway routes

Section 4 Such equipment and facilities as may be determined to be necessary for such roadside rests by the Secretary of Highways shall be purchased through the Department of Property and Supplies as purchasing agent in the manner provided by law

Section 5 The cost of the planning acquisition construction erection and maintenance of such roadside rests shall be paid out of moneys in the Motor License Fund and such moneys as may be necessary for this purpose are hereby specifically appropriated to the Department of Highways

Section 6 The Department of Highways is hereby authorized to accept gifts of realty money materials or supplies for use in the establishment construction erection or maintenance of such roadside rests Any moneys thus received shall be paid into the State Treasury and credited to the Motor License Fund

Section 7 The Secretary of Highways shall have authority to adopt and promulgate rules and regulations governing the use of such roadside rests by the public All persons using such roadside rests shall be subject to such rules and regulations Any person violating any of the rules and regulations posted on or in any such roadside rest shall be guilty of a summary offense and upon conviction thereof shall pay a fine of not less than five dollars ($5) nor more than two hundred fifty dollars ($250) and costs together with any amount which may be necessary to reimburse the Department of Highways for the expense of repairing any damage to such roadside rest or its equipment resulting from such violation Such fines and reimbursement for damages shall be paid into the State Treasury and credited to the Motor License Fund

Section 8 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—188

Andrews,	Fox,	Lovett,	Reilly,
Baker,	Freed,	Lyons,	Reynolds,
Barrett,	Frost,	Madden,	Riley,
Barton,	Fullerton,	Madigan,	Robertson,
Baumunk,	Gaffney,	Mahany,	Royer,
Bentley,	Gardner,	Matthews,	Rudisill,
Bentzel,	Getchey,	McAtee,	Salus,
Bonawitz,	Gibson,	McClester,	Scanlon,
Boney,	Goodling,	McCormack,	Schuster,
Boorse,	Gore,	McDowell,	Serrill,
Boory,	Greenwood,	McKinney,	Shaffer,
Bower,	Greer,	McLanahan,	Shoemaker,
Brancato,	Guthrie,	McMillen,	Skale,
Breisch,	Gyger,	McNair,	Sloan,
Brice,	Haberlen,	McNally,	Smith,
Brothers,	Hall,	Mihm,	Snider,
Brunner, C. H.,	Hamilton,	Mikula,	Snyder,
Brunner, P. A.,	Hare,	Miller,	Sollenberger,

Burns,	Haudenshield,	Milliken,	Sorg,
Cadwalader,	Heatherington,	Mills,	Stank,
Chervenak,	Helm,	Mooney,	Stockham,
Chudoff,	Hennihan,	Moore, C. E.,	Stonier,
Cohen,	Herman,	Moore, W. J.,	Stuart,
Coleman,	Hewitt,	Moran,	Swope,
Cook,	Hoffman,	Moser,	Tate,
Cooper,	Hoopes,	Munley,	Tittle,
Corrigan,	Howells,	Murray, M. L.,	Trachtman,
Costa,	Hunter,	Myhan,	Trent,
Coulson,	Huntley,	Nagel,	Trout,
Coyle,	James,	Nelson,	Turbett,
Cullen,	Jones,	O'Brien,	Turner,
Dague,	Kennedy,	O'Connor,	Varallo,
Dalrymple,	Kirley,	O'Dare,	Verona,
Dennison,	Kline,	O'Donnell,	Wachhaus,
Depuy,	Kolankiewicz,	O'Neill,	Wagner,
Dillon,	Komorofski,	Owens,	Waterhouse,
Dix,	Krise,	Pentrack,	Watkins,
Dougherty,	Kurtz,	Petrosky,	Weiss,
Dye,	Lane,	Pettigrew,	Welsh,
Elder,	Laughner,	Pickens,	Wescott,
Elish,	Lee,	Polaski,	White,
Erb,	Leisey,	Polen,	Wood, N.,
Ewing,	Leonard,	Powers,	Worley,
Finnerty,	Lichtenwalter,	Propert,	Wright,
Flack,	Loftus,	Reagan,	Yeakel,
Fleming,	Longo,	Regan,	Yester,
Foor,	Lopez,	Reidenbach,	Fiss,

Speaker.

NAYS—0

NOT VOTING—13

Boies,	Hering,	Levy,	Rose,
Duffy,	Hersch,	Reese, D. P.,	Tahl,
Gallagher,	Hoggard,	Root,	Wood, L. H.,
Green,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 420, as follows:

An Act to amend the act approved the twelfth day of May one thousand nine hundred forty-three (P. L. 259) entitled "An act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employes Retirement System and in certain other cases into the State Employes' Retirement Fund for certain purposes" by providing for allocation and distribution of such moneys and further prescribing their use

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twelfth day of May one thousand nine hundred forty-three (P. L. 259) entitled "An act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employes' Retirement System and in certain other cases into the State Employes' Retirement Fund for certain purposes" is hereby amended to read as follows

Section 1 As used in this act the term Municipality means a city borough town or township

Participating Municipality means a municipality in which provision is made through a Municipal Employes' Retirement Fund a Police Pension or Retirement Fund or a Pension Annuity Contract for the payment of pension retirement or disability benefits to the policemen employed by such municipality or to the dependents of such policemen

Municipal Employes' Retirement Fund means any pension or retirement fund established by a municipalityy to provide pension retirement or disability benefits to the policemen employed by such municipality or to dependents of such policemen including components of the retirement system provided for by the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 886) and amendments thereto

Police Pension Fund means any pension or retirement fund established in any municipality and duly approved and recognized as such by the council commissioners or supervisors as the case may be of the municipality to provide pension retirement or disability benefits to the policemen employed by such municipality or to the dependents of such policemen

Pension Annuity Contract means any contract made by a municipality or any Municipal Employes' Retirement Fund or Police Pension Fund of a municipality with an insurance or other authorized company to provide pension retirement or disability benefits to the policemen employed by such municipality or to the dependents of such policemen

Number of Policemen whether of a participating municipality or of the Pennsylvania State Police means the average number of policemen employed by any such municipality or in the Pennsylvania State Police as the case may be during the year preceding the receipt of the tax by the Commonwealth

Policeman means a full time paid policeman or policewoman

On and after the first day of January one thousand nine hundred and forty-four and annually thereafter there shall be paid by the State Treasurer to the treasurers of the several [cities townships towns and boroughs] municipalities within the Commonwealth and to the State Employes' Retirement Fund for State police pension and retirement purposes one-half of the net amount received from the two per centum tax paid upon premiums by foreign casualty insurance companies [The amount to be paid to each of the treasurer of the several cities townships towns and boroughs shall be based upon the return of said two per centum tax upon premiums received from foreign casualty insurance companies doing business within the said cities townships towns and boroughs as shown by the report made to the Department of Revenue Each city borough town or township receiving any payment from the State Treasurer hereunder shall forthwith pay the amount received into the police pension fund of such city borough town or township where such police pension fund exists or is hereafter established if the said police pension fund is duly recognized as such by the council commissioners or supervisors as the case may be of such city borough town or township In any city borough town or township where the police elect to joint the Municipal Employes' Retirement System created or hereafter created by law the amount received by the treasurer of the city borough town or township as hereinbefore provided shall be paid into the Municipal Employes' Retirement Fund and shall be credited to the municipal account of said fund for the benefit of the police of said city borough town or township who are members of said Municipal Employes' Retirement System In any city borough town or township in which there is no police pension fund or in which city borough town or township the police have not elected to join any such Municipal Employes' Retirement System the amount received by the treasurer of the city borough town or township from said tax shall be forthwith paid into the State Employes' Retirement Fund and shall be credited to the accumulated deductions of members of the Pennsylvania State Police in proportion to the respective amounts contributed by such members during the period said tax was collected] The amounts to be distributed shall be allocated in accordance with the following formulae

Formula 1 Divide the total amount of said tax available for distribution by the population of the Commonwealth as shown by the last preceding decennial census of the United States to determine a quotient Multiply this quo-

tient by the population of each participating municipality to determine the amount payable to the treasurer of such municipality under Formula 1

Formula 2 Add the amounts payable to the treasurers of the participating municipalities under Formula 1 and divide the total by the number of policemen in all the said municipalities to determine a quotient Multiply this quotient by the number of Pennsylvania State Police to determine the amount payable to the State Employes' Retirement Fund under Formula 2

Formula 3 Divide the balance of the tax available for distribution not allocated under Formulae 1 and 2 by the total number of policemen of the participating municipalities and the Pennsylvania State Police to determine a quotient Multiply this quotient by the number of policemen of each participating municipality to determine the amount payable to the treasurer of such municipality under Formula 3 Multiply this same quotient by the number of State Police to determine the amount payable to the State Employes' Retirement Fund under Formula 3

The following formulae illustrate the application of the foregoing methods of calculation wherein

"a" shall mean the total amount of tax for allocation

"b" shall mean the population of the Commonwealth

"c" shall mean the population of any municipality

"d" shall mean an amount payable to any municipal treasurer under Formula 1

"d1" shall mean total of amounts payable to all municipal treasurers under Formula 1

"e" shall mean number of policemen in all participating municipalities

"f" shall mean number of State police

"g" shall mean an amount payable to the State Retirement Fund under Formula 2

"h" shall mean number of policemen in any participating municipality

"i" shall mean an amount payable to any municipal treasurer under Formula 3

"i1" shall mean total of accounts payable to all municipal treasurers under Formula 3

"k" shall mean an amount payable to the State Retirement Fund under Formula 3

$$1.\ \frac{a}{b} \times c = d$$

$$2.\ \frac{d1}{e} \times f = g$$

$$3.\ \frac{a - (d1 + g)}{e + f} \times h = i$$

$$\frac{a - (d1 + g)}{e + f} \times f = k$$

To prove $d1 + g + i1 + k = a$

All moneys paid to the treasurer of any municipality shall be forthwith paid or credited to the pension or retirement fund or the premium on the pension annuity contract as the case may be to provide pension retirement or disability benefits for the policemen of such municipality or the dependents of such policemen All moneys paid into the State Employes' Retirement Fund shall be credited in equal proportions to the accumulated deductions of the members of the State Police who are contributing members to such fund

The first allocation made under the provisions of this act shall include all moneys accumulated from the said one-half of the tax paid on premiums by foreign casualty insurance companies since the passage of the act to which this is an amendment

Warrants for the above purposes shall be drawn by the Auditor General payable to the treasurers of the several [cities townships towns and boroughs] participating municipalities and to the State Employes' Retirement Fund in accordance with this act [whenever there are sufficient funds in the State Treasury to pay the same]

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—188

Andrews,	Fox,	Lovett,	Reilly,
Baker,	Freed,	Lyons,	Reynolds,
Barrett,	Frost,	Madden,	Riley,
Barton,	Fullerton,	Madigan,	Robertson,
Baumunk,	Gaffney,	Mahany,	Royer,
Bentley,	Gardner,	Matthews,	Rudisill,
Bentzel,	Getchey,	McAtee,	Salus,
Bonawitz,	Gibson,	McClester,	Scanlon,
Boney,	Goodling,	McCormack,	Schuster,
Boorse,	Gore,	McDowell,	Serrill,
Boory,	Greenwood,	McKinney,	Shaffer,
Bower,	Greer,	McLanahan,	Shoemaker,
Brancato,	Guthrie,	McMillen,	Skale,
Breisch,	Gyger,	McNair,	Sloan,
Brice,	Haberlen,	McNally,	Smith,
Brothers,	Hall,	Mihm,	Snider,
Brunner, C. H.,	Hamilton,	Mikula,	Snyder,
Brunner, P. A.,	Hare,	Miller,	Sollenberger,
Burns,	Haudenshield,	Milliken,	Sorg,
Cadwalader,	Heatherington,	Mills,	Stank,
Chervenak,	Helm,	Mooney,	Stockham,
Chudoff,	Hennihan,	Moore, C. E.,	Stonier,
Cohen,	Herman,	Moore, W. J.,	Stuart,
Coleman,	Hewitt,	Moran,	Swope,
Cook,	Hoffman,	Moser,	Tate,
Cooper,	Hoopes,	Munley,	Tittle,
Corrigan,	Howells,	Murray, M. L.,	Trachtman,
Costa,	Hunter,	Myhan,	Trent,
Coulson,	Huntley,	Nagel,	Trout,
Coyle,	James,	Nelson,	Turbett,
Cullen,	Jones,	O'Brien,	Turner,
Dague,	Kennedy,	O'Connor,	Varallo,
Dalrymple,	Kirley,	O'Dare,	Verona,
Dennison,	Kline,	O'Donnell,	Wachhaus,
Depuy,	Kolankiewicz,	O'Neill,	Wagner,
Dillon,	Komorofski,	Owens,	Waterhouse,
Dix,	Krise,	Pentrack,	Watkins,
Dougherty,	Kurtz,	Petrosky,	Weiss,
Dye,	Lane,	Pettigrew,	Welsh,
Elder,	Laughner,	Pickens,	Wescott,
Elish,	Lee,	Polaski,	White,
Erb,	Leisey,	Polen,	Wood, N.,
Ewing,	Leonard,	Powers,	Worley,
Finnerty,	Lichtenwalter,	Propert,	Wright,
Flack,	Loftus,	Reagan,	Yeakel,
Fleming,	Longo,	Regan,	Yester,
Foor,	Lopez,	Reidenbach,	Fiss, Speaker.

NAYS—0

NOT VOTING—13

Boles,	Hering,	Levy,	Rose,
Duffy,	Hersch,	Reese, D. P.,	Tahl,
Gallagher,	Hoggard,	Root,	Wood, L. H.,
Green,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection House Bill No. 295, Printer's No. 291, was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 615, as follows:

An Act to further amend clauses six and nine of section one and section three of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" further defining State employes and original members and making further exception to compulsory membership in the system

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clauses six and nine of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" Clauses six as last amended by the act approved the twenty-fifth day of June one thousand nine hundred forty-one (P. L. 202) and clause nine as last amended by the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 683) are hereby further amended to read as follows

Section 1 Be it enacted &c That the following words and phrases as used in this act unless a different meaning is plainly required by the context shall have the following meanings

* * * * *

6 "State employe" shall mean any person holding a State office or position under the Commonwealth of Pennsylvania employed and paid on a yearly or monthly basis by the State Government of the Commonwealth of Pennsylvania in any capacity whatsoever and shall include also any attorney solicitor investigator appraiser and clerk employed by the year or by the month in the office of any register of wills howsoever appointed whose compensation is actually paid from Commonwealth moneys and shall also include all judges of the several courts of this Commonwealth whose salaries are paid by the Commonwealth and also all clerks and secretaries employed by judges and paid on a yearly or monthly basis by such judges from moneys appropriated by the Commonwealth for such purposes and also all officers and employes of the Pennsylvania State College paid on a yearly or monthly basis other than those paid wholly from Federal funds and also all officers and employes of the Delaware River Joint Commission and of the Delaware River Joint Toll Bridge Commission paid on a yearly or monthly basis if the Delaware River Joint Commission and the Delaware River Joint Toll Bridge Commission shall agree to contribute and contributes to the State Employes' Retirement Fund from time to time the moneys required to build up the reserves necessary for the payment of the State annuities of such officers and employes without any liability on the part of the Commonwealth to make appropriations for such purposes and also but only for the purposes of this act all officers and employes of any separate independent public corporation created by act of Assembly (not including however any municipal or quasi-municipal corporation) who immediately prior to their employment by such public corporation were employes of the Commonwealth so long as they remain officers or employes of such public corporation if such public corporation shall agree to contribute and contributes to the State Employes' Retirement Fund from time to time the moneys required to build up the reserve necessary for the payment of the State annuities of such officers and employes without any liability on the part of the Commonwealth to make appropriations for such purposes But the term "State employe" shall not include those persons defined as employes in section one paragraph seven of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds improving powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as amended by section one paragraph seven of the act approved the twenty-first day of April one thousand nine hundred twenty-one (P. L. 245) excepting such officers and employes of the Department of Public Instruction as are not members of or who may withdraw from the public school employes' retirement association provided by said act and no member shall be deprived of credit for prior service as a State employe because of the fact that such service was rendered while he or she was a member of the public school employes' retirement association

The term "State employe" shall also include all State officers and employes regularly employed by the year or by the month at a fixed annual or monthly compensation when the General Assembly is not in session but who during a legislative session instead of a fixed annual or monthly salary or compensation are paid upon a per diem basis or by a fixed salary or compensation from the legislative session or who receive no fixed annual or monthly salary but are paid only upon a per diem basis during legislative sessions and subsequent thereto

In all cases of doubt the retirement board shall determine whether any person is a State employe as defined in this paragraph and its decision shall be final

* * * * *

9 "Original member" of the retirement association shall mean a State employe who was at any time a State employe prior to January first one thousand nine hundred twenty-five whether or not such employment has been continuous and who shall have become a member of the retirement association on or before December thirty-first one thousand nine hundred thirty-five or in any case where subsequent to such date the definition of State employe has been changed so as to include additional persons not previously classed as State employes if any such person shall have become a member of the retirement association on or before the thirty-first day of December next following the effective date of the act under the provisions of which he was enabled to become a member of the association

Any such State employe who shall become an original member of the association after the approval of this amendment including those who having heretofore become a new member thereof shall become an original member under the provisions hereof shall pay to the retirement association a sum equal to all the back payments which such person would have made had he or she become a member of the retirement association when the retirement system was established Such back payments may be spread over a period of years by having such regular payroll deduction of such person increased by not less than one-third of the amount thereof which deduction increase shall be credited to such back payments owing and shall be continued until the amount thereof shall be paid in full unless such member is retired under

the provisions of this act before such back payments have been completed Any such deduction increase may be anticipated in full by the member at any time and shall be anticipated in full at the time of retirement before a retirement allowance is granted and if not so anticipated then the member's annuity shall be calculated on the total accumulated deductions standing to his credit and his State annuity shall be reduced by an amount equivalent to the reduction which occurs in the member's annuity due to the amount of the back payments not so anticipated

Original member of the retirement association shall also mean any judge in service on the second Monday of January one thousand nine hundred thirty who shall elect to become a member of the retirement association at any time during the term for which he was then elected or appointed and any person hereafter elected or appointed a judge who at the time of his election or appointment is an original member of the retirement association or who was retired voluntarily or involuntarily as an original member and is at the time of his election or appointment as a judge receiving a retirement allowance as an original member

Section 2 Section three of said act as last amended by the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 683) is hereby further amended to read as follows

Section 3 A State employes' retirement association is hereby organized the membership of which shall consist of all State employes as defined in paragraph six of section one of this act who by written application to the Retirement Board shall either as an original member or a new member elect to be covered by the retirement system Any State employe who becomes a State employe subsequent to the thirty-first day of December nineteen hundred twenty-four except as provided in paragraphs nine and ten of section one of this act as to judges shall during the first six months of employment as a State employe have the option of membership but after the first six months of such employment as a State employe membership as a new member shall be compulsory Provided however That neither the Governor nor the Lieutenant-Governor nor the head or deputy heads of any administrative department nor the members of any independent administrative board or commission or of any departmental administrative board or commission or of any advisory board or commission nor the secretary to the Governor nor the budget secretary nor any legislative employe nor any person over the age of fifty years shall be compelled to become members of said State employes' retirement association

The head of each department board commission or other agency of the State government shall see to it that an application for membership is executed by each new State employe within said six months period and that payroll deductions are not delayed beyond said period

Section 3 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—188

Andrews,	Fox,	Lovett,	Reilly,
Baker,	Freed,	Lyons,	Reynolds,
Barrett,	Frost,	Madden,	Riley,
Barton,	Fullerton,	Madigan,	Robertson,
Baumunk,	Gaffney,	Mahany,	Royer,
Bentley,	Gardner,	Matthews,	Rudisill,
Bentzel,	Getchey,	McAtee,	Salus,
Bonawitz,	Gibson,	McClester,	Scanlon,
Boney,	Goodling,	McCormack,	Schuster,
Boorse,	Gore,	McDowell,	Serrill,
Boory,	Greenwood,	McKinney,	Shaffer,
Bower,	Greer,	McLanahan,	Shoemaker,
Brancato,	Guthrie,	McMillen,	Skale,
Breisch,	Gyger,	McNair,	Sloan,
Brice,	Haberlen,	McNally,	Smith,
Brothers,	Hall,	Mihm,	Snider,
Brunner, C. H.,	Hamilton,	Mikula,	Snyder,
Brunner, P. A.,	Hare,	Miller,	Sollenberger,
Burns,	Haudenshield,	Mills,	Sorg,
Cadwalader,	Heatherington,	Milliken,	Stank,
Chervenak,	Hennihan,	Mooney,	Stockham,
Chudoff,	Helm,	Moore, C. E.,	Stonier,
Cohen,	Herman,	Moore, W. J.,	Stuart,
Coleman,	Hewitt,	Moran,	Swope,
Cook,	Hoffman,	Moser,	Tate,
Cooper,	Hoopes,	Munley,	Tittle,
Corrigan,	Howells,	Murray, M. L.,	Trachtman,
Costa,	Hunter,	Myhan,	Trent,
Coulson,	Huntley,	Nagel,	Trout,
Coyle,	James,	Nelson,	Turbett,
Cullen,	Jones,	O'Brien,	Turner,
Dague,	Kennedy,	O'Connor,	Varallo,
Dalrymple,	Kirley,	O'Dare,	Verona,
Dennison,	Kline,	O'Donnell,	Wachhaus,
Depuy,	Krise,	O'Neill,	Wagner,
Dillon,	Kurtz,	Owens,	Waterhouse,
Dix,	Kolankiewicz,	Pentrack,	Watkins,
Dougherty,	Komorofski,	Petrosky,	Weiss,
Dye,	Lane,	Pettigrew,	Welsh,
Elder,	Laughner,	Pickens,	Wescott,
Elish,	Lee,	Polaski,	White,
Erb,	Leisey,	Polen,	Wood, N.,
Ewing,	Leonard,	Powers,	Worley,
Finnerty,	Lichtenwalter,	Propert,	Wright,
Flack,	Loftus,	Reagan,	Yeakel,
Fleming,	Longo,	Regan,	Yester,
Foor,	Lopez,	Reidenbach,	Fiss,

Speaker.

NAYS—0

NOT VOTING—13

Boies,	Hering,	Levy,	Rose,
Duffy,	Hersch,	Reese, D. P.,	Tahl,
Gallagher,	Hoggard,	Root,	Wood, L. H.,
Green,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 805, as follows:

An Act to amend Article VIII of the act approved the the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it unlawful to injure tap or make unauthorized connection with telegraph and telephone facilities to receive or send communications by means of such unauthorized connections or to induce such actions by another and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article VIII of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" is hereby amended by adding after section eight hundred sixty a new section to be known as eight hundred sixty point one and to read as follows

Section 860.1 Injuring Tampering with or Interfering with or Making Connection with Telegraph and Telephone Facilities Whoever injuries or destroys or permits procures or induces any one to injure or destroy any conduit cable wire line pole switchboard or other equipment or facilities belonging to any person engaged in furnishing telegraph or telephone service or severs disconnects obstructs removes or relocates to another place any such property of such person or whoever by any

machine instrument contrivance wire or other means knowingly and without authority from such person taps or connects with any wire line cable junction box switchboard or other equipment or facility of such person or installs any wire instrument or other equipment or facility in connection with the said property of such person or knowingly attempts to receive or send or receive or sends a communication by such means or permits procures or induces any of the aforesaid actions by another is guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not exceeding one thousand dollars ($1,000) or undergo imprisonment not exceeding two (2) years or both

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—188

Andrews,	Fox,	Lovett,	Reilly,
Baker,	Freed,	Lyons,	Reynolds,
Barrett,	Frost,	Madden,	Riley,
Barton,	Fullerton,	Madigan,	Robertson,
Baumunk,	Gaffney,	Mahany,	Royer,
Bentley,	Gardner,	Matthews,	Rudisill,
Bentzel,	Getchey,	McAtee,	Salus,
Boies,	Gibson,	McClester,	Scanlon,
Bonawitz,	Goodling,	McCormack,	Schuster,
Boney,	Gore,	McDowell,	Serrill,
Boorse,	Greenwood,	McKinney,	Shaffer,
Boory,	Greer,	McLanahan,	Shoemaker,
Bower,	Guthrie,	McMillen,	Skale,
Brancato,	Gyger,	McNair,	Sloan,
Breisch,	Haberlen,	McNally,	Smith,
Brothers,	Hall,	Mihm,	Snider,
Brunner, C. H.,	Hamilton,	Mikula,	Snyder,
Brunner, P. A.,	Hare,	Miller,	Sollenberger,
Burns,	Haudenshield,	Milliken,	Sorg,
Cadwalader,	Heatherington,	Mills,	Stank,
Chervenak,	Helm,	Mooney,	Stockham,
Chudoff,	Hennihan,	Moore, C. E.,	Stonier,
Cohen,	Herman,	Moore, W. J.,	Stuart,
Coleman,	Hewitt,	Moran,	Swope,
Cook,	Hoffman,	Moser,	Tate,
Cooper,	Hoopes,	Munley,	Tittle,
Corrigan,	Howells,	Murray, M. L.,	Trachtman,
Costa,	Huntley,	Myhan,	Trent,
Coulson,	Hunter,	Nagel,	Trout,
Coyle,	James,	Nelson,	Turbett,
Cullen,	Jones,	O'Brien,	Turner,
Dague,	Kennedy,	O'Connor,	Varallo,
Dalrymple,	Kirley,	O'Dare,	Verona,
Dennison,	Kline,	O'Donnell,	Wachhaus,
Depuy,	Kolankiewicz,	O'Neill,	Wagner,
Dillon,	Komorofski,	Owens,	Waterhouse,
Dix,	Krise,	Pentrack,	Watkins,
Dougherty,	Kurtz,	Petrosky,	Weiss,
Dye,	Lane,	Pettigrew,	Welsh,
Elder,	Laughner,	Pickens,	Wescott,
Elish,	Lee,	Polaski,	White,
Erb,	Leisey,	Polen,	Wood, N.,
Ewing,	Leonard,	Powers,	Worley,
Finnerty,	Lichtenwalter,	Propert,	Wright,
Flack,	Loftus,	Reagan,	Yeakel,
Fleming,	Longo,	Regan,	Yester,
Foor,	Lopez,	Reidenbach,	Fiss, Speaker.

NAYS—0

NOT VOTING—13

Brice,	Hering,	Levy,	Rose,
Duffy,	Hersch,	Reese, D. P.,	Tahl,
Gallagher,	Hoggard,	Root,	Wood, L. H.,
Green,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

The SPEAKER pro tempore. House Bill No. 754, Printer's No. 343, is not on file and will therefore be passed over.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 718, as follows:

An Act to further amend section five hundred twelve of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations or existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporations association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by removing the restriction against cashiers and treasurers being gainfully employed in activities outside of the institution by which they are employed

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred twelve of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries records of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" as amended by the act approved the twenty-second day of April one thousand nine hundred thirty-seven (P. L. 349) is hereby further amended to read as follows

Section 512 Eligibility for Cashier or Treasurer Restrictions upon Office [A] The following persons shall not be eligible to be cashiers or treasurers of any institution

(1) A judge of any court of record in this Commonwealth

(2) Any person holding office under this Commonwealth in the Department of Banking the Treasury Department the Auditor General's Department or the Department of Revenue

(3) The treasurer of any county city township borough

or other political subdivision of this Commonwealth This provision shall not apply in any case where the funds of the particular county city township borough or other political subdivision of this Commonwealth are not on deposit with the institution of which such treasurer of any county city township borough or other political subdivision is treasurer or cashier

B A cashier or treasurer of an institution shall not engage [in any other gainful profession business occupation or calling] either directly or indirectly in the business of buying or selling stock real estate or insurance but this shall not be construed to affect the right to be at the same time a member of the board of directors or the board of trustees of the incorporated institution in which he is cashier or treasurer

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—188

Andrews,	Fox,	Lovett,	Reilly,
Baker,	Freed,	Lyons,	Reynolds,
Barrett,	Frost,	Madden,	Riley,
Barton,	Fullerton,	Madigan,	Robertson,
Baumunk,	Gaffney,	Mahany,	Royer,
Bentley,	Gardner,	Matthews,	Rudisill,
Bentzel,	Getchey,	McAtee,	Salus,
Bonawitz,	Gibson,	McClester,	Scanlon,
Boney,	Goodling,	McCormack,	Schuster,
Boorse,	Gore,	McDowell,	Serrill,
Boory,	Greenwood,	McKinney,	Shaffer,
Bower,	Greer,	McLanahan,	Shoemaker,
Brancato,	Guthrie,	McMillen,	Skale,
Breisch,	Gyger,	McNair,	Sloan,
Brice,	Haberlen,	McNally,	Smith,
Brothers,	Hall,	Mihm,	Snider,
Brunner, C. H.,	Hamilton,	Mikula,	Snyder,
Brunner, P. A.,	Hare,	Miller,	Sollenberger,
Burns,	Haudenshield,	Milliken,	Sorg,
Cadwalader,	Heatherington,	Mills,	Stank,
Chervenak,	Helm,	Mooney,	Stockham,
Chudoff,	Hennihan,	Moore, C. E.,	Stonier,
Cohen,	Herman,	Moore, W. J.,	Stuart,
Coleman,	Hewitt,	Moran,	Swope,
Cook	Hoffman,	Moser,	Tate,
Cooper,	Hoopes,	Munley,	Tittle,
Corrigan,	Howells,	Murray, M. L.,	Trachtman,
Costa,	Hunter,	Myhan,	Trent,
Coulson,	Huntley,	Nagel,	Trout,
Coyle,	James,	Nelson,	Turner,
Cullen,	Jones,	O'Brien,	Turbett,
Dague,	Kennedy,	O'Connor,	Varallo,
Dalrymple,	Kirley,	O'Dare,	Verona,
Dennison,	Kline,	O'Donnell,	Wachhaus,
Depuy,	Kolankiewicz,	O'Neill,	Wagner,
Dillon,	Komorofski,	Owens,	Waterhouse,
Dix,	Krise,	Pentrack,	Watkins,
Dougherty,	Kurtz,	Petrosky,	Weiss,
Dye,	Lane,	Pettigrew,	Welsh,
Elder,	Laughner,	Pickens,	Wescott,
Elish,	Lee,	Polaski,	White,
Erb,	Leisey,	Polen,	Wood, N.,
Ewing,	Leonard,	Powers,	Worley,
Finnerty,	Lichtenwalter,	Propert,	Wright,
Flack,	Loftus,	Reagan,	Yeakel,
Fleming,	Longo,	Regan,	Yester,
Foor,	Lopez,	Reidenbach,	Fiss, Speaker.

NAYS—0

NOT VOTING—13

Boies,	Hering,	Levy,	Rose,
Duffy,	Hersch,	Reese, D. P.,	Tahl,
Gallagher,	Hoggard,	Root,	Wood, L. H.,
Green,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

THE SPEAKER (Ira T. Fiss) IN THE CHAIR.

The SPEAKER. The Chair thanks the gentleman from Delaware, Mr. Turner, for presiding.

CONGRATULATORY RESOLUTION

Messrs. KIRLEY and LEONARD offered a resolution which was twice read, considered and unanimously adopted as follows:

In the House of Representatives, March 21, 1945.

With the coming of Spring, there has come a new year into the life of a member of this House.

Birthdays among the membership of this legislative body seem to be perennial habits and each must be observed. The Hon. John J. Baker of Pittsburgh was born just fifty-two years ago in the City of Pittsburgh, which seems far too advanced an age to represent his appearance in the picture we found in the Pennsylvania Manual.

The double, or triple, chin represents good living, or it might be the result of his connection of seventeen years with a meat packing house. Seventeen years of packing.

The autobiography of the Hon. John J. Baker as it appears in the Manual emphasizes the fact that he was a Marathon runner. He doesn't look it now unless the running he writes about was running for office, in which sport he has been consistently successful.

He is not only a member of this House, but he ran five times before this last election and in each race he nosed out the other runners.

He was in a race for Assessor and, of course, he won. He served as Secretary and Chairman of the Democratic Party of Pittsburgh's 17th Ward and, of course, he ran for those offices.

In addition to those victories, he has also been elected to the Knights of Columbus, the John Kellar Club, the Lotus Club, the Elks, Moose, Eagles and Manhattan clubs, and also has a home address where he sometimes can be found with his wife and five children.

If any member of this House should celebrate a birthday, he should; therefore be it

Resolved, By the Members of this House, that it favors a celebration of the birthday of this modern Pheidippides, this racer who could easily have outdistanced that first Marathon racer of ancient Greece and that they are ready at any time to joint him in a proper celebration; and be it further

Resolved, That they hereby extend their heartiest congratulations to the Hon. John J. Baker, wish him a long, prosperous and happy life, and a victory in every future race, and hereby request the Chief Clerk of the House to transmit to him a copy of this resolution.

The SPEAKER. The Chair recognizes the great Marathon runner, the Honorable John J. Baker.

Mr. BAKER. Mr. Speaker, I want to thank the sponsors of the resolution and the Members of the House. Yesterday we celebrated St. Patrick's day; today we are celebrating Baker's day. I thank you.

The SPEAKER. The Chair congratulates the gentle- from Allegheny and wishes him many, many happy birthdays.

CONGRATULATORY RESOLUTION

Mr. MADIGAN offered a resolution which was read, considered and unanimously adopted as follows:

In the House of Representatives, March 21, 1945.

It is rumored that today is the birthday of the Honorable Clarence E. Moore.

Like many rumors, one has difficulty confirming the truth or falsehood of such rumors, especially since the rumor itself states that the date of his birth, as given in the 1943 Pennsylvania Manual is incorrect.

However, if one is going to have a birthday, no finer day could be selected than that of the first day of Spring, and no better year than this to celebrate it—and the first day of Spring after a winter the like of which few, if any, can recall.

So we can all rejoice upon the arrival of the first day of Spring and the birthday of that charter member of Citizens Hose Company No. 5—Clarence E. Moore; therefore be it

Resolved, That the House go on record as stating that the 1943 Pennsylvania Manual must be wrong, and that his good wife must be right, and the House therefore on this occasion, March 21, 1945, expresses its good wishes to, and congratulates Clarence E. Moore on his birthday and extends to him its wish that he may enjoy many more anniversaries on the twenty-first day of March.

The SPEAKER. The Chair recognizes the gentleman from Clinton, Mr. Moore.

Mr. CLARENCE E. MOORE. Mr. Speaker, I want to thank the sponsors. I thought I kept quiet. The book had it wrong. One thing I will say, spring is here, and that is my birthday. Thank you.

The SPEAKER. The Chair wishes to congratulate the gentleman from Clinton and wishes him many more happy birthdays.

ADDITIONAL SPONSOR

Mr. ERB asked and obtained unanimous consent to add an additional sponsor to a resolution.

RESOLUTION

PENNSYLVANIA STATE POLICE

Messrs. ERB, HELM and BOWER offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, March 21, 1945.

If there is anything wrong with the State Police force that curtails its efficiency or even slightly reflects upon its outstanding reputation, it should be made known to those who are responsible for maintaining the high standard of the force, that is expected by the people of the Commonwealth.

So much has been said relative to the housing and sustenance of the members of the force, that an investigation should be made in order to vindicate its administration as well as to remedy any wrongs that might exist. To attempt or to appear to attempt to cover up, would only add to any distrust that might prevail; therefore be it

Resolved, By the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania, that it requests the Governor of the Commonwealth, to appoint a reliable, trustworthy and capable person who is in no way connected with the Pennsylvania State Police, to conduct a private investigation of existing conditions, and that during such investigation, any persons who are members of, or connected with, the Pennsylvania State Police, shall be assured of the secrecy of the investigation, that they will not be disciplined for matters divulged, that their testimony shall be considered as being confidential, and that no action shall thereafter be taken against them based on or on account of such testimony; and be it further

Resolved, That a copy of this resolution shall be transmitted by the Chief Clerk of the House to His Excellency, the Governor, immediately after its passage.

MEMBER CONGRATULATED

The SPEAKER. The Chair also congratulates the gentleman from Berks on his birthday and wishes him many many more birthdays

Mr. McATEE. Thank, you, Mr. Speaker and ladies and gentlemen of the House.

The SPEAKER. Is that all the gentleman has to say?

Mr. McATEE. I thought I was through, Mr. Speaker. You know I am a man of few words.

CONDOLENCE RESOLUTIONS

Messrs. O'NEILL and MUNLEY offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and unanimously adopted as follows:

In the House of Representatives, March 21, 1945.

Hugh J. Brady, born in Scranton, 57 years ago, and for many years prominent in his native city, died of a heart attack in Florida, on Wednesday, March 14th.

Mr. Brady was influential as a leader in the ranks of the Democratic Party, both in Lackawanna County and throughout the Commonwealth. He was an outstanding business man and the owner of Mid-Valley Distilling Corporation. He was a leader in every community activity for the betterment of both local and general conditions.

Mr. Brady is survived by his wife and his daughter, and by his son, James F. Brady, who holds the office of District Attorney of Lackawanna County; therefore, be it

Resolved, That the House extends its profound sympathy to the widow and the son and daughter of the late, Hugh J. Brady, who have been bereft of their husband and father, and that this resolution be spread upon the Journal of the House, and a copy thereof be forwarded by the Chief Clerk to the widow of the deceased.

ADJOURNMENT

Mr. LONGO. Mr. Speaker, I move that this House do now adjourn until Monday, March 26, 1945, at 9 p. m.

The motion was agreed to, and (at 1:13 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1945. 136th of the General Assembly.

Vol. 29. HARRISBURG, PA., MONDAY, MARCH 26, 1945. No. 33.

SENATE

MONDAY, March 26, 1945.

The Senate met at 4:00 o'clock, p. m., Eastern War Time.

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the Chair.

PRAYER

The Chaplain, Rev. EDWIN S. WALLACE, D. D., offered the following prayer:

O Thou who are "infinite in Thy being, wisdom, power, holiness, justice, goodness and truth" give us the desire to imitate Thee in these respects. Thou hast given us the right to be called the sons of God, but we know that we have no claim to that title until we have exercised the right by our own act of faith in Thee, and our obedience to Thy righteous law. We can deny Thee; we can violate Thy law, but the nation or person who does this must pay the penalty of death. Keep us, we pray Thee, from such disaster.

May we thank Thee from sincere hearts for the blessings, spiritual and material, that are ours.

We thank Thee for our country and nation. Preserve us, O God, united and, under Thy leadership, able to overcome all our enemies.

May all our leaders, civil, military and religious, follow the Lord of Hosts, whose banners have never been lowered, and who never compromises with evil.

Guide the members of this Senate in all their duties here and in all their relations elsewhere.

In the name of the Father, Son and Holy Spirit. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HEYBURN and Mr. EALY, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. Wade asked and obtained leave of absence for Mr. EDMONDS.

LIEUTENANT FRANK MOSES INTRODUCED

The PRESIDENT. Before taking up the next order of business the Chair takes great pleasure in presenting to the Senate one of America's heroes, who has just returned after having completed many bombing missions in the South Pacific, including the bombing of Tokyo.

We have with us today Lieutenant Frank Moses, of Concordville, and his wife, who is a Harrisburg Queen.

Lieutenant Moses is a Navy Bomber Pilot and I know the Senate would like to have him stand up and take a bow.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

APPROVED AND SIGNED SENATE BILL No. 129, PRINTER'S No. 27

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 21, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 129, Printer's No. 27, entitled "An Act to add subsection C to section two hundred twenty-one of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," exempting for the duration of the present war, persons in the armed forces from the payment of a fee to the Commonwealth for non-resident fishing licenses.

EDWARD MARTIN.

APPROVED AND SIGNED SENATE BILL No. 145, PRINTER'S No. 82

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 24, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 145, Printer's No. 82, entitled "An Act to amend section three of the act approved the twentieth day of May one thousand nine hundred twenty-one (P. L. 938) entitled 'An act to provide for the better preservation of the books and papers in the office of the prothonotaries in the counties of this Commonwealth by copying transcribing and certification of dilapidated faded or injured books and papers' by providing for instances in which originals of said books and papers may be destroyed."

EDWARD MARTIN.

APPROVED AND SIGNED SENATE BILL No. 228, PRINTER'S No. 40

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 21, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 228, Printer's No. 40, entitled "An Act to amend the title and sections one and fourteen of the act approved the twentieth day of April one thousand nine hundred and five (P. L. 239) entitled 'An act providing for and defining the rights remedies duties and liabilities of purchasers of real estate at judicial sales and of the their grantees heirs and devisees and of the persons then in possession thereof' extending the provisions of said act to purchasers of real estate at tax sales and their grantees heirs and devisees and persons then in possession thereof."

EDWARD MARTIN.

APPROVED AND SIGNED SENATE BILL No. 212, PRINTER'S No. 52

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 21, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 212, Printer's No. 52, entitled "An Act defining the lien of taxes imposed and assessed on real property by political subdivisions and fixing the time from which the lien of such taxes shall date."

EDWARD MARTIN.

NOMINATIONS BY THE GOVERNOR

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 26, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

Harvey E. Trump, R. D. No. 3, Lehighton, Carbon County, for appointment as Justice of the Peace in and for the Township of Towamensing, Carbon County, until the first Monday in January, 1946, to fill a vacancy.

William F. Rapp, 757 Euclid Street, Temple, Berks County, for appointment as Justice of the Peace in and for the Borough of Temple, Berks County, until the first Monday in January, 1946, vice James E. Stoudt, resigned.

EDWARD MARTIN.

MEMBERS OF THE BOARD OF TRUSTEES OF LOCUST MOUNTAIN STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 26, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Board of Trustees of Locust Mountain State Hospital, for terms of four years, and until their successors are qualified:

Evan Williams, Frackville, Schuylkill County. (Reappointment)

Joseph Nevadomski, Shenandoah, Schuylkill County. (Reappointment)

Mrs. Hawthorne L. Ball, Mahanoy City, Schuykill County. (Reappointment)

Edward Strolis, Shenandoah Heights, Shenandoah, Schuylkill County. (Reappointment)

John Ritz, Palo Alto, Pottsville, Schuylkill County. (Reappointment)

Robert Davidson, Brockton, Schuylkill County. (Reappointment)

Orville Breich, Ringtown, Schuylkill County, vice Herbert Ratzburg, Ringtown, whose term expired.

EDWARD MARTIN.

MEMBERS OF THE BOARD OF TRUSTEES OF EASTERN STATE PENITENTIARY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 26, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Board of Trustees of Eastern State Penitentiary, for the terms of four years, and until their successors are qualified:

Frank M. Speakman, 4 Green Hill Lane, Overbrook, Philadelphia, Philadelphia County. (Reappointment)

Matthew A. Roth, 545 Olney Avenue, Philadelphia, Philadelphia County. (Reappointment)

David E. Watson, 214 West Mt. Airy Avenue, Philadelphia, Philadelphia County. (Reappointment)

William C. Treston, 3411 Warden Drive, Philadelphia, Philadelphia County, vice Dr. F. D. Patterson, Philadelphia, resigned.

William Reinhardt, 250 South 18th Street, Philadelphia, Philadelphia County, vice Harry L. Heinzeroth, Philadelphia, resigned.

James Gallagher, Jr., 900 Drexel Avenue, Drexel Hill, Delaware County, vice John P. Hallahan, Lansdowne, resigned.

Samuel W. Gearhart, Lower Merion Township Building, Ardmore, Montgomery County, to fill a vacancy.

EDWARD MARTIN.

MEMBERS OF THE WAYNE COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 26, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Wayne County Board of Assistance:

Miss Catherine Hippensteel (Republican), Park Street, Honesdale, Wayne County, to serve until December 31, 1945, and until her successor is duly appointed and qualified, vice Miss Edith K. Swift, Honesdale, resigned.

H. P. Medland (Republican), Waymart, Wayne County, to serve until December 31, 1947, and until his successor is duly appointed and qualified, vice Roy N. Howe, Lake Ariel, whose term expired.

John E. Bigart (Republican), Lake Ariel, Wayne County, to serve until December 31, 1946, and until his successor is duly appointed and qualified, vice Dr. Kenneth A. Gillespie, Honesdale, resigned.

EDWARD MARTIN.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being in-

troduced presented for concurrence bills of the House, as follows:

House Bill No. 37, entitled:

An Act to further amend subsection (9) of section eight of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "State Employes Retirement Law," permitting contributors to change from the one one-hundred-sixtieth (1/160) to the one one-hundredth (1/100) class.

Which was committed to the Committee on State Government.

House Bill No. 45, entitled:

An Act to further amend section two hundred one of the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1005), entitled "Tractor Code" exempting from registration tractors and trailers used by farmers in certain cases.

Which was committed to the Committee on Highways.

House Bill No. 48, entitled:

An Act to further amend section four hundred one of the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by exempting trailers and semi-trailers from registration when used exclusively for the business of farming.

Which was committed to the Committee on Highways.

House Bill No. 98, entitled:

An Act to amend an act approved June sixth one thousand eight hundred and seventy-one (P. L. 1353) entitled "An act relative to plans of survey and regulation in the City of Philadelphia" by restricting the operation of the Act to original plans and revisions, changing the time and number and character of the newspapers in which notice of the proposed plans and revisions shall be published and of the hearing thereon eliminating the requirement that streets which are the subjects of such plans or revisions must extend from street to street as thoroughfares and must be called public streets and abrogating the provisions for widening the streets upon the petition of the majority of the owners or majority of feet frontage thereon or on one side thereof.

Which was committed to the Committee on Municipal Government.

House Bill No. 119, entitled:

An Act providing for the construction erection and maintenance of roadside parks adjacent to State highway routes providing for the acquisition of interests in land by gift purchase or condemnation granting powers to and imposing duties upon the Department of Highways the Secretary of Highways the Governor and the Department of Property and Supplies authorizing rules and regulations and providing penalties for violations thereof and making an appropriation

Which was committed to the Committee on Highways.

House Bill No. 162, entitled:

An Act to further amend section one thousand three hundred eleven of the act approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "Public Utility Law," by authorizing the court to impose prison sentences in certain cases.

Which was committed to the Committee on Judiciary General.

House Bill No. 321, entitled:

An Act to amend the title and section one of the act approved the eleventh day of May, one thousand eight hundred ninety-nine (P. L. 289), entitled "An act providing for the payment to the county or counties of the moneys or bonus which any foreign railway corporation is required to pay into the State Treasury for the right to pass through said county or counties, and by which payment such foreign railway corporation is relieved from local taxation," by eliminating the reference to relief from local taxation.

Which was committed to the Committee on Corporations.

House Bill No. 420, entitled:

An Act to amend the act approved the twelfth day of May one thousand nine hundred and forty-three (P. L. 259) entitled "An act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employes' Retirement System and in certain other cases into the State Employes' Retirement Fund for certain purposes" by providing for allocation and distribution of such moneys and further prescribing their use

Which was committed to the Committee on State Government.

House Bill No. 457, entitled:

An Act to permit the sale and purchase of imitation butter or oleomargarine for consumption by inmates and employes of charitable and penal institutions within the Commonwealth for a period of two years and suspending certain provisions of the law prohibiting such sales and purchase for the same period of time under certain circumstances requiring the keeping of records and the making of reports and providing penalties.

Which was committed to the Committee on Agriculture.

House Bill No. 472, entitled:

An Act prohibiting the sale of drugs chemicals and preparations thereof without a label bearing certain information and prescribing a penalty.

Which was committed to the Committee on Public Health.

House Bill No. 493, entitled:

A Supplement to the act approved the fourth day of June one thousand nine hundred and forty-three (Appropriation Acts page fifty-nine) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-three" providing for a deficiency in the appropriation made by said act to the Department of Auditor General for the fiscal biennium ending May thirty-first one thousand nine hundred and forty-five.

Which was committed to the Committee on Appropriations.

House Bill No. 614, entitled:

An Act to further amend section nine hundred and three of the act, approved the first day of May, one thou-

sand nine hundred and twenty-nine (P. L. 905), entitled "Vehicle Code," by changing the maximum gross weight of certain commercial motor vehicles and truck tractors.

Which was committed to the Committee on Highways.

House Bill No. 615, entitled:

An Act to further amend clauses six and nine of section one; and section three of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "State Employes Retirement Law," further defining State employes and original members, and making further execption to compulsory membership in the system.

Which was committed to the Committee on State Government.

House Bill No. 662, entitled:

An Act to promote interstate cooperation for the conservation and protection of water resources in the Delaware River Basin

Which was committed to the Committee on Forests and Waters, Game and Fish.

House Bill No. 697, entitled:

An Act to further amend clause seven of section one of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "School Employes Retirement Law," extending the time for officers and employes of the Department of Public Instruction to withdraw from the Retirement system and receive reimbursement for moneys paid in; and requiring payments from the School Employes' Retirement Fund into the State Employes' Retirement Fund in certain cases.

Which was committed to the Committee on Education.

House Bill No. 698, entitled:

An Act to further amend clauses nine and thirteen of section one of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "State Employes Retirement Law," further defining original members and prior service in the case of certain former members of the Public School Employes Retirement Association.

Which was committed to the Committee on State Government.

House Bill No. 714, entitled:

An Act to further amend section one of the act approved the eighth day of July one thousand nine hundred nineteen (P. L. 782) entitled as amended "An act providing that clerks appraisers investigators and other persons assisting the registers of wills in the collection of inheritance taxes in all counties shall be appointed and their compensation fixed by the Secretary of Revenue and prescribing the method of their payment and that of other expenses incident to the collection of said taxes including cost of registers' bonds" by clarifying the provisions for the payment of the cost of registers' bonds filed with the Department of Revenue.

Which was committed to the Committee on County Government.

House Bill No. 718, entitled:

An Act to further amend section five hundred twelve of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled "Banking Code," by removing the restriction against cashiers and treasurers being gainfully employed in activities outside of the institution by which they are employed.

Which was committed to the Committee on Banking.

House Bill No. 719, entitled:

An Act to amend section one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 558) entitled "An act authorizing the Department of Property and Supplies to sell and convey a lot or pieces of land in Delaware County" correcting an erroneous measurement.

Which was committed to the Committee on State Government.

House Bill No. 805, entitled:

An Act to amend Article VIII of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "The Penal Code," by making it unlawful to injure, tap or make unauthorized connections with telegraph and telephone facilities, to receive or send communications by means of such unauthorized connections or to induce such actions by another; and providing penalties.

Which was committed to the Committee on Judiciary General.

House Bill No. 812, entitled:

An Act to further amend the last paragraph of section eight of the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" changing the name of the veterans' grave registrar to director of veterans' affairs and prescribing his duties.

Which was committed to the Committee on Military Affairs.

House Bill No. 878, entitled:

An Act to further amend sections three and four of the act, approved the twenty-first day of May, one thousand nine hundred thirty-seven (P. L. 787), entitled, as amended "An act authorizing, subject to approval of the court of common pleas, the compromise or reduction of tax and municipal claims on real property purchased by any county, city, borough, town, school district or poor district at any sale for the non-payment of taxes or municipal claims; and the reconveyance or private sale of such property," by further providing for the distribution of the proceeds of such reconveyance or sale.

Which was committed to the Committee on State Government.

House Bill No. 942, entitled:

An Act to amend the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 439) entitled "An act authorizing the Governor of the Commonwealth of Pennsylvania with the advice of the Attorney General and the approval of certain members of the General Assembly for a limited period of time to suspend or modify laws either in whole or in part under certain circumstances during the existence of the present war" by extending the effective period of the act

Which was committed to the Committee on State Government.

HOUSE CONCURS IN SENATE BILL No. 187

He also returned to the Senate, Senate Bill No. 187, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately eighty-nine acres of land in the Twenty-Sixth and Forty-Eighth Wards of the City of Philadelphia, Pennsylvania, known as the League Island Navy Yard; and ceding jurisdiction to the United States

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 217

He also returned to the Senate, Senate Bill No. 217, entitled:

An Act authorizing agreements between the Secretary of Highways and officials of political subdivisions of the Commonwealth or the Federal Government whereby Federal funds appropriated for the payment of property damages on State highways may be made available to the political subdivision

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 324

He also returned to the Senate, Senate Bill No. 324, entitled:

An Act to amend article nine of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" providing for auxiliary State game refuge projects and repealing existing provisions for auxiliary State game refuges

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 384

He also returned to the Senate, Senate Bill No. 384, entitled:

An Act to repeal section three hundred twenty and part of section three hundred twenty-one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" eliminating the provisions of said act which require licensees to forward to the commission reports of game and fur-bearing animals killed during the previous season

with the information that the House has passed the same without amendments.

HOUSE MESSAGE

SENATE BILL No. 18 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 18, entitled:

An Act to amend sections one and two of the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1303) entitled "An act to regulate the sale of certain hypnotic analgesic and body-weight reduction drugs in the interest of public health" by redefining the meaning of "other hypnotic drugs or analgesic drug or body-weight reducing drug" and adding "inhalers" to the remedies permitted to be sold at retail

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Calendar.

He also presented an extract from the Journal of the House of Representatives which was twice read as follows and referred to the Committee on Rules:

CIVIL AIR PATROL DAY

In the House of Representatives, March 20, 1945.

There is a little known volunteer organization within this Commonwealth made up of men who have freely given of their time in the defense of their country.

The organization is known as the Civil Air Patrol and it has not only spent countless hours patrolling by air the coasts of the nation, but has actually participated in the destruction of enemy submarines.

The organization has airships based at and operated from airfields in Pittsburgh, Philadelphia, Harrisburg, Reading and most of the other important airfields within the Commonwealth.

The City of Pittsburgh has recently set aside a day as "Civil Air Patrol Day" during which a drive was made to secure air cadets for the Army and to give them preliminary training; therefore, be it

Resolved (if the Senate concurs), That the General Assembly of the Commonwealth hereby suggests to His Excellency, the Governor of the Commonwealth, that he designate and set aside a day to be known as "Civil Air Patrol Day" and that he shall issue a proclamation calling upon the various municipalities and the public schools of the Commonwealth to arrange for the dissimination of information relating to the work of the Civil Air Patrol and its accomplishments in order to stimulate interest in its work and obtain additional air cadets for the Army; and be it further

Resolved, That a copy of this resolution shall be transmitted by the Chief Clerk of the House to His Excellency, the Governor.

COMMUNICATIONS

SENATOR DENT. Mr. President, I have here a letter addressed to His Excellency, the Governor of the Commonwealth of Pennsylvania, relating to the Fair Employment Practice Act. It is a letter from Philip Murray, head of the C.I.O., Steelworkers Organization of the United States.

This letter is very important, because under the jurisdiction of the Committee on Industrial Organizations there comes the daily dealing with this particular problem, and I believe the viewpoint of the man who heads this large labor organization, which is made up of all elements within the state, ought to be recorded in the Legislative Journal, and I therefore present to the Chair this open letter addressed to the Governor and ask that it be incorporated in the Legislative Journal, and also included in the Appendix.

The PRESIDENT. If there is no objection the request of the gentleman from Westmoreland is granted.

March 23, 1945.

Honorable Edward H. Martin
Governor of Pennsylvania
Harrisburg, Pennsylvania

Dear Governor Martin:

I am writing you this public letter to lift above the

realm of partisan politics the need for state legislation to eliminate discrimination in employment because of race, creed, color or national origin.

The action of Governor Thomas Dewey in signing such a bill in neighboring New York State on March 12th, demonstrates its non-partisan character. The passage of the bill by a ninety percent vote in the New York Senate together with its joint advocacy by Republicans and Democrats give further emphasis to the fact that anti-discrimination legislation runs to the very heart of America's form of government. Fair and equal employment treatment of all citizens is a cardinal principle of the American philosophy of democracy. All good citizens must agree with the New York Governor who said in signing the bill:

"By this act the State declares the simple principle that in employment there shall be no discrimination by reason of race, creed, color or national origin. It expresses the rule that must be fundamental in any free society—that no man shall be deprived of the chance to earn his bread by reason of the circumstances of his birth."

There are before the Legislature two main bills to accomplish this objective in Pennsylvania on which hearings are to be held March 27th. I have carefully examined both measures, and find that Senate Bill No. 444 to amend the State Labor Relations Act does not withstand legal examination. It would create two separate standards for private and government employment and hence is clearly unconstitutional, and of course undesirable. New York State also has a State Labor Relations Act, but it did not attempt to abolish employment discriminations through an amendment, because it would be illegal and impractical. I am happy, therefore, to learn that you have disclaimed Senate Bill No. 444.

I commend to your attention and that of the Legislature House Bill No. 354, introduced by the distinguished Legislator, Homer S. Brown, to establish a Fair Employment Practice Commission. This bill is essentially the same as the New York bill, both in substantive content and administrative procedure. Acknowledged experts in New York worked out the details of its bill, which was drafted by a non-partisan commission of twenty-three members. The Brown Bill does not vary from the New York Statute in any essential, and thus merits the uncritical support of all Pennsylvanians regardless of party affiliation.

I therefore urge you to address a special message to the Legislature requesting the unanimous passage of the Brown Bill so that Pennsylvania can proudly take its place alongside of New York in allaying among various groups in the community the social tensions that have been accentuated by the war.

Sincerely yours,

PHILIP MURRAY, President.

PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, gentlemen of the Senate, tomorrow there will appear in the Legislative Chamber of this great State Capitol the representatives of a large number of groups and races of people who make up the great Commonwealth of Pennsylvania, who will come from the four corners of this state to urge upon our lawmakers the wisdom of the passage of a bill now before our Legislature, to outlaw discrimination against persons on account of their race, color, religion or national origin, in seeking gainful employment. This bill is popularly known as the State Fair Employment Practice Bill.

In light of our State and Federal Constitutions which have embraced therein, in strong and unambiguous terms many equalitarian features, guaranteeing the right to life, liberty, the pursuit of happiness, and so forth, it would seem to the average layman that such unusual measures as those encouched in the proposed legislation would not be necessary to protect an American working man, yea —a native-born American, whose skin happens to bear a slightly different color from mine, or whose religious belief may be different from the majority. But I say to you, Mr. Lieutenant-Governor and my colleagues in the Pennsylvania Senate, such legislation does now become very necessary—and Mr. Lieutenant-Governor, my colleagues, there came to my attention a few days ago a brilliant article entitled "The Upgrading of the Negro Status by Supreme Court Decisions" by that able and distinguished lawyer and one of the leaders of the Philadelphia Bar, Raymond Pace Alexander, Esquire, published in full in the Legal Intelligencer of Philadelphia on February 19, 1945, describing in meticulous detail, after a painstaking research of all of the decisions of the United States Supreme Court, how the Negro people of this great country of ours, now numbering fifteen million persons, have, in spite of the guarantees of their State and Federal Constitution, had to fight, fight, fight, through the various local and county courts of their cities and states up to the Supreme Court of our land, time and again, in hundreds of cases from the date of their emancipation in 1865 up to this very date, for the very basic, fundamental and necessary things of life, such as the right to travel on trains in interestate commerce, the right to vote, the right to live and buy property where they wish, the right to an education free from discrimination and segregation, the right of their teachers to be paid salaries equal to white teachers, the right of a fair trial, the right to serve on a jury, the right to join labor unions, and so forth.

Mr. Lieutenant-Governor and my colleagues, I wish to offer this scholarly article by Raymond Pace Alexander, Esquire, a distinguished Philadelphia lawyer, past president of the National Bar Association, to be made a part of the records and minutes of the Assembly of this Senate body in this session of the Senate as testimony of the struggle of fifteen million Negro people of America, five hundred thousand of whom reside within our own state, to achieve full citizenship status in the land of their fathers and forefathers.

No greater evidence of the urgent need at this moment for the passage of strong legislation giving all people, regardless of race, color, religion or national origin, can be demonstrated than by having you, my colleagues, and the people of this State, read the struggle not yet fully won, of the Negro people of America to obtain only part of that which our Constitution and Bill of Rights guarantee them to be a truly free people, a free and full-pledged first-class American citizen and not a race of people relegated to a second class citizenship.

I ask Mr. Lieutenant-Governor, presiding officer of this great Senate Body, that this article be made a part of the records and minutes of this Session of the Senate of our great State.

The PRESIDENT. Is there objection? The Chair hears none.

EXTENDED REMARKS

THE UPGRADING OF THE NEGRO'S STATUS BY SUPREME COURT DECISIONS

Address by Raymond Pace Alexander, member of Philadelphia Bar, former president of National Bar Association, delivered recently at the Annual Meeting of the Association for the Study of Negro Life and History, Fanueil Hall, Boston, Mass.

The first recorded issue of color in the social order came with the emergence of Christianity and we seemed never to have been able to free ourselves from its overwhelming influence from that time until the present.

In the Revelation of St. Peter at Joppa, it was declared that all races were of equal standing:

"Whom God hath cleansed, call not thou common or unclean."

This is the first statement of the doctrine of equality in terms of race.

In America as in no other country of the world, the impact of two races of different color living together in large numbers, developed forces that play upon and determine the conduct, behavior, attitude, and philosophy, not only of the individual, but the State and Nation, and these have been vitally important influences in developing National character as a whole, from a political and social point of view.

For many years, therefore, so many in fact, we of the Negro race almost despaired of a change, it became almost an established fact that if America had any general policy of race relations at all, it was one of racial segregation and discrimination. This policy had its roots and background in that soul—destroying institution of slavery, a malignant growth in democracy which, like the deadly disease that it was, left its cancerous influences to spread to other parts of the National body to cast up its ugly and poisonous head in the civic, political, and social life of America with increasing frequency

Since 1865, the Negro people of America, and thousands of their liberal and courageous white friends, have insisted that a true democracy could be achieved for all people, regardless of color, and that there should be no citizens of the "second cless." But all of us know, regardless of how we may try, that there are millions of people in America, many of them of considerable wealth and influence, many of whom occupy high places in our State and National Government, and I deeply regret to say, in our churches, colleges, social welfare organizations and the like, who are still unwilling to believe that democracy in America should embrace in theory and practice, the Negro. We believe that the frontiers of America consist of more than its physical geographical limits of land, from the Atlantic to the Pacific, made up of mountains and valleys, forests and plains, rivers and lakes. We believe that America has as well, a democratic frontier springing from its very National Constitution and its Bill of Rights which embraces its underlying socio-political philosophy, which, by its very words and their inescapable meaning, were made to include all people regardless of race and color.

It is the assault on these democratic frontiers that has occupied the minds and attention of the leaders of Negro life and actions, the organizations and associations for their social, economic, and political advancement, and, as concerns the subject of this paper particularly, the Negro lawyers of America.

That there has been a change, however, in the "conduct, behavior, attitude, and philosophy" in the field of interracial relations and, in the last two decades, a pronounced advance and upgrading in the social, economic, and political status of the Negro, there can be no denial. To what forces and influences may be credited this upgrading, and in what manner the field of law, the common law, Federal statutes, and Federal directives contributed to this happy advance in race relations, may be answered in part in the following analysis.

It should be understood at the outset that what we call the great American Constitution, the body of laws adopted in 1787, does not mention civil rights at all. It was not until 1789, two years later, what we familiarly call the Bill of Rights (the first 10 Amendments to the Constitution) were adopted. The Declaration of Independence, which was preliminary to both the Constitution and the Bill of Rights, was in reality a Proclamation of Freedom; a Declaration from Englishmen in America against other Englishmen in the British Isles that they no longer could suffer the long series of abuses heaped upon them by the British Crown which acted as a tyrant, and that they therefore had the right, even the duty, to throw off such a yoke of government which was so oppressive and set up a new social order for the future of themselves and their posterity.

In 1787 when the discussion of the Bill of Rights (the first ten amendments) was at its height, the delegates were concerned about the encroaching of the Federal Government on the power of the States. This was entirely natural because of the unhappy experiences of these men under the rule of the British Crown just recently shaken off. These ten amendments therefore protected the individual against Government or Federal usurpation of power. Thus began, to the Negro's great loss and deteriment, the theory of States' rights so frequently imbedded in the early laws and judicial decisions.

No one ever seemed to realize that the individual would soon need protection against the action of the States whose laws and acts were later designed to deny many millions of persons, the Negro people within their borders, of the basic rights of citizenship.

For all practical purposes because of the very small number of free Negroes in the United States at the time of the adoption of the Constitution and the Bill of Rights, it could be stated that the Negroes were not considered as a special class or any sizable minority as such. After the War of Independence and the following period of adjustment, next came the 20 years of heated sectional disputes between the North and the South on slavery and abolition, ending with the Civil War, the Emancipation Proclamation and the three great war amendments, the thirteenth, fourteenth and fifteenth amendments to the Federal Constitution.

The thirteenth amendment, adopted in 1865, abolished slavery as well as involuntary servitude throughout the country. The fourteenth amendment endowed the Negro with citizenship in the United States and the several States in which he resided. The fourteenth amendment

was passed in 1866. The fifteenth amendment (passed in 1870 when the Ku Klux Klan was at its height) provided that it was unlawful for any State to deny the citizen the right to vote.

Now began the long struggle of a nation of people of one color, representing roughly 10 per cent of the population, within a nation of people of another color, representing the other 90 percent of the population for social, economic and political adjustment between these two groups.

To whom did these newly created citizens look for the protection of these newly created rights, who just yesterday were held in bondage as chattels by the laws and customs of the States in which they lived? To the States? Manifestly not, but to their new creator of these rights, the Federal Government. Then suddenly these great sons of early patriots, whose forefathers a few generations previously had fought a bloody war to free themselves from the very yokes and obstacles to freedom, the like of which these new citizens of color were seeking, used all sorts of devices, tenuous and specious arguments to deny these new freed men the privileges and immunities of citizenship which were so recently accorded them.

The path to advancement and upgrading of the American Negro was a long and arduous one fraught with the drama of hopes fulfilled, to be later destroyed by one device or another by acts not alone of the legislatures of the former slave-holding States, but by the Federal legislature and the courts themselves.

Without going into detail to support the last-mentioned statement because of the length of the subject, there were five statutes passed by Congress after the war known as the civil rights bills, which were passed to strengthen the thirteenth, fourteenth and fifteenth amendments and the enforcement of the same by an elaborate program of Federal protection designed to protect the freed men in all their basic and fundamental civil and political rights.

The first decision of the Supreme Court of the United States interpreting the fourteenth amendment of the Constitution was in the famous slaughterhouse cases (The Butchers' Benevolent Association of New Orleans v. Crescent City Livestock Co. et. al., 83 U. S. 36 [1872]. This decision showed how quickly the Supreme Court attempted, and successfully so, to whittle away the protection that was so valiantly fought for and incorporated in our Constitution and Bill of Rights after a bitter struggle. In this divided opinion by a none too learned justice, Mr. Justice Samuel F. Miller, the court gave the narrowest possible construction to the fourteenth amendment and held that this amendment protected rights springing from Federal citizenship, and the decision held that Federal citizenship was different from State citizenship and rights inherent in State citizenship were not subject to the protection of the fourteenth amendment.

The facts of this case did not even directly or indirectly have anything to do with the Negro. It was solely and exclusively the construction of a statute of the State of Louisiana granting a monopoly to one corporation for the slaughtering of animals over a wide area. The court held that the State had enforced a valid exercise of its police power in protecting the health of the people of the States. It would seem, as professors of this branch of the law have stated time and again in trying to understand the decision, that the fourteenth amendment was not even involved in this case. Mr. Justice Miller wrote the opinion for the majority of five, but a most brilliant, able and very exhaustive dissenting opinion was filed by Mr. Justice Fields, in which the Chief Justice, Salmon P. Chase, and Mr. Justices Bradley and Swayne joined. These justices attacked the reasoning of the majority as "tenuous and specious." This was the era termed by the Negroes "Knocking at Closed Court Room Doors."

Gradually, by narrow construction mostly on the opinions of a divided court, especially in the famous civil rights cases in which Negroes brought prosecution in their various States for discrimination on the railroad, in theatres, at hotels, etc., the Supreme Court held these and like statutes unconstitutional, thereby taking from the purpose of these fine enforcement acts the very vitals and underlying reasons for which these great equalitarian acts were passed, over the hostile objections of a large minority in the Congress. (See Civil Rights' cases, viz. United States v. Stanley (Kentucky), United States v. Ryan (California), United States v. Nichols (Missouri), United States v. Singleton (New York), Robertson v. Memphis and Charleston Railway (Tennessee) 109 U. S. 3 (1883). The majority opinions in the civil rights cases were written by Mr. Justice Bradley, who held that the civil rights cases were unconstitutional. There was a single minority opinion by the great and learned Justice John M. Harlan. This opinion reads like the present majority opinions of the brilliant justices of the Supreme Court as it is composed today, and would do justice to the great legal philosopher now among the departed, the late Mr. Justice Oliver Wendell Holmes, and the other two members of that brilliant triumvirate of dissenters, the late Mr. Justices Louis D. Brandeis and Benjamin N. Cardozo.

Mr. Justice Harlan stated the following: "I cannot resist the conclusion that the substance and spirit of the recent amendments to the Constitution have been sacrificed by a subtle and ingenious verbal crtiticism. . . . Congress has power to enforce by appropriate legislation the provisions of this article. . . . Was it the purpose of the Nation simply to destroy the institution of slavery and then remit the race, theretofore held in bondage, to the several States for such protection, in their civil rights, as those States, in their discretion, might choose to provide? . . . I insist that the National legislature may, without transcending the limits of the Constitution, do for human liberty and the fundamental rights of American citizenship, what it did, with the sanction of this court, for the protection of slavery and the rights of the master of fugitive slaves." Justice Harlan was obviously referring to the case of Dred Scott. (Dred Scott v. Sanford, 60 U. S. 393 (1856).

It seems to be conclusive and inescapable, therefore, that the safest and most certain guaranty of justice is the personality of the judge or judges who pass on the merits of a particular case. His intellectual and spiritual honesty and integrity and his moral courage are the tests upon which the future of the people, State or Nation, may eventually depend. With the decision just mentioned and the legend of cases following, there was but a single voice in the deep wilderness growing weaker as the strain of years bore heavily upon him that spoke up

in support of the then 5,000,000 people of the darker races for whom the majority of Congress in framing the thirteenth, fourteenth and fifteenth amendments, intended that they should achieve and enjoy the full rights of American citizenship. That was the voice of Mr. Justice John M. Harlan. It was not until a new voice ascended to the Supreme Court bench that a new philosophy of thought began to find utterance in behalf of the underprivileged and the minorities of all races, colors and creeds in this great commonwealth of states. That voice was the voice of the great judicial scholar and philosopher, the late distinguished jurist, Oliver Wendell Holmes, of Massachusetts.

During the early years of Mr. Justice Holmes' tenure on the bench, Mr. Chief Justice White and Mr. Justice Day were often heard in brilliant decisions in support of the issues about which the subject of this paper treats. This was the "Era of Cracking the Court Room Doors."

The Right to Vote

It was not until about the year 1918 that the Negro began to obtain a favorable audience and a sympathetic ear in our Federal Supreme Court. The first successful case was that involving the attack on the famous grandfather clauses in the Southern States, notably the case of Guinn v. United States, 238 U. S., 347 (1915), in an opinion by Chief Justice White. The facts of the case are briefly as follows: In the year 1910 the Constitution of Oklahoma was amended, restricting the franchise or the right to vote by what is known as a "grandfather clause," which provided that no persons could be registered unless he was able to read and write. In addition, the clause provided that should a person be denied the right to vote because he could not read or write, if he lived in some foreign country prior to January 1, 1866, or if he was eligible to register prior to that date, or if his lineal ancestor was eligible as of that date, then he was exempted and could register and vote. Of course, before 1866 Negroes were not eligible to vote at all, so the law very definitely and pointedly disfranchised the Negroes. As a result of the failure to allow Negroes to vote, certain of the election officials were indicted under the Constitution provision and eventually the case reached the Federal Supreme Court at a time when several other States had similar cases pending covering the very same type of grandfather clauses. The decision in the instant case was decisive of all cases awaiting judicial interpretation. Mr. Chief Justice White, writing for the majority of the court, outlawed this statute as clearly unconstitutional, with the following biting words:

". . . While this piece of legislation contains no express words of an exclusion, from the standard which it establishes, of any persons on account of race, color or previous condition of servitude prohibited by the fifteenth amendment, . . . the standard itself inherently brings that result to existence, since it is based purely on a period of time before the enactment of the fifteenth amendment and makes that period the controlling and dominant test of the right of suffrage."

This ended for quite a long while the attempts on the part of the various Southern States to deny Negroes the right to register and vote at the primary and in the general election. It was not until some years later, about which I will discuss in a moment, that the famous Texas primary cases came before the Supreme Court with varying results until a most recent case which outlawed all such attempts to deny the Negro his right to vote, as unlawful and a violation of the Federal Constitution.

Cases Involving Neighborhood Segregation

The right of people of color to purchase property and freely enjoy the rights of citizenship in a city or State by building or owning property and living therein in the various sections of a city or State without discrimination or segregation, has always been one in which the Negro has encountered great difficulties. A particularly important decision in the United States Supreme Court involving this very question was the case of Buchanan v. Warley, 245 U. S. 16 (1917), known as the "Louisville Segregation Case." The facts, briefly, are as follows:

A colored man by the name of Buchanan bought a piece of property in the City of Louisville, Ky., and when the seller refused to settle when Buchanan tendered his money, he filed a bill for specific performance for the contract of sale. The defendant stated that Buchanan was a Negro and by virtue of an ordinance of the City of Louisville he would be unable to occupy the land in a white block. Buchanan stated that the ordinance was in conflict with the fourteenth amendment of the Federal Constitution, but the Court of Appeals of Kentucky held that the ordinance was valid on the ground that the ordinance prohibited whites from living in Negro neighborhoods and Negroes from living in white neighborhoods, and any violation was punishable by criminal prosecution.

The Supreme Court of the United States, in an opinion by Mr. Justice Day, reversed the Court of Appeals of Kentucky and held:

"As we have seen, this court has held laws valid which separate races on the basis of equal accommodations in public conveyances, the courts of high authorities have held enactments lawful which provide for the separation in public schools of white and colored pupils where equal privileges are given. But in view of the right secured by the fourteenth amendment of the Federal Constitution, such legislation must have its limitations, and cannot be sustained where the exercise of authority exceeds the restraints of this Constitution."

"We think these limitations are exceeded in laws and ordinances of the character now before us.

". . . It is said that such acquisitions by colored people depreciate property owned in the neighborhood by white people. But property may be acquired by undesirable white neighbors or put to disagreeable uses . . . with like results.

"We think this attempt to prevent the alienation of the property in question to a person of color was not a legitimate exercise of the police power of the State, and it is a violation of the fundamental law enacted in the fourteenth amendment of the Constitution preventing State interference with property rights except by due process of law. The ordinance cannot stand." This was the old "equal but separate" theory.

While the Negro was very happy to get this decision from the Supreme Court outlawing this Louisville ordinance, nevertheless there was much danger in the phraseology of Mr. Justice Day, particularly in the first paragraph just mentioned. ". . . This court has held laws

valid which separate the races on the basis of equal accommodations in public conveyances . . . and for the separation in the public schools of white and colored pupils. . . ." These statements of the learned justice came back to haunt the Negro in later appeals to the Supreme Court in cases involving the separation of races in public conveyances and the separation of white and colored pupils in public schools and gave to a none too willing majority judicial excuse for the support of much discriminatory legislation.

Right of Fair Trial

Following the decisions of our highest court, in chronological order, in order that we may more easily trace the development of sentiment in the upgrading of the Negro in his quest for the full rights of citizenship, the next important case in his long and hard fight for citizenship through judicial interpretations and judicial fiat was the famous Elaine Arkansas Riot Cases (Moore v. Dempsey, 261 U. S., 86 (1923)). The opinion of the majority was rendered by Mr. Justice Oliver Wendell Holmes. A group of Negro farmers were holding a meeting in Phillips County, Ark., for the purpose of organizing and pooling their means as well as their thoughts to obtain a better price for their crops. They were meeting in a colored church at Elaine, Ark., in October, 1919. During the course of the meeting they were fired upon by a group of white men from the outside, as a result of which a riot took place, many of the Negroes fighting back for the protection of their own lives, during the course of which some whites were killed. Seventy-nine Negro men were arrested and tried for murder. It was only after a great deal of difficulty and the presence of United States troops that a great mob of people who had marched to the jail for the purpose of lynching these men were prevented from so doing under a promise by members of a local committee who called themselves the "vigilantes" that "if the mob would refrain from their attempts to lynch these men they would execute those found guilty in the form of law." There were many Negro witnesses who were ready to testify in behalf of their fellowmen, but the mob had whipped them so and placed them under such fear of their life that they agreed to testify against the men if they were given their freedom.

Those 79 men were brought to trial in an atmosphere completely controlled by mob violence which mob threatened to lynch these defendants if the jury did not convict them. The court appointed counsel for the men, which counsel failed to ask for a change of venue and they called no witnesses in defense of the Negroes, and not one of them was placed upon the stand by their counsel. The trial of the entire 79 men lasted less than one hour, and the jury brought back a verdict in five minutes after it had received instructions, finding all of the men guilty of murder. Twelve were sentenced to death and 67 were sentenced to long prison terms.

The Supreme Court of Arkansas sustained the conviction, and then an appeal to the United States Supreme Court followed.

Mr. Justice Holmes, in reversing the opinion of the Supreme Court, had this to say: "In Frank v. Mangum, 237 U. S. 309 (the famous Leo Frank Case) . . . it was recognized . . . that if in fact a trial is dominated by a mob so that there is an actual interference with the course of justice, there is a departure from due process of law; and that if the State supplying no corrective process carries into execution a judgment of death or imprisonment based upon a verdict thus produced by mob domination, the State deprives the accused of his life or liberty without "due process of law. . . . If the case is such that the whole proceeding is a mask that counsel, jury and judge were swept to the fatal end by an irrestible wave of public passion, and that the State courts failed to correct the wrong, neither perfection in the machinery for correction nor the possibility that the trrial court and counsel saw no other way of avoiding an immediate outbreak of the mob, can prevent this court from a securing to the petitioners their constitutional rights."

In chronological order again, the Supreme Court, in the famous New Orleans Segregation Case (Harmon v. Tyler, 273 U. S. 668 (1926), reversed in a per curiam decision the attempt on the part of the City of New Orleans to set up segregated districts for colored people in which only colored could live and white districts in which white only could live, on the authority of Buchannan v. Warley, above referred to.

I have alrealy referred to the devious methods by which the Southern States attempted to deny the Negro the right to vote in their various Democratic primary elections in discussing the Oklahoma grandfather clause cases. The first famous Texas primary case was that of Nixon v. Herndon, 273 U. S. 536 (1927), in which Mr. Justice Holmes denied the right of the State of Texas to refuse a Negro, Dr. L. A. Nixon, the privilege of voting and participating in a Democratic primary election held in the State of Texas. Of course, the Supreme Court of Texas sustained the right of the election board to refuse Dr. Nixon. He carried his case to the Supreme Court and this is what Mr. Justice Holmes had to say:

"The statute of Texas in the case referred to assumes to forbid Negroes to take part in the primary election, the importance of which we have indicated, discriminating against them by the distinction of color alone. States may do a good deal of classifying that it is difficult to believe rational, but there are limits, and it is too clear for extended argument that color cannot be made the basis of a statutory classification affecting the rights set up in this case."

There followed in 1930 a per curiam decision sustaining the Supreme Court of Virginia in outlawing a Richmond segregation case of the same type discussed heretofore in the Louisville and New Orleans segregation cases. This was the case of the City of Richmond v. Deans, 281 U. S. 704 (1930), and it is refreshing to know that the Supreme Court of Virginia decided that the Richmond ordinance was unconstitutional.

Not to be outdone by the first Texas primary case, the State of Texas promptly passed a new statute empowering the State Democratic Committee to set up its own limitations in primary elections, immediately after the decision of the Federal Supereme Court in the famous case of Nixon v. Herndon, supra. The State of Texas Executive Committee of the Democratic Party adopted the resolution "that all white Democrats who were qualified under the Constitution and Laws of Texas . . . and none others shall be allowed to participate in the primary elections of the State of Texas." Dr. Nixon also deter-

mined not to be outdone by this devious method of circumventing the decision of the highest court of the land, again presented himself to the election officials in his district to qualify to vote in the Democratic primary. Being refused this privilege, he immediately brought suit for damages in the Federal courts under the civil rights statute. The case was dismissed in the lower court and taken to the United States Supreme Court, and it is to be noted that four justices of our Federal Supreme Court, Mr. Justices McReynolds, Van Devanter, Sutherland and Butler, dissented from the opinion of the majority, thereby the voice of one lone person on the Supreme bench being the difference between allowing State Democratic committees in the Southern States the powerful right to disfranchise 9,000,000 Negroes within the borders of their States. Mr. Justice Cardozo, speaking for the majority of the court, in the customary beautiful and brilliantly turned phrases of which he was an acknowledged master, said the following:

"Barred from voting at a primary, the petitioner has been, and this for the sole reason that his color is not white. The result for him is no different from what it was when his cause was here before. The argument for the respondent (Texas Democratic Committee) is, however, that identity of result has been attained, though through essential diversity of methods. We are reminded that the fourteenth amendment is the restraint upon the State and not upon private persons unconnected with a State. . . . With the problem thus laid bare and its essentials exposed to view, the cases seem to be ruled by Nixon v. Herndon. . . . Delegates of the States . . . have discharged their official functions in such a way as to discriminate invidiously between white citizens and black. The fourteenth amendment, adopted as it was with special solicitude for the equal protection of members of the Negro race, lays a duty upon the court to level by its judgment these barriers of color."

The Right to be Called for Jury Service; the Right of Representation by Counsel

A most important series of cases were argued in the Supreme Court on the right of the Negro to serve on both the trial jury and the grand jury in the various States in the South. Perhaps the most important of these cases was the famous "Scottsboro Case" (Powell v. Alabama, 287 U. S. 45 (1932)).

In this case the fundamental questions of the right of an accused to be represented by counsel was thoroughly considered by the court. The Supreme Court held that the right to counsel meant the right of the accused to have an opportunity to confer with his counsel, the right to subpoena witnesses and compel them to appear at trial, the right to have an adequate opportunity to prepare his case for trial and to be heard both by himself and his counsel in the latter's right to address the court and jury in his behalf.

In the second trip of this same case to the Supreme Court the questions of the continuus and systematic exclusion of Negroes from service on the grand and petit juries of the State of Alabama came up for review. This court, in 1935 (Norris v. Alabama, 294 U. S. 587, 55 S. Ct. 579, and the companion case of Peterson v. Alabama, 294 U. S. 600, 55 S. Ct. 575) declared such practice to be illegal restraint upon these constitutional rights and a denial of due process to the Negro defendant, and again reversed the conviction of the court of Alabama. See Strauder v. West Virginia (1879), 100 U. S. 339; Neal v. Delaware (1880), 103 U. S. 370.

Freedom of Speech and Assembly

In the case of Herndon v. Lowery, 301 U. S. 242, decided in 1937, the question of the constitutionality of an old Georgia statute against insurrection was called in question. Here, a young Negro named Angelo Herndon was charged with distributing literature of the Communist Party in a rural Georgia town in which literature he urged the Negro farmer and sharecropper to organize for their protection and to attend meetings sponsored by the Communist Party. He was tried and convicted under the old George insurrection statute and sentenced to life imprisonment. The Supreme Court held this statute unconstitutional as an unreasonable limitation to freedom of speech and assembly in violation of the due process clause of the Federal Constitution in that the statute was too vague and failed to furnish a sufficiently ascertainable standard of guilt.

The Texas Primary Decision Upholding the White Primary

The State of Texas finally achieved a victory in its attempt to disfranchise the million Negroes within its borders in the case of Grovey v. Townsend, 295 U. S. 45, decided in 1936. This victory, however, as disastrous as it was in the pursuit of the Negro in his march to full citizenship, was, happily for the cause of American democracy, only a temporary one. It did last, however, eight years, from 1936 to April 1944, when the recent case of Smith v. Allwright et al. (decided April 3, 1944) was handed down by a strong majority opinion of eight and only one dissent.

The Supreme Court in the Grovey case, in an opinion by Mr. Justice Owen J. Roberts, sustained the right of the Texas State Democratic Committee to set up qualifications of persons to vote in the Democratic Primary election It made no difference whether these persons were to vote in State or Federel elections. The court said that the Texas Democratic Convention was not a State agency, and though the laws of the State of Texas provided how and when State primaries would be held, yet this did not make the Texas State Democratic Convention a State agency, and that it could, similarly to a private club, regulate who should be admitted as members.

The case of Jeff Hollins (Hollins v. Oklahoma, 295 U. S. 294 (1935)), presented another issue of the right to be represented by counsel on the second trial of this case. The facts are very interesting and can be briefly stated as follows: The defendant Hollins was convicted December 29, 1931, at a trial which was held in the basement of the prison in Sapula, Okla. He was charged with rape. There was no lawyer appointed for him and none to advise him on his rights and none to represent him at trial. He was found guilty of murder and sentenced to death. A stay of execution was had three days before his scheduled execution. The Supreme Court of Oklahoma reversed this conviction and sent it back for a new trial.

At the second trial of the case the question was raised in the lower court and argued in the United States Supreme Court on the jury panel called to try this defend-

ant. The Supreme Court in a per curiam decision on the basis of earlier decisions declared this to be a denial of due process and therefore the conviction to be void.

Forced Confession of Defendants by Physical Violence

The extortion of confessions from defendants charged in criminal cases by force, physical torture, threats and violence has given rise to a long series of cases in the various Southern States, many of which have been appealed to the highest Federal tribunal. The most noteworthy of these cases and the one that has given a strong admonition to the States that have been guilty of such conduct is the case of Brown, Ellington and Shields v. State of Mississippi, 297 U. S. 278 (1936). In this case the defendants were indicted for the murder of one Raymond Stewart in April of 1934. They entered pleas of not guilty. The court appointed counsel to defend them and they were found guilty and sentenced to death.

The only evidence that the State had against these defendants was an alleged confession which it was shown was obtained through force and physical torture. When these defendants were arrested and denied the crime, the sheriff hanged one of the defendants by a rope to a tree and then when he was released just before strangulation, he was tied to the tree and severely beaten. When he refused to "confess," he was permitted to return home, but was later seized, whipped severely until he agreed to "confess." This confession was used at the trial and was the only evidence against the defendants. At the time of the trial Ellington stated he was tortured and produced evidence, showing the marks of the rope around his neck which were still visible at the time of the trial. The sheriff admitted the whipping of Ellington and very boldly stated he "did not think he had whipped him too much for a Negro and not as much as I would have done if it were left to me." Other witnesses admitted that they had beaten the defendant into submission but the Supreme Court of Mississippi affirmed the judgment of death.

Mr. Chief Justice Hughes, however, for the United States Supreme Court had the following to say in reversing the Supreme Court of Mississippi: "The rack and torture chamber may not be substituted for the witness stand. It would be difficult to conceive of methods more revolting to the sense of justice than those taken to procure the confessions of these petitioners, and the use of the confessions thus obtained as a basis for a conviction and sentence was a clear denial of due process.

"The duty of maintaining the constitutional rights of a person on trial for his life rises above mere rules of procedure and whenever the court is clearly satisfied that such violations exist, it will refuse to sanction such and will apply the corrective."

In Hale v. Kentucky, 303 U. S. 613 (1938), the Supreme Court in a per curiam decision sustained the right of a Negro on trial for his life in Kentucky to have members of his own race called for service on the jury selected to try him for a criminal offense. In this case the defendant proved that the jury commissioners had demonstrated a long continued, unvarying and wholesale exclusion of Negroes from jury service in that county on account of their race and color and for no other reason. He was convicted of murder and sentenced to die. The Supreme Court of Kentucky affirmed the appeal, but the United States Supreme Court reversed the decision which reestablished the priciple that a systematic and arbitrary exclusion of Negroes from jury service, solely on account of their race and color, constituted a denial of the equal protection of the laws guaranteed by the fourteenth amendment.

The Equal Right to Education in State-Supported University

Perhaps one of the most important and far-reaching cases in the history of the fight of the Negro for a full citizenship status that has ever been carried to the Supreme Court, is the famous case in the State of Missouri. In the Matter of Missouri, ex rel. Gaines v Canada et al. (Lloyd Gaines v. University of Missouri), 305 U. S. 337. Lloyd Gaines was a young Negro with excellent qualifications who attempted to enter the University of Missouri Law School, but was refused solely because of his race or color. Asserting that this refusal was a denial by the State of Missouri of the equal protection of the laws in violation of the fourteenth amendment, he brought an action of mandamus to compel the university to admit him. He was urged by the University of Missouri officials to accept a scholarship that the State was willing to offer to send him outside of the State of Missouri for study. This he refused to do. Then the university defended on the ground that the local Negro univerity (Lincoln University) offered a law course which was then in preparation and would be ready in the very near future. The lower court as well as the Supreme Court of Missouri dismissed the petition for mandamus. The Supreme Court, however, in a decision by Mr. Chief Justice Hughes, from which there were two dissenting opinions, reversed the Supreme Court of Missouri and held the action of the University of Missouri to be a denial of due process. The dissenting justices were Mr. Justices McReynolds and Butler. The majority opinion of Chief Justice Hughes stressed the following points:

"The basic consideration is not as to what sort of opportunities other States provide, or whether they are as good as the State of Missouri, but as to what opportunities Missouri itself furnishes to white students and denies to Negroes solely upon the ground of color. The admissibility of laws separating the races and the enjoyment of privileges afforded by the State rests wholly upon the equality of the privileges which the laws give to the separated groups within the State. The question here is not of a duty of a State to supply legal training or the equality of training which it does supply, but of its duty when it does supply such training to furnish it to the resident of the State upon the basis of an equality of right. By the operation of the laws of Missouri, a privilege has been created for white law students which is denied to Negroes by reason of their race alone. The white resident is afforded legal education within the State. The Negro resident, having the same qualification, is refused this and must go outside of the State to obtain it. That is the denial of the equality of legal right to the enjoyment of the privilege which the State has set up and the provision for the payment of tuition fees in another State does not remove the discrimination.

"Here, petitioner's right is a personal one. It was as an individual that he was entitled to the equal protection of the laws, and the State was bound to furnish him within its borders facilities for legal education substantially

equal to those which the State there afforded for persons of the white race, whether or not other Negroes sought the same opportunities."

This was one of the most brilliant, courageous, and forceful statements supporting the fundamental purpose of the 14th Amendment that has ever been declared by our Supreme Court.

Opening of Courtroom Doors

Following this case the complexion of the Supreme Court radically changed. It was shortly after this case, through the death and resignation of several of these Justices of the Supreme Court that the hand of the present Chief Executive was strongly felt in placing new, younger, and liberal minds on the bench of our highest tribunal. With the elevation of Mr. Chief Justice Stone and the appointment by President Roosevelt of Justices (1) Reed, (2) Black, (3) Frankfurter, (4) Murphy, (5) Douglass, and (7) Rutledge, with the sole remaining conservative being Mr. Justice Roberts from Pennsylvania, there is at present a group of Justices to whom the Negroes of America can look for the most sympathetic, broad, and liberal construction of not only the amendments to the Constitution for whose benefifit they were passed, but to favorable construction of the remaining civil rights statutes and all cases affecting the political, civil, social, and economic rights that the Negro and all minorities may from time to time present to the court for interpretation. The fears of the Negroes as to how Mr. Justice Black would decide cases involving their fundamental rights were dispelled upon his finding the now famous opinion in the case of Chambers v. Florida, 309, U. S. 227 (1940). In this case four Negroes were charged with murder and their cases were appealed five time to the Supreme Court of Florida. After the fifth appeal, the case was carried to the United States Supreme Court. Mr. Justice Black, in behalf of the United States Supreme Court, reversed the conviction of these men on the ground that the confessions used to convict them were extorted by force and violence. In his opinion, Mr. Justice Black stated, ". . . Today, as in ages past, we are not without tragic proof that the exalted power of some government to punish manufactured crime dictatorially is the handmaid of tyranny. Under our constitutional system courts stand against any winds that blow as havens of refuge for those who might otherwise suffer because they are helpless, weak, outnumbered, or because they are nonconforming victims of prejudice and public excitement. Due process of law . . . commands that no such practice as that disclosed by this record shall send any accused to his death. No higher duty, no more solemn responsibility rests upon this court, than that of translating into living law and maintaining this Constitutional shield deliberately planned and inscribed for the benefit of every human being subject to our Constitution, of what ever race, creed, or pursuasion."

Several cases involving the civil rights of Negroes were decided within a year or two after the elevation of the above-mentioned justices to the Supreme Court bench, and all were decided favorably to the cause of the litigants. These cases were Canty v. Alabama, 309 U. S. 629 (1940), in which the Supreme Court reversed a decision of the lower court of Alabama and its Supreme Court, ordering a new trial for the defendant charged with murder, thus avoiding a death sentence of the State of Alabama because of irregularities in the trial of the lower court.

White v. Texas, 309 U. S. 631 (1940). The Supreme Court granted a Writ of Certiorari and reversed on authority of previous cases the conviction and sentence to death from the State of Texas.

Restricted Covenants Resulting in Residential Segregations

Earlier we have seen that the Supreme Court has outlawed residential discrimination by city ordinances (Buchanan v. Warley, 245 U. S. 60 (1917)).

In the case of Lee v. Hansberry, 61 S. Ct. 521, 70 L. ed. 969 (1940), the respondent, Hansberry, a Negro, bought some land in Chicago's so-called restricted area. This property was covered by a restriction against use by colored persons by a covenant or contract signed by a large majority of the adjoining property owners. The Illinois Supreme Court ruled the covenant to be valid and that the Negro purchaser could not occupy the land in question. The Federal Supreme Court reversed the Illinois Court and held that the Negro purchasers were not bound by this agreement to which they had not been a party and to hold them so bound was a denial of due process.

(It should be stated here, however, that the flat issue of the validity of such contracts or restrictive covenants was not altogether before the court and therefore not squarely and satisfactorily settled.)

Railroad Discriminations

Congressman Mitchell v. Chicago, Rock Island & Pacific Ry., U. S. 61, S. Ct. 873, 85 L. ed. 811 (1941). It will be recalled that former Chief Justice Hughes, then an Associate Justice, in the case of McCabe v. Atchison, Topeka & Santa Fe R. R., 235 U. S. 151, in 1941, said in supporting the separate coach law of a State, that whenever the case came before this Court of an exclusion of the Negro from service on sleeping cars, parlor cars or dining cars, even where the demand for such service was too small to make profitable equal facilities, the court would grant relief.

Congressman Arthur Mitchell, Negro Democratic Representative from Illinois, gave the Supreme Court the opportunity to fulfill that statement of Mr. Justice Hughes, made in 1914. And the Supreme Court did not fail to adhere to its promise, and on the basis of the facts shown, that the Negro Congressman was denied Pullman accommodations on a trip from Chicago to Hot Springs, Ark., after the train entered Arkansas, was made to leave the Pullman and go into a second-class Jim Crow coach provided for colored passengers only. Mr. Chief Justice Hughes said for the court: "This was manifestly a discrimination against him in the course of his interstate journey, and admittedly that discrimination was based solely upon the fact that he was a Negro. The question whether this was a discrimination forbidden by the Interstate Commerce Act is not a question of Segregation but Equality of treatment. The denial to appellant of equality of accommodations because of his race would be an invasion of a fundamental right which is guaranteed against State actions by the fourteenth amendment."

In Ward v. Texas, 316 U. S. 547 (1942), Mr. Justice

Byrnes, since retired from the bench, set aside a conviction of the lower court of Texas on the ground that the confession admitted in evidence allegedly signed by the accused was the result of force and violence.

Jury Exclusion

In Hill v. Texas, 316 U. S. 400 (1942), Mr. Chief Justice Stone reaffirmed the principle that "equal protection of laws is more than an abstract right." It is a command which the State must respect for benefits of which every person may demand. Not the least merit of our constitutional system is that it safeguards and extends to all—the least deserving as well as the most virtuous." This was a case involving the systematic exclusion of Negroes from the jury panel in the county where this case was tried.

In the United States v. Adams, Bordenave and Mitchell, 319 U. S. 312 (1943), Mr. Justice Black on a question raised by the three defendants who were members of the armed forces of the country, sentenced to death under an alleged crime on a civilian woman within the camp confines of Camp Claiborne, La., reversed the conviction of these men on the ground that Federal courts of the State of Louisiana had no jurisdiction, and released these three defendants from the custody of the civilian authorities to the Army for further proceedings as the case warranted.

The last decision of the Supreme Court affecting the Negros' civil rights was decided on April 3, 1944, and this is the now famous case known as the Texas Primary Case, Smith v. Allwright et al.

Eight of the nine Justices of the Supreme Court decided in favor of the voter, Dr. Loney E. Smith, the single dissent being by Mr. Justice Roberts, who wrote the opinion of the Supreme Court in the Grovey v. Townsend case just referred to, allowing such denial of right to vote. This case began in Houston, Tex., in 1941, and was an action for damages for the refusal to permit qualified Negro voters to vote in the Democratic primary election in Texas. The case was based upon a violation of the fourteenth and fifteenth amendments and the Federal Civil Rights Statutes. As was expected, the lower Texas court ruled against Dr. Smith. The United States Circuit Court of Appeals sustained the lower court, but the Supreme Court of the United States overruled its former decision by expressly stating so, and for all times declared the case of Grovey v. Townsend, which sustained the State of Texas in its attempt to outlaw Negro voters, to be void. Mr. Justice Reed stated, "the United States is a constitutional democracy. Its organic law grants to all citizens a right to participate in the choice of election officers without restrictions by any State because of race. This grant to the people of the opportunity for choice is not to be nullified by a State through casting its electoral process in a form which permits a private organization to practice racial discrimination in the election. Constitutional rights would be of little value if they could be thus indirectly denied."

Civil Rights Prosecution

A new section of the Department of Justice known as the Civil Rights Section has given light to the remaining Civil Rights Statute, and has actively engaged in the enforcing of the conspiracy section in these various codes, particularly all cases involving the interference of the right to vote and Anti-Peonage Laws.

In the United States v. Classic, 313 U. S. 299, and United States v. Saylor, decided May 22, 1924, and Taylor v. Georgia, 313 U. S. 25, and Pollock v. Williams, decided April 10, 1944, are all cases in which the Civil Rights Unit in the criminal division of the Department of Justice actively prosecuted, as a result of which our Supreme Court decided that Labor Contract Statutes of Georgia and Florida, which lean toward peonage conditions and involuntary servitude, were declared unconstitutional. These cases placed the right to freedom from involuntary servitude on such a broad base that the way had been opened to an attack on the "enticing labor" and "emigrant agents" statutes and some of the vagrancy statutes and "work or fight" orders, which experience has proved to be in reality indirect means of enforcing involuntary servitude, especially against Negro farm hands and laborers.

Economic Action at Law

I have deliberately removed from the chronological order involving the Negro a very interesting and far-reaching case that represented the first case involving the attempt by Negroes to force businesses that have many customers among Negroes to employ Negroes among their personnel. This was the case of New Negro Alliance v. Sanitary Grocery Co., 303 U. S. 552; S. Ct. 703, decided in 1938. Here, an association of individuals, organizing themselves together as a group interested in seeking to uplift themselves economically and provide jobs at the time of widespread unemployment for their members and the Negro people generally, tried to bargain with the owners of the defendant company, unsuccessfully, by peaceful conferences. In order to implement their demands that this company, operating stores all over the District of Columbia, should employ Negro salesgirls and clerks at its store in the thickly populated Negro district, some of the members, by peaceful and quiet means, picketed the particular store with signs:

"Buy where you can work."

"This store refuses to hire colored clerks and salespeople."

It worked! Not a colored purchaser entered its store, and as a consequence the owners brought suit in the courts of the District of Columbia to enjoin these picketers from parading their complaint in front of their stores to the damage of their business. It would seem that the old adage "That you may hire whom you please to work" would carry the case over. The lower court and the District of Columbia Court of Appeals so held; but the Supreme Court, in a 7-2 opinion (Justice Butler and McReynolds dissenting), thought differently and upheld the right of picketing in a brilliant opinion by Mr. Justice Roberts. The whole case turned on the interpretation of the Norris-LaGuardia statute governing labor disputes and the restraint placed upon the courts of the country by that act to issue injunctions against labor in its rights to strike, and to force employers, by peaceful means, such as picketing, to bargain with them.

The majority of the court said that an association of individuals of a particular race, in seeking to uplift itself, may properly organize and seek out a particular business, firm or company with which this group of people does business, to, in turn, do business with them, by hiring

or employing members of that particular race of people, and such falls within the definitions of labor disputes as contemplated by the act. The dissenting Justices, Butler and McReynolds, were bitter and denunciatory of the majority opinions.

Equalization of Teachers' Salaries

This most important class of cases which has meant so much to the colored teachers throughout the South was brought on the first instance in the Federal Courts of the District of Maryland. The original case was Walter Mills v. Board of Education of Anne Arundel County Maryland. 30 F. Supp. 245 (D. Md., 1939). (See also Mills v. Loundes, 26 F. Supp. 792, 801 (1940); 53 Harv. Law Rev. 669). In this case evidence disclosed a systematic practice engaged in for years by the State of Maryland and all the Southern States, allowing one set of salaries for white teachers teaching the same class of students as colored and another set of salaries for colored teachers, the latter performing the same kind of services, fulfilling the same standards and requirements for employment, receiving from 25 to 40 percent less salaries than their white fellow workers. The lower court found race discrimination to be a fact, and that the only reason for the difference in pay was based on discrimination on account of color alone, and held that the colored teacher was unconstitutionally discriminated against in the practice of his profession by the County of Arundel, Md., the defendant, and issued the injunctions sought by the school teachers. Judge W. Calvin Chestnut, or the United States District Court of Maryland, wrote the opinion of the lower court in such a sweeping and able manner that the defendant School Board took no appeal therefrom.

See: Alston v. School Board of the City of Norfolk, Va., C. C. A., 4th Cir. (1940); 112 F. 2nd) 992.

Civil Rights

In recent years there has been a marked change, both in the attitude of Congress and the courts, towards the strengthening and the protection of civil rights. How much may be achieved in any litigation attempting to force employment relations and to ungrade the Negro worker from unskilled to skilled positions in industry, or to force his employment in a particular industry which had heretofore failed to employ him and discriminated against him in all phases of employment, is open to great question. Undoubtedly, remedial legislation from Congress would be necessary to guarantee the right of employment in industry in peacetime. Some steps have been taken, and much progress has been made in this field by the passage of such legislation as the National Labor Relations Act and the Fair Labor Standards Act. However, these acts go but little distance in the ultimate aim of travel of the Negro worker, and this means more than six millions of peacetime employables among the Negroes of America. Whether the Negro must await the results of his present efforts to have the Congress pass a permanent Fair Employment Practice Bill to supplement the war measure, a purely temporary and, as yet, unenforcible one (Executive Orders Nos. 8802 and 9346), or continue to resort to the tremendously slow and unsatisfactory "judicial fiat" method explored in this article depends on America's answer to the challege of its vaunted ideals of democracy, everywhere so proudly expressed, but nowhere so proudly practiced. It depends on the answer to the question, "Does America in fact and in truth acknowledge the democratic belief in the dignity and rights of all men, regardless of Race or Color?"

The Fight Against Discrimination by Labor Unions

Since the original article was written, the Supreme Court, in a far-reaching decision by a unanimous court, on December 19, 1944, declared that the Railway Labor Act (48 Stat. 1185), 45 U. S. C., sec. 151 et seq., imposes on a labor union which assumes to act as the exclusive bargaining agent of a class of railway employes the duty to represent all the employes of the craft, and this agent, in its bargaining with the employer cannot make contracts which result in discrimination against certain members of that craft because of their race or color, and when such violations of duty on the part of such bargaining agent appears the courts will step in and enjoin such violations of duty which the statute above referred to clearly imposes on such union representative.

The facts and history of this case (Bster W. Steele v. Louisville & Nashville R. R. Co.), Brotherhood of Locomotive Firemen and Enginemen et al. (no. 45, October term, 1944), are important for a clear understanding of the importance of the issues involved.

For a quarter of a century prior to 1930 almost all the trains in the South, both passenger and freight, were "fired" by Negro locomotive firemen. With the improvement in design of locomotives and their use of automatic stokers and ash removers, and particularly with the introduction of Diesel and oil-burning locomotives, there was an increasing demand for the jobs as firemen by white railway workers. Gradually, Negro workers were eased out of the better runs and placed on long-hour night and holiday freight runs and shifting engine jobs about the yards, the most unsatisfactory and least-paying jobs. The brotherhood had worked out plans that would ultimately force out of the employ of the Southern railroads all their Negro employes in this craft (locomotive firemen). The Brotherhood of Locomotive Firemen and Enginemen could not be appealed to by the Negro workers, who were in fact a large minority of this class of workers, because the union expressly by their ritual, refused membership to Negro workers. Therefore, Steele, petitioner in the case, took his case to the court and asked for relief under the theory that the respondent brotherhood, as a labor organization, was, under section 2 of the act (supra) the exclusive bargaining agent of the craft of firemen, was so recognized by it and as such the order of the brotherhood (respondent) of March 28, 1940, notifying some 21 railroads that the proposed new collective bargaining agreement designed to exclude ultimately all Negro firemen from the 21 Southern railroads service was illegal and no effect. No notice was served on the Negro firemen, nor was any opportunity given them to be heard on the agreement submitted to the respondent railroads, and in fact the orders were put into effect before their existence were disclosed to the Negro firemen. The petitioner showed that he and his fellow workers, for whom he asked leave to sue, were performing their service satisfactorily.

The Supreme Court of Alabama took jurisdiction of the case, but held that no cause of action was shown. The Supreme Court of the United States, in an opinion

written by Mr. Chief Justice Stone, held that "Congress, in enacting the Railway Labor Act and authorizing a labor union chosen—to represent the craft, did not intend (it)—to sacrifice the rights of the minority of the craft without imposing on it any duty to protect the minority."

The court held that since the Negro workers were barred from membership in the union, the act requires, in fact, commands, the bargaining agent to act for them, and, citing the order of the National Mediation Board in the case of Employes of St. Paul Union Depot (No. R.-635), once a craft or class has designated its representative, such representative is responsible under the law to act for all employes—members as well as those who are not members. The court therefore enjoined the brotherhood from enforcing such a flagrant and violently discriminating order.

Mr. Justice Murphy, in a concurring opinion, felt compelled to say the following regarding the underlying issue of race prejudice which was so pregnant throughout this case:

"The economic discrimination against Negroes practiced by the brotherhood and the railroad under cover of Congressional authority raised a grave constitutional issue that should be squarely faced.

"The utter disregard for the dignity and the well-being of colored citizens shown by this record is so pronounced as to demand the invocation of constitutional condemnation. To decide the case and analyze the statute solely upon the basis of legal niceties, while remaining mute and placid as to the obvious and oppressive deprivation of constitutional guarantees, is to make the judicial function something less than it should be.

"The constitutional problem inherent in this instance is clear. Congress, through the Railway Labor Act, has conferred upon the union selected by a majority of a craft or class of railway workers the power to represent the entire craft or class in all collective bargaining matters. While such a union is essentially a private organization, its power to represent and bind all members of a class or craft is derived solely from Congress. The act contains no language which directs the manner in which the bargaining representative shall perform its duties. But it cannot be assumed that Congress meant to authorize the representative to act so as to ignore rights guaranteed by the Constitution. Otherwise, the act would bear the stigma of unconstitutionality under the fifth amendment in this respect. For that reason I am willing to read the statute as not permitting or allowing any action by the bargaining representative in the exercise of its delegated powers which would in effect violate the constitutional rights of individuals.

"If the courts' construction of the statute rests upon this basis, I agree. But I am not sure that such is the basis. Suffice it to say, however, that this constitutional issue cannot be lightly dismissed. The cloak of racism surrounding the actions of the brotherhood in refusing membership to Negroes and in entering into and enforcing agreements discriminating against them, all under the guise of Congressional authority, still remains. No statutory interpretation can erase this ugly example of economic cruelty against colored citizens of the United States. Nothing can destroy the fact that the accident of birth has been used as the basis to abuse individual rights by an organization purporting to act in conformity with its Congressional mandate. Any attempt to interpret the act must take that fact into account and must realize that the constitutionality of the statute in this respect depends upon the answer given.

"The Constitution voices its disapproval whenever economic discrimination is applied under authority of law against any race, creed or color. A sound democracy cannot allow such discrimination to go unchallenged. Racism is far too virulent today to permit the slightest refusal, in the light of a Constitution that abhors it, to expose and condemn it wherever it appears in the course of a statutory interpretation."

(See the remarks of the same Justice in his dissenting opinion in the case of the removal of the Japanese citizens from their Pacific coast homes under the war evacuation program. (In re Toyosabura Korematsu, decided Dec. 18, 1944.) The court held in a majority opinion written by Mr. Justice Hugo L. Black, to which there were three dissents, that the constitutional rights of the Japanese-American citizens were not violated. Mr. Justice Murphy again expressed grave fear over the rise of racism, saying that "Such exclusion goes over the very brink of constitutional power and falls into the ugly abyss of racism.")

This case closes for the present (Jan. 3, 1945) the struggle of the Negro for economic, civic and political freedom and his effort, so bravely and courageously fought over a half century for full citizenship in the frame-work of American Democracy, through the most difficult of all methods, that of "Citizenship through Judicial fiat."

It is important to note, and emphasis should be placed on the fact that in almost every leading case related in this article the cases were initiated, appealed and argued exclusively by Negro attorneys. An enormous amount of credit should be given to the National Association for the Advancement of Colored People and their staff of attorneys throughout the country, and particularly their former chief counsel, Charles H. Houston, Judge William H. Hastie and their pre-chief counsel, Thurgood Marshall, and their various associate counsel for their monumental work and unusual success in their frequent appearances in our Federal Supreme Court.

REPORTS FROM COMMITTEES

Mr. JASPAN, from the Committee on Judiciary Special, reported as committed House Bill No. 456, entitled:

An Act authorizing and empowering minors seventeen years of age or older to contract for and to make loans in accordance with the provisions of the Act of Congress known as the "Servicemen's Readjustment Act of 1944." and saving and relieving the parents, guardians and trustees of such minors from any liability therefor unless joining therein.

Mr. COLEMAN, from the Committee on Elections, reported as amended, Senate Bill No. 238, entitled:

An Act to amend section nine hundred ten, and subsection (e) of section nine hundred fifty-one of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, pri-

mary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections" dispensing with affidavits by candidates for reelection who are in the armed forces of the United States, and whose whereabouts is unknown, or who is out of the country

Mr. TROUTMAN, from the Committee on Welfare, Public Assistance and Pensions, reported as committed, Senate Bill No. 525, entitled:

An Act to further amend subsection (a) of section four of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2045), entitled "An act relating to the support of indigent persons publicly cared for or assisted; providing for the support of such persons by certain relatives, and for the recovery of public moneys expended for care and assistance from the property and estates of such persons; providing for guardians of the persons and property of such persons; providing for the arrest and seizure and sale of the property of deserters; and providing procedure," by providing that no security shall be required for assistance furnished in certain cases.

Mr. HOMSHER, from the Committee on Welfare, Public Assistance and Pensions, reported as amended, Senate Bill No. 410, entitled:

An Act relating to and regulating the care and maintenance of children away from their parents; providing for the certification and licensing of child welfare organizations and foster homes; imposing duties and conferring powers upon the Department of Welfare; imposing duties upon juvenile courts; prohibiting certain advertising and prescribing penalties.

BILLS INTRODUCED AND REFERRED

Mr. WADE read in his place and presented to the Chair Senate Bill No. 582, entitled:

An Act to further amend section two thousand two of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," to authorize State Teachers Colleges to perform such educational services as the Superintendent of Public Instruction shall approve.

Which was committed to the Committee on Education.

He also read in his place and presented to the Chair Senate Bill No. 583, entitled:

An Act to further amend section two thousand nine of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith,'" by further regulating the fees to be charged by State Teachers Colleges.

Which was committed to the Committee on Education.

Mr. LETZLER read in his place and presented to the Chair Senate Bill No. 584, entitled:

An Act creating a small claims division in the courts of common pleas and the County Court of Allegheny County; defining its jurisdiction; prescribing procedure and fees; providing for appointment of special masters to sit in the small claims divisions to hear and determine small claims; providing for the fixing of their compensation and the payment thereof by the counties; and exempting writs and entries in the prothonotary's office from State taxation.

Which was committed to the Committee on Judiciary General.

Mr. HOMSHER read in his place and presented to the Chair Senate Bill No. 585, entitled:

An Act to further amend section two, and to amend clause (c) of section nine of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," by changing the definition of assistance to include aid to the blind; by providing that general assistance be provided from or with State or Federal funds; and by making blind persons eligible for aid to the blind, and deleting the provision for pensions to the blind.

Which was committed to the Committee on Welfare, Public Assistance and Pensions.

He also read in his place and presented to the Chair Senate Bill No. 586, entitled:

An Act to amend section twenty of the act, approved the seventh day of June, one thousand nine hundred fifteen (P. L. 900) entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania, by means of certificates of births and deaths, and burial or removal permits; requiring prompt returns to the Central Bureau of Vital Statistics, as required to be established by the State Department of Health; and, in order to secure prompt and faithful registration of births, marriages, deaths, and diseases, of practitioners of medicine and surgery, of midwives, nurses, and undertakers, and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births, deaths, marriages, and diseases throughout the State, as provided in section ten of an act, entitled 'An act creating the Department of Health and defining its powers and duties' approved the twenty-seventh day of April, nineteen hundred and five, and providing penalties for violation of this act," as amended by providing for the payment of fees to local registrars of vital statistics by the Commonwealth.

Which was committed to the Committee on State Government.

Mr. KEPHART read in his place and presented to the Chair Senate Bill No. 587, entitled:

An Act making an appropriation to the Frederick Douglass Memorial Hospital and Training School, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 588, entitled:

An Act making an appropriation to the Children's Hospital of Philadelphia.

Which was committed to the Committee on Appropriations.

Mr. CROWE read in his place and presented to the Chair Senate Bill No. 589, entitled:

An Act to further amend the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," authorizing the county commissioners in counties of the sixth, seventh and eighth classes to fix the compensation for certain solicitors and empowering sheriffs, recorders of deeds, prothonotaries, clerks of the courts, and registers of wills in such counties to appoint solicitors.

Which was committed to the Committee on County Government.

Mr. WAGNER read in his place and presented to the Chair Senate Bill No. 590, entitled:

An Act to further amend section two of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 685), entitled "An act designating certain life insurance companies as limited life insurance companies, and further describing the powers thereof," by further describing the powers of limited life insurance companies under certain conditions.

Which was committed to the Committee on Insurance.

Mr. JONES read in his place and presented to the Chair Senate Bill No. 591, entitled:

An Act to amend the act approved the seventeenth day of July, one thousand nine hundred thirty-five (P. L. 1092) entitled, "An act defining fraternal benefit societies and their status; authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected, and regulating such benefits and collections; providing for the organization and incorporation of such societies and for their supervision, regulation, and examination by the Insurance Commissioner, and for the admission of foreign societies; designating tables of mortality as a basis for rates of contribution; requiring all societies to make annual and other reports; and appointing the Insurance Commissioner as attorney for service of process; providing penalties for any violation of the act; exempting such societies from taxation and certain other societies from its provisions; and requiring beneficial associations, other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner; and repealing existing laws," by authorizing the bringing of suits against domestic fraternal benefit societies in counties in which they maintain subordinate lodges and providing for the service of process on the Insurance Commissioner as attorney therefore.

Which was committed to the Committee on Judiciary Special.

Mr. GELTZ read in his place and presented to the Chair Senate Bill No. 592, entitled:

An Act to authorize the revival of judgments entered in favor of the Commonwealth of Pennsylvania by filing a suggestion of nonpayment.

Which was committed to the Committee on Judiciary Special.

Mr. BOWERS read in his place and presented to the Chair Senate Bill No. 593, entitled:

An Act to add section twenty-seven to the act approved the eleventh day of May, one thousand nine hundred twenty-one (P. L. 522) entitled as amended "An act relating to dogs and the protection of live stock, poultry, and game birds raised in captivity from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock, poultry, and game birds by dogs, and for live stock killed by, or dying from, rabies, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes, directing the payment of all moneys collected into the State Treasury; and providing penalties"; providing for the injury done to persons by dogs; and requiring payment for such damages to be made by the Commonwealth.

Which was committed to the Committee on Agriculture.

Mr. STIEFEL read in his place and presented to the Chair Senate Bill No. 594, entitled:

An Act to further amend the last paragraph of section one of the act, approved the twenty-eighth day of June, one thousand nine hundred twenty-three (P. L. 888), entitled "An act to safe-guard human life and health throughout the Commonwealth by providing for the reporting, quarantining, and control of diseases declared communicable by this act or by regulation of the Department of Health; providing for the prevention of infection therefrom; and prescribing penalties," by making rheumatic fever a reportable disease.

Which was committed to the Committee on Public Health.

He also read in his place and presented to the Chair Senate Bill No. 595, entitled:

An Act requiring reimbursement of employes of first class cities and counties for certain reductions in salaries.

Which was committed to the Committee on Municipal Government.

He also read in his place and presented to the Chair Senate Bill No. 596, entitled:

An Act to amend the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 414) entitled, "An act relating to vital statistics and to make uniform the law with reference thereto," by authorizing the registration of certain marriages and births outside of the Commonwealth.

Which was committed to the Committee on State Government.

He also read in his place and presented to the Chair Senate Bill No. 597, entitled:

A Joint Resolution proposing an amendment to article nine, section one of the Constitution of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Constitutional Changes.

Mr. FARRELL read in his place and presented to the Chair Senate Bill No. 598, entitled:

An Act making an appropriation to the Department of Public Instruction for the purpose of expanding the recreational and health facilities of the public school system of Pennsylvania.

Which was committed to the Committee on Appropriations.

RESOLUTIONS

Messrs. TALLMAN and DENT offered the following resolution which was twice read, considered and agreed to:

In the Senate, March 26, 1945.

Resolved, (if the House concurs), That Senate Bill No. 123, Printer's No. 110, entitled:

An Act to repeal Section one thousand thirty-three (1033) of the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds;" as last amended by the Act approved May twenty-first, one thousand nine hundred forty-three, (P. L. 559)

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

TIME OF NEXT MEETING

Mr. WALKER on behalf of Mr. MALLERY, offered the following resolution, which was twice read, considered and agreed to:

In the Senate, March 26, 1945.

Resolved (if the House of Representatives concur) That when the Senate adjourns this week it reconvene on Monday, April 2, 1945, at four o'clock, p. m.; and when the House of Representatives adjourns this week it reconvene on Monday, April 2, 1945, at nine o'clock, p. m.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. EALY. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on March 26, 1945.

Mr. CHAPMAN. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 26, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

LACKAWANNA COUNTY

H. E. Crane, Scranton, March 27, 1945.

NORTHAMPTON COUNTY

Clayton R. Smith, Bangor, March 27, 1945.

DELAWARE COUNTY

Miss Florence Gardner, Haverford Twp., 2325 Darby Rd., Upper Darby, March 28, 1945.

LACKAWANNA COUNTY

John J. Hennigan, Scranton, March 31, 1945.
Harry Needle, Olyphant, March 31, 1945.

PHILADELPHIA COUNTY

Mrs. Elizabeth M. Bergmaier, Phila., 2202 N. 2d St. (33), April 1, 1945.

LUZERNE COUNTY

M. I. Williams, Wilkes-Barre, April 2, 1945.

PHILADELPHIA COUNTY

Mrs. Helen M. Green, Phila., 529 S. 11th St., April 2, 1945.

ALLEGHENY COUNTY

James H. Love, Turtle Creek, April 8, 1945.

MONROE COUNTY

G. B. Metzgar, East Stroudsburg, April 8, 1945.

WESTMORELAND COUNTY

Floyd R. Bosch, Madison, April 8, 1945.
Harold L. Walley, New Kensington, April 8, 1945.

CAMBRIA COUNTY

Mrs. Jennie Boyer Williams, Johnstown, April 11, 1945.

PHILADELPHIA COUNTY

Kermit O. Miller, Phila., 529 Chestnut St., April 11, 1945.

MONTGOMERY COUNTY

Mrs. Carrie L. Norton, Pottstown, April 13, 1945.

ARMSTRONG COUNTY

Roy M. Gidel, Kittanning, April 14, 1945.

ALLEGHENY COUNTY

Mrs. Emma C. Wright, West View, April 16, 1945.

EDWARD MARTIN.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 26, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Fred P. Fuller, Pittsburgh, Liberty Bldg., 6101 Penn Ave. (6).
Wm. P. Horner, Pittsburgh, Jr. O. U. A. M. Bldg., 3400 Forbes St. (13).
Mrs. Margaret E. Lane, Pittsburgh, 1308 Benedum-Trees Bldg. (22).
H. J. Pelzel, Pittsburgh, 439 Kingsboro St.
Mrs. Margaret A. Small, Pittsburgh, Frick Bldg. Annex, 429 Diamond St. (19).

BERKS COUNTY

Ralph S. Dotterer, Reading.
Mrs. Ruth S. Hartzell, Reading.
Edmund Harvey, Reading.

BUTLER COUNTY

John T. Heaton, Butler.

ELK COUNTY

Mrs. Beatrice B. Smith, St. Marys.

ERIE COUNTY

Miss Marie C. Dobmeier, Erie.
Miss Mary Catherine O'Brien, Erie.

LEHIGH COUNTY

Miss Ellen E. Wallach, Bethlehem.

LUZERNE COUNTY

Ray G. Zierdt, Hazleton.

MONTGOMERY COUNTY

Richard J. DeVirgilio, Lower Merion Twp., Bryn Mawr.

NORTHAMPTON COUNTY

Clifford F. Wright, Bethlehem.

PHILADELPHIA COUNTY

Mrs. Mary C. Ford, Phila., Insurance Co. of N. America Bldg., 1600 Arch St.
Miss Helen E. Freitick, Phila., 8016 Madison Ave.
Miss Doris M. Galerman, Phila., Room 909, 1600 Walnut St. (3).
Bertram Goldman, Phila., 1925 Mayland St.
Fred'k C. L. Grun, Phila., 114 E. Upsal St.
Jacob Hutkin, Phila., 822 S. 13th St.
Mrs. Jean B. Lofland, Phila., 7121 Woodland Ave.
Bernard Markovitz, Phila., Drexel Bldg., 5th and Chestnut Sts. (6).
Francis V. J. Mason, Phila., 4225 Stirling St.
Clement Lee Thornton, Phila., 4051 Locust St.
Mrs. Alice W. Walker, Phila., 406-8 S. 16th St. (46).

SCHUYLKILL COUNTY

Miss Mary T. O'Brien, Pottsville.
Gordon D. Reed, Schuylkill Haven.

WASHINGTON COUNTY

Miss Edith L. Dague, Washington.

WESTMORELAND COUNTY

Mrs. Virginia Hall Ross, Greensburg.

EDWARD MARTIN.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. EALY and Mr. CHAPMAN,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro			

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE NOMINATIONS

A motion was made by Mr. EALY and Mr. SCARLETT,

That the Senate do now resolve itself into Executive Session, for the purpose of considering the nominations of His Excellency, the Governor of the Commonwealth of Pennsylvania, which were laid on the table at the last session of the Senate.

The motion was agreed to.

The Clerk read the nominations as follows:

CORONER, COUNTY OF YORK

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 20, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Elmer S. Stambaugh, 512 West Market Street, York, York County, for appointment as Coroner in and for the County of York, to serve until the first Monday of January, 1946, vice L. U. Zech, deceased.

EDWARD MARTIN.

Whereupon,

A motion was made by Mr. EALY and Mr. SCARLETT,

That the Senate do advise and consent to the nomination reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. EALY. Mr. President, I move that the Executive Session do now rise.

Mr. SNOWDEN. Mr. President, I second the motion.

The motion was agreed to.

BILLS INTRODUCED AND REFERRED

Mr. WALKER. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER read in place and presented to the Chair Senate Bill No. 599, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred and thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by changing and adding provisions relative to corporate names and addresses, advertising, filing of certificates by foreign corporations, revocation of certificates of authority, making certain certificates prima facie evidence in certain cases and by providing penalties.

Which was committed to the Committee on Corporations.

Mr. WALKER read in his place and presented to the Chair Senate Bill No. 600, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289), entitled "An act relating to non-profit corporations; defining and providing for the organization, merger, consolidation and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for service required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by changing and adding provisions relative to corporate names and addresses, advertising, filing of certificates by foreign nonprofit corporations, revocation of certificates of authority, making certain certificates prima facie evidence in certain cases and by providing penalties.

Which was committed to the Committee on Corporations.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. EALY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. EALY, from the Committee on Executive Nominations reported with a favorable recommendation the following nominations, made by His Excellency, the Governor of the Commonwealth, which were laid over for one day under the rules:

MEMBERS OF THE PENNSYLVANIA GAME COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 19, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Members of the Pennsylvania Game Commission:

Nicholas Biddle, Springhead, Jenkintown, Montgomery County, until the third Tuesday of January, 1953, and until his successor shall have been appointed and qualified.

Harold Moltz, 931 West 4th Street, Williamsport, Lycoming County, until the third Tuesday of January, 1953, and until his successor shall have been appointed and qualified.

EDWARD MARTIN.

MEMBERS OF THE BOARD OF TRUSTEES OF STATE INDUSTRIAL HOME FOR WOMEN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 19, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Board of Trustees of State Industrial Home for Women:

Paul J. Abraham, Bank and Trust Building, Greensburg,

Westmoreland County, for the term of four years and until his successor is qualified. (Reappointment)

Mrs. Florine Koegler, Court House, Pittsburgh, Allegheny County, for the term of four years and until her successor is qualified. (Reappointment)

Mrs. Margaret Hays Lamade, 423 Grampian Boulevard, Williamsport, Lycoming County, for the term of four years and until her successor is qualified. (Reappointment)

Mrs. Mabel F. Schooley, Watsontown, Northumberland County, for the term of four years and until her successor is qualified. (Reappointment)

George B. Wolf, 38 West Fourth Street, Williamsport, Lycoming County, for the term of four years and until his successor is qualified. (Reappointment)

Mrs. Martha P. Shuman, 254 Orange Street, Northumberland, Northumberland County, for the term of four years and until her successor is qualified, vice Mrs. Lucille Ward, Bellefonte, resigned.

Howard Opp, Muncy, Lycoming County, for the term of four years and until his successor is qualified, to fill a vacancy.

EDWARD MARTIN.

JUSTICE OF THE PEACE, WARWICK TOWNSHIP, LANCASTER COUNTY, ALDERMAN, SIXTH WARD, JOHNSTOWN, CAMBRIA COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 19, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

Mrs. Anna Mae Hess, Rothsville, Lancaster County, for appointment as Justice of the Peace in and for the Township of Warwick, Lancaster County, until the first Monday in January, 1946, vice Charles S. Hess, deceased.

Charles W. Wilson, 749 Grant Street, Johnstown, Cambria County, for appointment as Alderman in and for the Sixth Ward of the City of Johnstown, Cambria County, until the first Monday in January, 1946, vice William J. Cole, deceased.

EDWARD MARTIN.

MEMBERS OF THE BOARD OF TRUSTEES OF LAURELTON STATE VILLAGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 19, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Board of Trustees of Laurelton State Village:

Harold T. Garard, Lewisburg, Union County, for the term of four years and until his successor is qualified. (Reappointment)

Fred W. Maue, Shamokin, Northumberland County, for the term of four years and until his successor is qualified. (Reappointment)

Ralph Witmer, Selinsgrove, Snyder County, for the term of four years and until his successor is qualified. (Reappointment)

C. Vincent Michener, Allenwood, Union County, for the term of four years and until his successor is qualified. (Reappointment)

O. W. H. Glover, Laurelton, Union County, for the term of four years and until his successor is qualified, vice Roy R. Finkle, Mifflinburg, whose term expired.

Mrs. Charlotte L. Smith, Winfield, Union County, for the term of four years and until her successor is qualified, vice Mrs. Anna M. R. Horlacher, New Berlin, whose term expired.

Ira Smith, Beaver Springs, Snyder County, for the term of four years and until his successor is qualified, vice Harry C. Seebold, Sunbury, whose term expired.

E. A. Phillips, Milton, Northumberland County, for the term of four years and until his successor is qualified, vice Mrs. Martha Shuman, Northumberland, whose term expired.

EDWARD MARTIN.

MEMBER OF THE BOARD OF TRUSTEES OF LOCUST MOUNTAIN STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 20, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Richard A. Lewis, 207 West Columbus Street, Shenandoah, Schuylkill County, for appointment as a Member of the Board of Trustees of Locust Mountain State Hospital, for the term of four years, and until his successor is qualified, vice Donald Boyd, whose term expired.

EDWARD MARTIN.

MEMBER OF THE BOARD OF TRUSTEES OF ASHLAND STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 20, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph Bowman, Frackville, Schuylkill County, for appointment as a Member of the Board of Trustees of Ashland State Hospital, for the term of four years, and until his successor is qualified, vice Ray Delbridge, Girardville, resigned.

EDWARD MARTIN.

CALENDAR

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, in the absence of the sponsor, I ask unanimous consent that Senate Bill No. 36 on third reading, entitled:

An Act to add section seven hundred thirty-four to the act approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," making wilful abandonment or nonsupport of an aged or indigent person a misdemeanor; and prescribing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 102, as follows:

An Act to amend section one of the act approved the twenty-sixth day of April one thousand nine hundred and twenty-one (P. L. 278) entitled "An act providing that in computing the indebtedness of cities of the first

class the word 'indebtedness' shall include all manner of debt and the net amount thereof shall be ascertained as in the case of other municipal corporations by deducting from the gross amount thereof the moneys in the treasury all outstanding solvent debts and all revenues applicable within one year to the payment of the same" by extending and describing the amounts deductible in determining the net debt of such cities and providing a method for computing self-sustaining public improvement and public utility debt and non-electoral debt

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That section one of the act approved the twenty-sixth day of April one thousand nine hundred and twenty-one (P. L. 278) entitled "An act providing that in computing the indebtedness of cities of the first class the word 'indebtedness' shall include all manner of debt and the net amount thereof shall be ascertained as in the case of other municipal corporations by deducting from the gross amount thereof the moneys in the treasury all outstanding solvent debts and all revenues applicable within one year to the payment of the same" be and the same is hereby amended to read as follows

Section 1 A Be it enacted &c That in computing the indebtedness of cities of the first class in this Commonwealth the word "indebtedness" shall be construed [as in the case of other municipal corporations] and shall be deemed held and taken to include all and all manner of debt as well floating as funded of such cities and the net amount of such indebtedness shall be ascertained by deducting from the gross amount thereof [the moneys in the treasury all outstanding solvent debts and all revenues applicable within one year to the payment of the same]

(a) The amount of any cash and bonds of the city held in any sinking fund for the payment of the principal of such outstanding debt

(b) The part value of all obligations of the United States government and all other legal investments (other than bonds of the city) held in any sinking fund unless such par value shall be in excess of the actual value in which case the actual value shall be used

(c) The amount of current revenue including appropriations to and earnings by the sinking funds which are receivable within the current fiscal year for the payment of the principal of such outstanding debt

(d) The amount of net debt incurred or about to be incurred and the proceeds thereof expended or about to be expended upon any public improvement or public utility which yields or may reasonably be expected to yield revenue in excess of operating expenses sufficient to pay the interest and sinking fund charges thereon and the deduction of which in ascertaining the borrowing power of the city shall have been authorized by the Court pursuant to the provisions of the Constitution and laws of this Commonwealth

B That in computing the net indebtedness incurred or about to be incurred and the proceeds whereof have been expended or are about to be expended upon any public improvement or public utility which yields or may reasonably be expected to yield revenue in excess of operating expenses sufficient to pay the interest and sinking fund charges thereon and the deduction of which in ascertaining the borrowing power of the city shall have been authorized by the court pursuant to the provisions of the Constitution and laws of this Commonwealth there shall be deducted from the aggregate of such self-sustaining public improvement or public utility debt the proportion of cash and investments in the sinking funds pledged for the payment of the principal of such debt and the proportion of current revenue including appropriations to and earnings by such sinking funds during the current fiscal year

C That in computing the net indebtedness authorized or issued and outstanding without the assent of the electors there shall be deducted from the aggregate of such debt cash and investments in the sinking funds pledged for the payment of such non-electoral debt and the amount of current revenue including appropriations to and earnings by such sinking funds during the current fiscal year

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 264, as follows:

An Act to amend section three and to further amend section twelve of the act approved the twentieth day of July one thousand nine hundred seventeen (P. L. 1143) entitled "An act relating to free public nonsectarian libraries and branch libraries within this Commonwealth providing for their establishment maintenance and regulation and for the maintenance and regulation of such free public nonsectarian libraries as may have been already established by the several counties cities boroughs towns and townships and providing that all library property and all gifts devises grants or endowments for library purposes shall be exempt from taxation and providing that the several counties cities boroughs towns and townships may levy taxes condemn private property and borrow money for library purposes and imposing penalties for injuring library property and for violations of library regulations and repealing existing laws in relation to the above subjects" making more specific the power of the municipal authorities of counties cities boroughs towns and townships to appropriate moneys out of current revenues for library purposes without the levy of a special tax therefor and validating such appropriations heretofore made

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the twentieth day of July one thousand nine hundred seventeen (P. L. 1143) entitled "An act relating to free public nonsectarian libraries and branch libraries within this Commonwealth providing for their establishment maintenance and regulation and for the maintenance and regulation of such free public nonsectarian libraries as may have been already established by the several counties cities

boroughs towns and townships and providing that all library property and all gifts devises grants or endowments for library purposes shall be exempt from taxation and providing that the several counties cities boroughs towns and townships may levy taxes condemn private property and borrow money for library purposes and imposing penalties for injury of library property and for violations of library regulations and repealing existing laws in relation to the above subjects" is hereby amended to read as follows

Section 3 [Any] The municipal authorities of any municipality may make appropriations out of current revenue of the municipality or out of moneys raised by the levy of special taxes to establish or maintain or both a free public nonsectarian library for the use of the residents of such municipality The appropriations for maintenance shall not exceed a sum equivalent to two mills on the dollar on all taxable property annually Special taxes for these purposes may be levied on the taxable property of the municipality or the same may be levied and collected with the general taxes The provisions of this section shall not be construed to limit appropriations made for library purposes to those made from special tax levies

Section 2 Section twelve of said act as amended by the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 724) is hereby further amended to read as follows

Section 12 (a) [Any] The municipal authorities of any municipality may make appropriations out of current revenue of the municipality or out of moneys raised by the levy of special taxes not to exceed a sum equivalent to two mills on the dollar annually on all taxable property in the municipality to maintain or aid in the maintenance of a free library established by deed gift testamentary provision or in any manner otherwise than under the provisions of sections three four and seven of this act Provided That the municipal authorities shall be represented by at least two members of the board having control of the affairs of said library

(b) The municipal authorities may submit to the qualified electors of such municipality at any election general or special the question of maintaining or aiding in the maintenance of a library established as specified in clause (a) of this section and must submit such question if petitioned for by three per centum of the number of the voters at the last preceding general election At such election the question of establishing an annual tax at a certain rate not exceeding two mills on the dollar on all taxable property of the municipality shall also be submitted and voted upon

(c) If the majority of votes cast upon this question shall be in favor of establishing such tax rate the municipal authorities at the first meeting following the official announcement of the result of such election shall take the necessary steps to levy and collect such tax and shall if the municipality be not already so represented upon the board of control of such library appoint at least two persons to represent the municipality upon such board the number to be determined by agreement with the other members of the board each person so appointed to serve for such term as may then be determined

(d) The rate of tax so voted shall be an annual tax rate until another vote is taken changing the same Provided That the municipal authorities may increase said rate not to exceed two mills on the dollar in the aggregate on all taxable property of the municipality without submitting the question to a vote The tax shall be levied and collected in like manner as other taxes in the municipality and shall be in addition to all other taxes and shall be used for no other purpose than that of maintaining or aiding in the maintenance of a library established as specified in section twelve of this act

(e) Any election heretofore held and any tax heretofore levied by any municipality to maintain or aid in the maintenance of a library established as specified in clause (a) of this section are hereby ratified confirmed and made valid

(f) The provisions of this section shall not be construed to limit appropriations made for library purposes to those made from special tax levies

Section 3 All appropriations heretofore made by the municipal authorities of any municipality out of current revenue of the municipality for any of the purposes specified in sections three or twelve of the act to which this is an amendment that in other respects comply with the provisions of said act as amended hereby are hereby ratified confirmed and made valid

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy	Klein,	Stiefel.
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 278, as follows:

An Act to further amend the title and section one of the act approved the twenty-eighth day of June one thousand nine hundred and thirty-five (P. L. 477) entitled "An act providing for the payment of the salary medical and hospital expenses of policemen and firemen by cities (except of the second class A) boroughs towns and townships who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period" extending the provisions of said act to cities of the second class A

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and section one of the act approved the twenty-eighth day of June one thousand nine hundred and thirty-five (P. L. 477) entitled "An act providing for the payment of the salary medical and hospital expenses of policemen and firemen by cities (except of the second class A) boroughs towns and townships who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period" as amended by the act approved the fourteenth day of May one thousand nine hundred and thirty-seven (P. L. 632) are hereby further amended to read as follows

An Act providing for the payment of the salary medical and hospital expenses of policemen and firemen by cities [(except of the second class A)] boroughs towns and townships who are injured in the performance of their duty and providing that absence during such injury shall not

reduce any usual sick leave period

Section 1 Be it enacted &c That any policemen or firemen of any city [(except of the second class A)] borough town or township who is injured in the performance of his duties and by reason thereof is temporarily incapacitated from performing his duties shall be paid by the municipality by which he is employed his full rate of salary as fixed by ordinance or resolution until the disability arising therefrom has ceased All medical and hospital bills incurred in connection with any such injury shall be paid by such municipality During the time salary for temporary incapacity shall be paid by the city borough town or township any workmen's compensation received or collected by a policeman or fireman for such period shall be turned over to such city borough town or township and paid into the treasury thereof and if such payment shall not be so made by the policeman or fireman the amount so due the city borough town or township shall be deducted from any salary then or thereafter becoming due and owing

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 281, on third reading, entitled:

An Act to amend section two thousand twenty-two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" authorizing township commissioners to record certificates denying responsibility for certain roads streets lanes alleys or drainage facilities in connection therewith

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 303, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Allentown State Hospital to acquire a certain tract of land for the use of said hospital and making an appropriation therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Allentown State Hospital is hereby authorized to purchase in the name of the Commonwealth of Pennsylvania any or all of the following described tracts of real estate in Allen and East Allen Townships in the County of Northampton Pennsylvania

(1) Tract in Allen Township in said County known as the J W Fuller Estate property consisting of seventy-seven acres more or less bounded on the North and West by property of the Universal Atlas Cement Company on the East by property of the Commonwealth of Pennsylvania and on the South by a section of the Willow Brook Farm

(2) Tract in Allen Township in said County now the property of the Universal Atlas Cement Company consisting of one hundred and thirty-six acres more or less situate along the road leading from Howerton to Bethlehem and bounded by the Miller tract and the Lilly tract

(3) The Fehr tract in Allen Township in said County consisting of eight acres more or less and bounded on the North and East by property of the Commonwealth of Pennsylvania on the West by properties of Howard Lilly Henry Long Frank Hahn Harvey Kock and Sylvester Jones and on the South by property of the Patriotic Order of Sons of America

(4) Two tracts of the Edward Fatzinger Estate situate in Allen and East Allen Township in said County one tract bounded on two sides by the property of the Allentown State Hospital on another side by the Fehr tract and on the other by a public road consisting of seventeen acres more or less and the other tract bounded by properties of the Universal Atlas Cement Company the Fehr tract the Commonwealth of Pennsylvania and a public road consisting of seventeen acres more or less

Section 2 Said tract or tracts of land when purchased shall be added to the lands of the Allentown State Hospital The deeds of conveyance shall be deposited with the Secretary of Internal Affairs

Section 3 The said lands shall not be acquired until the titles thereto have been approved by the Department of Justice

Section 4 The sum of thirty-five thousand dollars ($35,000) or so much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the payment of the purchase price of said tract or tracts of land and the expenses incidental thereto including title searches

Section 5 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,

Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 319, as follows:

An Act to further amend section thirty-two of the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" by further regulating the check-up of registered electors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section thirty-two of the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies off electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" as last amended by the act approved the first day of August one thousand nine hundred forty-one (P. L. 702) and as amended in part by the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 710) is hereby further amended to read as follows

Section 32 Mail Check-up of Register (a) At any time prior to the thirtieth day next preceding an election or primary the commission may send by mail to any elector whose name appears in any district register a notice setting forth the elector's name and address as it shall appear in the register and requesting him in case of any error to present the notice on or before the tenth day next ensuing at the office of the commission and secure the correction of the error and warning the elector that any discrepancy between his actual name and address and his name and address as recorded in the original register will constitute ground for challenging his vote Such notice shall contain on the outside a request to the postmaster to return it within five days if it cannot be delivered to the addressee at the address given thereon

(b) At any time prior to the thirtieth day next preceding an election or primary the commission may cause a check-up to be made by postmen of the United States Post Office of any elector whose name appears in any district register

(c) At least once in each four years the commission [shall] may conduct a check-up of each registered elector in the city by either of the methods provided for in subsections (a) and (b) of this section

(d) Upon the return by the post office of any such notice which it has been unable to deliver at the given address because the addressee cannot be found there or upon report by the post office that any registered elector does not reside at the address given on his registration card the commission shall direct an authorized employe to visit in person the address of the elector and if he shall find that the elector does not reside at the address he shall leave at such address the notice prescribed by section thirty-three of this act and the commission shall at the expiration of the time specified in such notice cancel the registration of such person unless his qualifications as an elector are proved Provided however That the registration of any person in military service shall not be cancelled by reason of the failure of such person to reside at the address appearing upon the district register if such person did reside at such address on the date of entering military service

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 320, as follows:

An Act to further amend section thirty-one of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 814) entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers de-

partments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by further regulating the check-up of registered electors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section thirty-one of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 814) entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" as last amended by the act approved the first day of August one thousand nine hundred forty-one (P. L. 686) is hereby further amended to read as follows

Section 31 Check-up of Registers

(a) At any time prior to the thirtieth day next preceding an election or primary the commission may send by mail to any elector whose name appears in any district register a notice setting for the elector's name and address as it shall appear in the register and requesting him in case of any error to present the notice on or before the tenth day next ensuing at the office of the commission and secure the correction of the error and warning the elector that any discrepancy between his actual name and address and his name and address as recorded in the original register will constitute ground for challenging his vote Such notice shall contain on the outside a request to the postmaster to return it within five days if it cannot be delivered to the addressee at the address given thereon

(b) At any time prior to the thirtieth day next preceding an election or primary the commission may cause a check-up to be made by postmen of the United States Post Office of any elector whose name appears in any district register

(c) At least once in each four years the commission [shall] may conduct a check-up of each registered elector in this city by either of the methods provided for in subsections (a) and (b) above

(d) Upon the return by the post office of any such notice which it has been unable to deliver at the given address because the addressee cannot be found there or upon report by the post office that any registered elector does not reside at the address given on his registration card the commission shall direct an authorized employe to visit in person the address of the elector and if he shall find that the elector does not reside at the address he shall leave at such address the notice prescribed by section thirty-two of this act and the commission shall at the expiration of the time specified in such notice cancel the registration of such person unless he personally appears and proves his qualifications as an elector Provided however That the registration of any person in military service shall not be cancelled by reason of the failure of such person to reside at the address appearing upon the district register if such person did reside at such address on the date of entering military service

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz;

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 321, as follows:

An Act to further amend section thirty-one of the act approved the seventh day of June one thousand nine hundred thirty-seven (P. L. 1132) entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by further regulating the check-up of registered electors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section thirty-one of the act approved the seventh day of June one thousand nine hundred thirty-seven (P. L. 1132) entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" as last amended by the act approved the first day of August one thousand nine hundred forty-one (P. L. 680) is hereby further amended to read as follows

Section 31 Check-up of Registers

(a) At any time prior to the thirtieth day next preceding an election or primary the commission may send by mail to any elector whose name appears in any district register a notice setting forth the elector's name and address as it shall appear in the register and requesting him in case of any error to present the notice on or before the tenth day next ensuing at the office of the commission and secure the correction of the error and warning the elector that any discrepancy between his actual name and address and his name and address as recorded in the original register will constitute grounds for challenging his vote Such notice shall contain on the outside a request to the postmaster to return it within five days if it cannot be delivered to the addressee at the address given thereon

(b) At any time prior to the thirtieth day next preceding an election or primary the commission may cause a check-up to be made by postmen of the United States Post Office of any elector whose name appears in any district register

(c) At least once in each four years the commission [shall] may conduct a check-up of each registered elector in the city by either of the methods provided for in subsections (a) and (b) above

(d) Upon the return by the post office of any such notice which it has been unable to deliver at the given address because the addressee cannot be found there or upon report by the post office that any registered elector does not reside at the address given on his registration card the commission shall direct an authorized employe to visit in person the address of the elector and if he shall find that the elector does not reside at the address he shall leave at such address the notice prescribed by section thirty-two of this act and the commission shall at the expiration of the time specified in such notice cancel the registration of such person unless he personally appears and proves his qualifications as an elector Provided however That the registration of any person in military service shall not be cancelled by reason of the failure of such person to reside at the address appearing upon the district register if such person did reside at such address on the date of entering military service

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 322, as follows:

An Act to further amend section thirty-one of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation" by further regulating the check-up of registered electors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section thirty-one of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation" as amended by the act approved the first day of August one thousand nine hundred forty-one (P. L. 659) and by the act approved the first day of August one thousand nine hundred forty-one (P. L. 694) is hereby further amended to read as follows

Section 31 Check-up of Registers

(a) At any time prior to the thirtieth day next preceding an election or primary the commission may send by mail to any elector whose name appears in any district register a notice setting forth the elector's name and address as it shall appear in the register and requesting him in case of any error to present the notice on or before the tenth day next ensuing at the office of the commission and secure the correction of the error and warning the elector that any discrepancy between his actual name and address and his name and address as recorded in the original register will constitute ground for challenging his vote Such notice shall contain on the outside a request to the postmaster to return it within five days if it cannot be delivered to the addressee at the address given thereon

(b) At any time prior to the thirtieth day next preceding an election or primary the commission may cause a check-up to be made by postmen of the United States Post Office of any elector whose name appears in any district register

(c) At least once in each four years the commission [shall] may conduct a check-up of each registered elector in the city by either of the methods provided for in subsections (a) and (b) above

(d) Upon the return by the post office of any such notice which it has been unable to deliver at the given address because the addressee cannot be found there or upon report by the post office that any registered elector

does not reside at the address given on his registration card the commission shall either (1) direct an authorized employe to visit in person the address of the elector and if he shall find that the elector does not reside at the address he shall leave at such address the notice prescribed by clause (e) of this section or (2) mail to such registered elector at the address given on his registration card the notice prescribed by clause (e) of this section Such notice when mailed shall be sent as first-class mail and shall contain on the outside a request to the postmaster to forward it if the addressee does not reside at the address given thereon

(e) The notice stipulated by clause (d) of this section shall require the registered elector to communicate with the commission on or before a date which the commission shall designate and which shall be not less than ten days and not more than thirty days from the service or mailing of the notice and in any case not later than the fifteenth day preceding the election or primary next ensuing and satisfy the commission of his qualifications as an elector At the expiration of the time specified in the notice the commission shall cancel the registration of each such person who has not communicated with the commission and proved his qualifications as an elector Provided That when any registered elector who has been mailed the notice prescribed by this clause shall communicate with the commission claiming the right to remain registered at the address to which the original notice was mailed the commission shall cause an investigation to be made of such claim and if not satisfied of the right to remain registered at such address shall cancel the registration of the elector Every elector whose registration is cancelled in accordance with the provisions of this section shall be required to register in the manner provided by this act in order to be eligible to vote at any ensuing election or primary

[Provided however That the] (f) The registration of any person in military service shall not be cancelled by reason of the failure of such person to reside at the address appearing upon the district register if such person did reside at such address on the date of entering military service

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margle,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 323, as follows:

An Act to further amend section thirty of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by further regulating the check-up of registered electors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section thirty of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" as amended by the act approved the first day of August one thousand nine hundred forty-one (P. L. 654) and by the act approved the first day of August one thousand nine hundred forty-one (P. L. 664) is hereby further amended to read as follows

Section 30 Check-up of Registers

(a) At any time prior to the thirtieth day next preceding an election or primary the commission may send by mail to any elector whose name appears in any district register a notice setting forth the elector's name and address as it shall appear in the register and requesting him in case of any error to present the notice on or before the tenth day next ensuing at the office of the commission and secure the correction of the error and warning the elector that any discrepancy between his actual name and address and his name and address as recorded in the original register will constitute ground for challenging his vote Such notice shall contain on the outside a request of the postmaster to return it within five days if it cannot be delivered to the addressee at the address given thereon

(b) At any time prior to the thirtieth day next preceding an election or primary the commission may cause a check-up to be made by postmen of the United States Post Office of any elector whose name appears in any district register

(c) At least once in each four years the commission [shall] may conduct a check-up of each registered elector in the boroughs towns and townships by either of the methods provided for in subsections (a) and (b) above

(d) Upon the return by the post office of any such notice which it has been unable to deliver at the given

address because the addressee cannot be found there or upon report by the post office that any registered elector does not reside at the address given on his registration card the commission shall either (1) direct an authorized employe to visit in person the address of the elector and if he shall find that the elector does not reside at the address he shall leave at such address the notice prescribed by clause (e) of this section or (2) mail to such registered elector at the address given on his registration card the notice prescribed by clause (e) of this section Such notice when mailed shall be sent as first-class mail and shall contain on the outside a request to the poctmaster to forward it if the addressee does not reside at the address given thereon

(e) The notice stipulated by clause (d) of this section shall require the registered elector to communicate with the commission on or before a date which the commission shall designate and which shall be not less than ten days and not more than thirty days from the service or mailing of the notice and in any case not later than the fifteenth day preceding the election or primary next ensuing and satisfy the commission of his qualifications as an elector At the expiration of the time specified in the notice the commission shall cancel the registration of such person who has not communicated with the commission and proved his qualifications as an elector Provided That when any registered elector who has been mailed the notice prescribed by this clause shall communicate with the commission claiming the right to remain registered at the address to which the original notice was mailed the commission shall cause an investigation to be made of such claim and if not satisfied of the right of the elector to remain registered at such address shall cancel the registration of the elector Every elector whose registration is cancelled in accordance with the provisions of this section shall be required to register in the manner provided by this act in order to be eligible to vote at any ensuing election or primary

[Provided however That the] (f) The registration of any person in military service shall not be cancelled by reason of the failure of such person to reside at the address appearing upon the district register if such person did reside at such address on the date of entering military service

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye"' the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 335, as follows:

A Joint Resolution proposing an amendment to section 14 Article VIII of the Constitution of the Commonwealth of Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows

Section 1 The following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That section 14 Article VIII of the Constitution of the Commonwealth of Pennsylvania is hereby amended to read as follows

Section 14 District election boards shall consist of a judge and two inspectors who shall be chosen at municipal elections for such terms as may be provided by law Each elector shall have the right to vote for the judge and one inspector and each inspector shall appoint one clerk The first election board for any new district shall be selected and vacancies in election boards filled as shall be provided by law Election officers shall be privileged from arrest upon days of election and while engaged in making up and transmitting returns except upon warrant of a court of record or judge thereof for an election fraud for felony or for wanton breach of the peace In cities they may claim exemption from jury duty during their terms of service

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 343, as follows:

An Act to further amend section fifteen of the act approved the sixteenth day of May one thousand nine hundred twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax

and municipal claims filed under other and prior acts of Assembly" by further providing for and preserving the lien of tax and municipal claims against properties heretofore or hereafter purchased by political subdivisions at sales held for the collection of taxes on municipal claims or other judicial or statutory sales

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section fifteen of the act approved the sixteenth day of May one thousand nine hundred twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" as last amended by the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 522) is hereby further amended to read as follows

Section 15 Such tax municipal or other claim if filed within the period aforesaid shall remain a lien upon said properties until fully paid and satisfied Provided however That either a suggestion of nonpayment and an averment of default in the form hereinafter provided be filed either before or after judgment on the scire facias or else a writ of scire facias in the form herein provided be issued to revive the same within each period of five years following (a) the date on which said claim was filed (b) the date on which a writ of scire facias was issued thereon (c) the date on which any judgment was entered thereon (d) the date on which a previous suggestion of nonpayment and default was filed thereon or (e) the date on which a judgment of revival was obtained thereon

The suggestion and averment shall be in the following form under the caption of the claim

And now ..... the claimant by ..... its solicitor or controller suggests of record that the above claim is still due and owing to the claimant and avers that the owner is still in default for nonpayment thereof The prothonotary is hereby directed to enter this suggestion and averment on the municipal lien or the proper docket of the claim and also to index it upon the judgment index and on the locality index of the court for the purpose of continuing the lien of the claim

Such suggestion and averment shall be signed by or have stamped thereon a facsimile signature of the solicitor or chief executive officer of the claimant except in counties having a controller in which case as to county taxes it shall be signed by or have stamped thereon a facsimile signature of the controller The prothonotary shall docket and index the suggestion and averments directed therein and for such services shall be entitled to a fee of one dollar to be taxed and collected as other costs in the claim The filing and indexing of such suggestion and averment within five years of filing the claim or the issuing of any writ of scire facias thereon or of any judgment thereon or of the filing of any prior suggestion and averment of default shall have the same force and effect for the purposes of continuing and preserving the lien of the claim as though a writ of scire facias had been issued or a judgment or judgment of revival had been obtained within such period Provided That no writ of levari facias shall be issued upon a claim for the purpose of exposing the property liened to sheriff's sale except after a judgment shall have been duly obtained upon the claim as provided in this section and such judgment must have been obtained within five years of the issuance of the levari facias Whenever the lien of a claim has been revived and continued by the filing and indexing of a suggestion and averment of default the claimant may at any time within five years therefrom issue a writ of scire facias thereon reciting all suggestion and averment of default filed since the filing of the claim and shall proceed thereon in the manner herein provided subject to the right of the owner to raise any defense arising since the last judgment

If a claim be not filed within the time aforesaid or if it be not prosecuted in the manner and at the time aforesaid its lien on real estate shall be wholly lost except that wherever heretofore or hereafter any real estate shall have been sold at a county treasurer's sale or at a sale held by the city treasurer of a third class city or at any other judicial or statutory sale and shall have been or shall be purchased by or on behalf of any municipality having tax claims or municipal claims against said property all tax claims or municipal claims against said property whether accruing before or after said treasurer's or other judicial or statutory sale shall remain a lien upon said property until fully paid and satisfied so long as title to said real estate shall be held by or on behalf of said municipality notwithstanding any failure to file a suggestion of nonpayment and an averment of default or failure to issue a writ of scire facias as hereinbefore provided

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 344 on third reading, entitled:

An Act to further amend section five hundred and forty of the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" further defining the duties of the secretary to the board of supervisors and providing for the preservation and turning over to the successor in office of township records and for the destruction of certain records

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. WADE. Mr. President, I move that Senate Bill No. 376 on third reading, entitled:

An Act relating to investments by fiduciaries and repealing acts or parts of acts inconsistent herewith.

be recommitted to the Committee on Banking.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 382, on third reading, entitled:

An Act to amend section seven hundred two of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled, "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by authorizing such townships to regulate parking

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 385, as follows:

An Act to amend paragraph two of subdivision (b) and to add a new paragraph thirteen to subdivision (c) of section two hundred two of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds asosciations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by authorizing domestic stock and mutual fire and marine and casualty insurance companies to make insurances against all risk of loss of or damage to personal property

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Paragraph two of subdivision (b) of section two hundred of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insuranace amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" is hereby amended to read as follows

Section 202 Purposes for Which Companies May Be Incorporated * * * * *

(b) * * * * *

(2) Upon vessels boats cargoes goods merchandise freight and other property against loss or damage by all or any of the risks of lake river canal and inland navigation and transportation upon automobiles airplanes seaplanes dirigibles or other aircraft whether stationary or in operation or in transit against loss or damage by fire explosion transportation collision or by burglary larceny or theft not including in any case insurances against loss by reason of bodily injury to the person upon personal property owned by any individual other than (a) motor vehicles aircraft or water-craft (excepting canoes rowboats sail-boats less than twenty-one feet in length and outboard motor boats) or (b) personal property pertaining to the business trade or profession of the insured (excepting professional books instruments and other professional equipment owned by the insured) against all risks of loss or damage and to effect reinsurance of any risk provided for in this clause

Section 2 subdivision (c) of section two hundred two of said act is hereby amended by adding thereto paragraph thirteen to read as follows

Section 202 Purposes for Which Companies May Be Incorporated * * * * *

(c) * * * * *

(13) To insure against all risks of loss of or damage to personal property owned by any individual other than (a) motor vehicles aircraft or water-craft (excepting canoes rowboats sailboats less than twenty-one feet in length and outboard motor boats) or (b) personal property pertaining to the business trade or profession of the insured (excepting professional books instruments and other professional equipment owned by the insured)

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent	Kephart,	Stevenson,	Woodward
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, on behalf of the gentleman from Bucks, Mr. James, I ask unanimous consent that Senate Bill No. 414, on third reading, entitled:

An Act to provide protection in all cases secured or to be secured by individual surety or sureties in courts of record or proceedings therein by specifying the requirements of such suretyship and the qualifications of such surety

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 423, as follows:

An Act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities counties and townships as herein defined prescribing the rights powers and duties of such Authorities authorizing such authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such authorities authorizing such authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof conferring exclusive jurisdiction on certain courts over rates

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 This act shall be known and may be cited as the "Municipality Authorities Act of 1945"

Section 2 Definitions The following terms whenever used or referred to in this act shall have the following meanings except in those instances where the context clearly indicates otherwise

(a) The term "Authority" shall mean a body politic and corporate created pursuant to this act

(b) The term "Board" shall mean the governing body of an authority

(c) The term "bonds" shall mean and include the notes bonds and other evidence of indebtedness or obligations which each authority is authorized to issue pursuant to section 4 (i) of this act

(d) The term "municipal authority" shall mean the body or board authorized by law to enact ordinances or resolutions for the particular municipality

(e) The term "construction" shall mean and include acquisition and construction and the term "to construct" shall mean and include to acquire and to construct all in such manner as may be deemed desirable

(f) The term "municipality" shall mean any county city town borough or township of the Commonwealth of Pennsylvania

(g) The term "Federal agency" shall mean and include the United States of America the President of the United States of America and any department of or corporation agency or instrumentality heretofore or hereafter created designated or established by the United States of America

(h) The term "improvement" shall mean and include extension enlargement and improvement and the term "to improve" shall mean and include to extend to enlarge and to improve all in such manner as may be deemed desirable

(i) The term "persons" shall mean and include natural persons

(j) The term "project" shall mean any structure facility or undertaking which an authority is authorized to acquire construct improve maintain or operate under the provisions of this act

Section 3 Method of Incorporation A Whenever the municipal authorities of any municipality singly or of one or more municipalities jointly shall desire to organize an Authority under this act they shall adopt a resolution or ordinance signifying their intention to do so

In the event that such resolution or ordinance sets forth the proposed articles of incorporation in full it shall not be required (any law to the contrary notwithstanding) in publishing such resolution or ordinance under the provisions of existing law to publish such proposed articles of incorporation in full but it shall be sufficient compliance with such law in such publication to set forth briefly the substance of such proposed articles of incorporation and to refer to the provisions of this act Thereafter the municipal authorities of such municipality or municipalities shall cause a notice of such resolution or ordinance to be published at least one time in the legal periodical of the county or counties in which such Authority is to be organized and at least one time in a newspaper published and of general circulation in such county or counties Said notice shall contain a brief statement of the substance of said resolution or ordinance including the substance of such articles making reference to this act and shall state that on a day certain not less than three days after publication of said notice articles of incorporation of the proposed Authority will be filed with the Secretary of the Commonwealth of Pennsylvania

B On or before the day specified in said notice the municipal authorities shall file with the Secretary of the Commonwealth articles of incorporation together with proof of publication of the notice as aforesaid Said articles of incorporation shall set forth

(a) The name of the "Authority"

(b) A statement that such Authority is formed under this act

(c) A statement that no other Authority organized under this act or under the act approved December twenty-seven one thousand nine hundred and thirty-three (Special Session one thousand nine hundred and thirty-three P. L. 114) is in existence in or for the incorporating municipality or municipalities except that where any one or more of the municipalities have already joined with other municipalities not composing the same group in organizing a joint Authority the application shall set forth the name of the Authority theretofore created together with the names of the municipalities joining therein

(d) The name of the incorporating municipality or municipalities together with the names and addresses of its municipal authorities and

(e) The names addresses and term of office of the first members of the board of said Authority

All of which matter shall be determined in accordance with the provisions of this act Said articles of incorporation shall be executed by each incorporating municipality by its proper officers and under its municipal seal

C If the Secretary of the Commonwealth finds that the articles of incorporation conform to law he shall forthwith but not prior to the day specified in the aforesaid notice endorse his approval thereon and when all proper fees and charges have been paid shall file the articles and issue a certificate of incorporation to which shall be attached a copy of the approved articles Upon the issuance of such certificate of incorporation by the Secretary of the Commonwealth the corporate existence of said Authority shall begin Said certificate of incorporation shall be conclusive evidence of the fact that such Authority has been incorporated but proceedings may be instituted by the Commonwealth to dissolve any Authority which shall have been formed without substantial compliance with the provisions of this section

D When the authority has been organized and its officers elected the secretary shall certify to the Secretary of the Commonwealth the names and addresses of its officers as well as the principal office of the authority Any change in the location of the principal office shall likewise be certified to the Secretary of the Commonwealth within ten (10) days after such change Any Authority heretofore created under the laws of the Commonwealth of Pennsylvania in addition to powers granted or conferred upon said Authority shall possess all the powers provided in this act

Section 3.1 Municipalities Withdrawing from and Joining in Joint Authorities A Whenever an Authority has been incorporated by two or more municipalities any one or more of such municipalities may withdraw therefrom and any municipality not having joined in the original incorporation may join in the Authority but no municipality shall be permitted to withdraw from any Authority after any obligation has been incurred by the Authority

Any municipality wishing to withdraw from or to become a member of existing Authority shall signify its desire by resolution or ordinance If the Authority shall by resolution express its consent to such withdrawal or joining the municipal authorities of the withdrawing or

joining municipality shall cause a notice of its resolution or ordinance to be published at least one time in the legal periodical of the county or counties in which the Authority is organized and at least one time in a newspaper published and of general circulation in such county or counties Such notice shall contain a brief statement of the substances of the resolution or ordinance making reference to this act and shall state that on a day certain not less than three days after publication of the notice an application to withdraw from or to become a member of the Authority as the case may be will be filed with the Secretary of the Commonwealth

B On or before the day specified in the notice the municipal authorities shall file such application with the Secretary of the Commonwealth together with proof of publication of the notice hereby required In the case of a municipality seeking to become a member of the Authority the application shall set forth all of the information required in the case of original incorporation in so far as it applies to the incoming municipality including the name and address and term of office of the first member of the board of the Authority from the incoming municipality The application in all cases shall be executed by the proper officers of the withdrawing or incoming municipality under its municipal seal and shall be joined in by the proper officers of the governing body of the Authority and in the case of a municipality seeking to become a member of the Authority also by the proper officers of each of the municipalities that are then members of the Authority pursuant to resolutions by the municipal authorities of such municipalities

C If the Secretary of the Commonwealth finds that the application conforms to law he shall forthwith but not prior to the day specified in the notice endorse his approval thereon and when all proper fees and charges have been paid shall file the same and issue a certificate of withdrawal or a certificate of joinder as the case may be to which shall be attached a copy of the approved application The withdrawal or joining shall become effective upon the issuing of such certificate and the recording thereof in the office of the recorder of deeds of the county Where the project of a joint authority is located in more than one county the certificate shall be recorded in the county where the principal office is located

Section 4 Purposes and Powers General A Every Authority incorporated under this act shall be a body corporate and politic and shall be for the purpose of acquiring holding constructing improving maintaining and operating owning leasing either in the capacity of lessor or lessee buildings to be devoted wholly or partially for public uses and for revenue-producing purposes transportation marketing shopping terminals bridges tunnels streets highways parkways traffic distribution centers traffic circles parking spaces airports and all facilities necessary or incident thereto projects parks recreation grounds and facilities sewers sewer systems or parts thereof sewage treatment works steam heating plants and distribution systems incinerator plants waterworks water supply works water distribution systems swimming pools playgrounds lakes low head dams hospitals motor buses for public use when such motor buses are to be used within any municipality and subways (any and all the foregoing being herein called "projects") The purposes and intent of this act being to benefit the people of the Commonwealth by among other things increasing their commerce and prosperity and not to unnecessarily burden or interfere with existing business by the establishment of competitive enterprises none of the powers granted by this act shall be exercised in the construction improvement maintenance extension or operation of any project or projects which in whole or in part shall duplicate or compete with existing enterprises serving substantially the same purposes The municipality or municipalities organizing such an Authority may in the resolution or ordinance signifying their intention so to do or from time to time by subsequent resolution or ordinance specify the project or projects to be undertaken by the said Authority and no other projects shall be undertaken by the said Authority than those so specified If the municipal authorities organizing an Authority fail to specify the project or projects to be undertaken then the Authority shall be deemed to have all the powers granted by this act

B Every Authority is hereby granted and shall have and may exercise all powers necessary or convenient for the carrying out of the aforesaid purposes including but without limiting the generality of the foregoing the following rights and powers

(a) To have existence for a term of fifty years as a corporation

(b) To sue and be sued implead and be impleaded complain and defend in all courts

(c) To adopt use and alter at will a corporate seal

(d) To acquire purchase hold lease as lessee and use any franchise property real personal or mixed tangible or intangible or any interest therein necessary or desirable for carrying out the purposes of the Authority and to sell lease as lessor transfer and dispose of any property or interest therein at any time acquired by it

(e) To acquire by purchase lease or otherwise and to construct improve maintain repair and operate projects

(f) To make by-laws for the management and regulation of its affairs

(g) To appoint officers agents employes and servants to prescribe their duties and to fix their compensation

(h) To fix alter charge and collect rates and other charges in the area served by its facilities at reasonable and uniform rates to be determined by it exclusively for the purpose of providing for the payment of the expenses of the Authority the construction improvement repair maintenance and operation of its facilities and properties the payment of the principal of and interest on its obligations and to fulfill the terms and provisions of any agreements made with the purchasers or holders of any such obligations or with the municipality incorporating or municipalities which are members of said Authority Provided That if the service area includes more than one municipality the revenues from any project shall not be expended directly or indirectly on any other project Any person questioning the reasonableness or uniformity of any rate fixed by any Authority may bring suit against the Authority in the court of common pleas of the county wherein the project is located or if the project is located in more than one county then in the court of common pleas of the county wherein the principal office of the project is located The court of common pleas shall have exclusive jurisdiction to determine the reasonableness and uniformity of rates and other charges fixed altered charged or collected by an Authority Appeals may be taken to the Superior Court within thirty days after the court of common pleas has rendered a final decision

(i) To borrow money make and issue negotiable notes bonds refunding bonds and other evidences of indebtedness or obligations (herein called "bonds") of the Authority said bonds to have a maturity date not longer than forty years from the date of issue except that no refunding bonds shall have a maturity date later than the life of the Authority and to secure the payment of such bonds or any part thereof by pledge or deed of trust of all or any of its revenues and receipts and to make such agreements with the purchasers or holders of such bonds or with others in connection with any such bonds whether issued or to be issued as the Authority shall deem advisable and in general to provide for the security for said bonds and the rights of the holders thereof and in respect to any project constructed and operated under agreement with any Authority or any public Authority of any adjoining state to borrow money and issue such notes bonds and other evidences of indebtedness and obligations jointly with any such Authority

(j) To make contracts of every name and nature and execute all instruments necessary or convenient for the carrying on of its business

(k) Without limitation of the foregoing to borrow money and accept grants from and to enter into contracts leases or other transactions with any Federal agency Commonwealth of Pennsylvania municipality private corporation or Authority

(l) To have the power of eminent domain

(m) To pledge hypothecate or otherwise encumber all or any of the revenues or receipts of the authority as security for all or any of the obligations of the Authority

(n) To do all acts and things necessary or convenient for the promotion of its business and the general welfare of the Authority to carry out the powers granted to it by this act or any other acts

(o) To contract with any municipality corporation or any public Authority of any adjoining state on such terms as the said Authority shall deem proper for the construction and operation of any project which is partly in this Commonwealth and partly in such adjoining state

(p) To enter into contracts with municipalities that are not members of the Authority or with the Commonwealth of Pennsylvania municipalities corporations or authorities for the use of any project of the Authority and fixing the amount to be paid therefor

(q) To enter into contracts of group insurance for the benefit of its employes and to set up a retirement or pension fund for such employes similar to that existing in the municipality where the principal office of the project is located

C The Authority shall have no power at any time or in any manner to pledge the credits or taxing power of the Commonwealth of Pennsylvania or any political subdivisions nor shall any of its obligations be deemed to be obligations of the Commonwealth of Pennsylvania or of any of its political subdivisions nor shall the Commonwealth of Pennsylvania or any political subdivision thereof be liable for the payment of principal of or interest on such obligations

Section 5 Purposes and Powers Bonds A The bonds of any Authority hereinabove referred to and authorized to be issued shall be authorized by resolution of the board thereof and shall be of such series bear such date or dates mature at such time or times not exceeding forty years from their respective dates bear interest at such rate or rates not exceeding six per cent per annum payable semi-annually be in such denominations be in such form either coupon or fully registered without coupons carry such registration exchangeability and interchangeability privileges be payable in such medium of payment and at such place or places be subject to such terms of redemption not exceeding one hundred five per cent of the principal amount thereof and be entitled to such priorities in the revenues or receipts of such Authority as such resolution or resolutions may provide The bonds shall be signed by such officers as the Authority shall determine and coupon bonds shall have attached thereto interest coupons bearing the facsimile signature of the treasurer of the Authority all as may be prescribed in such resolution or resolutions Any such bonds may be issued and delivered notwithstanding that one or more of the officers signing such bonds or the treasurer whose facsimile signature shall be upon the coupon or any thereof shall have ceased to be such officer or officers at the time when such bonds shall actually be delivered

Said bonds may be sold at public or private sale for such price or prices as the Authority shall determine provided that the interest cost to maturity of the money received for any issue of said bonds shall not exceed six per centum per annum Pending the preparation of the definite bonds interim receipts may be issued to the purchaser or purchasers of such bonds and may contain such terms and conditions as the Authority may determine

B Any resolution or resolutions authorizing any bonds may contain provisions which shall be part of the contract with the holders thereof as to (a) pledging the full faith and credit of the Authority (but not of the Commonwealth of Pennsylvania or any political subdivision thereof) for such obligations or restricting the same to all or any of the revenues of the Authority from all or any projects or properties (b) the construction improvement operation extension enlargement maintenance and repair of the project and the duties of the Authority with reference thereto (c) the terms and provisions of the bonds (d) limitations on the purposes to which the proceeds of the bonds then or thereafter to be issued or of any loan or grant by the United States may be applied (e) the rate of tolls and other charges for use of the facilities of or for the services rendered by the Authority (f) the setting aside of reserves or sinking funds and the regulation and disposition thereof (g) limitations on the issuance of additional bonds (h) the terms and provisions of any deed of trust or indenture securing the bonds or under which the same may be issued and (i) any other or additional agreements with the holders of the bonds

C Any authority may enter into any deeds of trust indentures or other agreements with any bank or trust company or other person or persons in the United States having power to enter into the same including any Federal agency as security for such bonds and may assign and pledge all or any of the revenues or receipts of the Authority thereunder Such deed of trust indenture or other agreement may contain such provisions as may be customary in such instruments or as the Authority may authorize including (but without limitation) provisions as to (1) the construction improvement operation maintenance and repair of any project and the duties of the Authority with reference thereto (2) the application of funds and the safeguarding of funds on hand or on deposit (3) the rights and remedies of said trustee and the holders of the bonds (which may include restrictions upon the individual right of action of such bondholders) and (4) the terms and provisions of the bonds or the resolutions authorizing the issuance of the same

Said bonds shall have all the qualities of negotiable instruments under the law merchant and the negotiable instruments laws of the Commonwealth of Pennsylvania

Section 6 Remedies of Bondholders A The rights and the remedies herein conferred upon or granted to the bondholders shall be in addition to and not in limitation of any rights and remedies lawfully granted to such bondholders by the resolution or resolutions providing for the issuance of bonds or by any deed of trust indenture or other agreement under which the same may be issued In the event that the Authority shall default in the payment of principal of or interest on any of the bonds after the said principal or interest shall become due whether at maturity or upon call for redemption and such default shall continue for a period of thirty days or in the event that the Authority shall fail or refuse to comply with the provisions of this act or shall default in any agreement made with the holders of the bonds the holders of twenty-five per centum in aggregate principal amount of the bonds then outstanding by instrument or instruments filed in the office of the recorder of deeds of the county and proved or acknowledged in the same manner as a deed to be recorded may appoint a trustee to represent the bondholders for the purpose herein provided

B Such trustee and any trustee under any deed of trust indenture or other agreement may and upon written request of the holders of twenty-five per centum (or such other percentages as may be specified in any deed of trust indenture or other agreement aforesaid) in principal amount of the bonds then outstanding shall in his or its own name

(a) By mandamus or other suit action or proceeding at law or in equity enforce all rights of the bondholders including the right to require the Authority to collect rates rentals and other charges adequate to carry out any agreement as to or pledge of the revenues or receipts of the Authority and to require the Authority to carry out any other agreements with or for the benefit of the bondholders and to perform its and their duties under this act

(b) bring suit upon the bonds

(c) by action or suit in equity require the Authority to account as if it were the trustee of an express trust for the bondholders

(d) by action or suit in equity enjoin any acts or things which may be unlawful or in violation of the rights of the bondholders

(e) by notice in writing to the Authority declare all bonds due and payable and if all defaults shall be made

good then with the consent of the holders of twenty-five per centum (or such other percentage as many be specified in any deed of trust indenture or other agreement aforesaid) of the principal amount of the bonds then outstanding to annul such declaration and its consequences

C The court of common pleas of the county shall have jurisdiction of any suit action or proceedings by the trustee on behalf of the bondholders Any trustee whether appointed as aforesaid or acting under a deed of trust indenture or other agreement and whether or not all bonds have been declared due and payable shall be entitled as of right to the appointment of a receiver who may enter and take possession of the facilities of the Authority or any part or parts thereof the revenues or receipts from which are or may be applicable to the payment of the bonds so in default and operate and maintain the same and collect and receive all rentals and other revenues thereafter arising therefrom in the same manner as the Authority or the board might do and shall deposit all such moneys in a separate account and apply the same in such manner as the court shall direct In any suit action or proceeding by the trustee the fees counsel fees and expenses of the trustee and of the receiver if any and all costs and disbursements allowed by the court shall be a first charge on any revenues and receipts derived from the facilities of the Authority the revenues or receipts from which are or may be applicable to the payment of the bonds so in default Said trustee shall in addition to the foregoing have and possess all of the powers necessary or appropriate for the exercise of any functions specifically set forth herein or incident to the general representation of the bondholders in the enforcement and protection of their rights

D Nothing in this section or any other section of this act shall authorize any receiver appointed pursuant to this act for the purpose of operating and maintaining any facilities of the Authority to sell assign mortgage or otherwise dispose of any of the assets of whatever kind and character belonging to the Authority It is the intention of this act to limit the powers of such receiver to the operation and maintenance of the facilities of the Authority as the court shall direct and no holder of bonds of the Authority nor any trustee shall ever have the right in any suit action or proceedings at law or in equity to compel a receiver nor shall any receiver ever be authorized or any court be empowered to direct the receiver to sell assign mortgage or otherwise dispose of any assets of whatever kind or character belonging to the Authority

Section 7 Governing Body A The powers of each Authority shall be exercised by a governing body (herein called the "Board") composed as follows

(a) If the Authority is incorporated by one municipality the board shall consist of five members each of whom shall be a citizen of such municipality the governing body of such municipality shall appoint the members of the board one of whom shall serve for one year one for two years one for three years one for four years and one for five years from the January first next succeeding the date of incorporation Thereafter the said governing body shall at a meeting held not later than one month prior to January first in each year in which a vacancy occurs appoint as a member of the board a citizen of the municipality for which the Authority is created for a term of five years to succeed the member whose term expires on the January first next succeeding

(b) If the Authority is incorporated by two or more municipalities the board shall consist of a number of members at least equal to the number of municipalities incorporating the Authority but in no event less than five When one or more additional municipalities join an existing Authority each of such joining municipalities shall have one member on the board The first of such members shall be appointed immediately upon the admission of the municipality into the Authority for a full term of years equal to that fixed for the other members of the board

The members of the board shall be appointed their terms staggered and vacancies filled and where the number of municipalities joining is less than five shall be apportioned in such manner as the articles of incorporation shall provide No member shall be appointed for a term longer than five years

B Members shall hold office until their successors have been appointed and may succeed themselves and shall receive such salaries as may be determined by the governing body or bodies of the municipality or municipalities but none of such salaries shall be increased or diminished by such governing body or bodies during the term for which the member receiving the same shall have been appointed A member may be removed for cause by the court of quarter sessions of the county in which the Authority is located after having been provided with a copy of the charges against him for at least ten days and full hearing by the court If a vacancy shall occur by reason of the death disqualification resignation or removal of a member the municipal authorities shall appoint a successor to fill his unexpired term In joint Authorities such vacancies shall be filled by the municipal Authorities of the municipality in the representation of which the vacancy occurs Whenever any municipality shall withdraw from a joint Authority the term of any member or members appointed from such municipality shall immediately terminate

C A majority of the members shall constitute a quorum of the board for the purpose of organizing the Authority and conducting the business thereof and for all other purposes and all action may be taken by vote of a majority of the members present unless in any case the by-laws shall require a larger number The board shall have full authority to manage the properties and business of the Authority and to prescribe amend and repeal by-laws rules and regulations governing the manner in which the business of the Authority may be conducted and the powers granted to it may be exercised and embodied The board shall fix and determine the number of officers agents and employes of the Authority and their respective compensation and duties and may delegate to one or more of their number or to one or more of said officers agents or employes such powers and duties as it may deem proper

Section 8 Moneys of the Authority All moneys of any Authority from whatever source derived shall be paid to the treasurer of the Authority Said moneys shall be deposited in the first instance by the treasurer in one or more banks or trust companies in one or more special accounts and each of such special accounts to the extent the same is not insured shall be continuously secured by a pledge of direct obligations of the United States of America of the Commonwealth or of the municipality or municipalities creating the Authority having an aggregate market value exclusive of accrued interest at all times at least equal to the balance on deposit in such account Such securities shall either be deposited with the treasurer or be held by a trustee or agent satisfactory to the Authority All banks and trust companies are authorized to give such security for such deposits The moneys in said accounts shall be paid out on the warrant or other order of the chairman of the Authority or of such other person or persons as the Authority may authorize to execute such warrants or orders Every Authority shall have at least an annual examination of its books accounts and records by a certified public accountant A copy of such audit shall be delivered to the municipality or municipalities creating the Authority If the Authority fails to make such an audit then the controller auditors or accountant designated by the municipality or municipalities are hereby authorized and empowered from time to time to examine at the expense of the Authority the accounts and books of the Authority including its receipts disbursements contracts leases sinking funds investment and any other matters relating to its finances operation and affairs

The Attorney General of the Commonwealth of Pennsylvania shall have the right to examine the books accounts and records of any Authority

Section 9 Transfer of Existing Facilities to Authority

A The Commonwealth the county or any city borough or township in the county or any owner may and they are hereby authorized to sell lease lend grant or convey to the Authority upon such terms and conditions as are mutually satisfactory to the Authority and the corporate authorities of the Commonwealth the county or any such city borough or township or owner any existing bridges tunnels streets highways parkways traffic distribution centers traffic circles parking spaces airports and all facilities necessary or incident thereto parks recreation grounds and facilities swimming pools sewers sewer systems or parts thereof sewage treatment works steam heating plants and distribution systems incinerator plants waterworks water supply works water distribution systems lakes or any part or parts thereof or any interest in real or personal property which may be used by the Authority in the construction improvement maintenance or operation of any project The Commonwealth the county or any city borough or township are also authorized to transfer assign and set over to the Authority any contracts which may have been awarded by said Commonwealth county city borough or township for the construction of projects not begun or if begun not completed The territory being served by any project or the territory within which such project is authorized to render service at the time of the acquisition of such project by an Authority shall constitute the initial area in which such Authority shall be authorized to render service

B No Authority shall acquire by any device or means whatsoever including a consolidation merger purchase or lease or through the purchase of stock bonds or other securities the title to or the possession or use of all or any substantial portion of any project as defined in this act which said project is subject to the jurisdiction of the Pennsylvania Public Utility Commission without the approval of the commission evidenced by its certificate of public convenience first had and obtained in accordance with ths procedure and investigations as to value as outlined in section two hundred three of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) known as the "Public Utility Law" The word "acquire" as used in this paragraph shall include only the acquisition of existing facilities

The Authority shall first report to and advise the municipality or municipalities by which it was created of the agreement to acquire including all its terms and conditions

The proposed action of the Authority and the proposed agreement to acquire shall be approved by the governing body of the municipality or municipalities which created or which are members of the Authority and to which the report is made Where there are one or two members municipalities of the Authority such approval shall be by two-thirds vote of all of the members of the governing body or of each of the governing bodies If there are more than two member municipalities of the Authority approval shall be by majority vote of all the members of each governing body of two-thirds of the member municipalities

C This section without reference to any other law shall be deemed complete for the acquisition by agreement of projects as defined in this act located wholly within or partially without the municipality or municipalities causing such Authority to be incorporated any provisions of other laws to the contrary notwithstanding and no proceedings or other action shall be required except as herein prescribed

Section 10 Competition in Award of Contracts A All construction reconstruction repairs or work of any nature made by any Authority where the entire cost value or amount of such construction reconstruction repairs or work including labor and materials shall exceed five hundred dollars ($500.00) except construction reconstruction repairs or work done by employes of said Authority or by labor supplied under agreement with any federal or state agency with supplies and materials purchased as hereinafter provided shall be done only under contract or contracts to be entered into by the Authority with the lowest responsible bidder upon proper terms after due public notice has been given asking for competitive bids as hereinafter provided No contract shall be entered into for construction or improvement or repair of any project or portion thereof unless the contractor shall give an undertaking with a sufficient surety or sureties approved by the Authority and in an amount fixed by the Authority for the faithful performance of the contract All such contracts shall provide among other things that the person or corporation entering into such contract with the Authority will pay for all materials furnished and services rendered for the performance of the contract and that any person or corporation furnishing such materials or rendering such services may maintain an action to recover for the same against the obligor in the undertaking as though such person or corporation was named therein provided the action is brought within one year after the time the cause of action accrued Nothing in this section shall be construed to limit the power of the Authority to construct repair or improve any project or portion thereof or any addition betterment or extension thereto directly by the officers agents and employes of the Authority or otherwise than by contract

B All supplies and materials costing five hundred dollars ($500.00) or more shall be purchased only after due advertisement as hereinafter provided Authority shall accept the lowest bid or bids kind quality and material being equal but the Authority shall have the right to reject any or all bids or select a single item from any bid The provisions as to bidding shall not apply to the purchase of patented and manufactured products offered for sale in a noncompetitive market or solely by a manufacturer's authorized dealer

C The terms advertisement or due public notice whereever used in this section shall mean a notice published at least ten (10) days before the award of any contract in a newspaper of general circulation published in the municipality where the authority has its principal office and if no newspaper is published therein then by publication in a newspaper in the County where the Authority has its principal office Provided That such notice may be waived where the Authority determines an emergency exists and such supplies and materials must be immediately purchased by the said Authority

D No member of the Authority or officer or employe hereof shall either directly or indirectly be a party to or be in any manner interested in any contract or agreement with the Authority for any matter cause or thing whatsoever by reason whereof any liability or indebtedness shall in any way be created against such Authority If any contract or agreement shall be made in violation of the provisions of this section the same shall be null and void and no action shall be maintained thereon against such Authority

E Subject to the aforesaid any Authority may (but without intending by this provision to limit any powers of such Authority) enter into and carry out such contracts or establish or comply with such rules and regulations concerning labor and materials and other related matters in connection with any project or portion thereof as the Authority may deem desirable or as may be requested by any Federal agency that may assist in the financing of such project or any part thereof Provided however That the provisions of this section shall not apply to any case in which the Authority has taken over by transfer or assignment any contract authorized to be assigned to it under the provisions of section nine of this act nor to any contract in connection with the construction of any project which the Authority may have had transferred to it by any person or private corporation

Section 11 Acquisition of Lands Water and Water Rights The Authority shall have the power to acquire by purchase or eminent domain proceedings either the fee or such right title interest or easement in such lands water and water rights as the Authority may deem necessary for any of the purposes mentioned in this act Provided however That water and water rights may not be

acquired unless and until approval is obtained from the Water and Power Resources Board in accordance with the law in such cases made and provided And provided further That no property devoted to a public use nor any property of a public service company property used for burial purposes places of public worship shall be taken under the right of eminent domain The right of eminent domain shall be exercised by the Authority in the manner provided by law for the exercise of such right by municipalities of the same class as the municipality by which such Authority was organized

In the case of a joint Authority eminent domain shall be exercised by the Authority in the same manner as is provided by law for the exercise of such right by municipalities of the same class as the municipality in which the right of eminent domain is to be exercised

Section 12 Use of Projects The use of the facilities of the Authority and the operation of its business shall be subject to the rules and regulations from time to time adopted by the Authority Provided however That the Authority shall not be authorized to do anything which will impair the security of the holders of the obligations of the Authority or violate any agreements with them or for their benefit

Section 13 Limitation of Powers The Commonwealth does hereby pledge to and agree with any person firm or corporation or Federal agency subscribing to or acquiring the bonds to be issued by the authority for the construction extension improvement or enlargement of any project or part thereof that the Commonwealth will not limit or alter the rights hereby vested in the Authority until all bonds at any time issued together with the interest thereon are fully met and discharged The Commonwealth of Pennsylvania does further pledge to and agree with the United States and any other federal agency that in the event that any Federal agency shall construct or contribute any funds for the construction extension improvement or enlargement of any project or any portion thereof the Commonwealth will not alter or limit the rights and powers of the Authority in any manner which would be inconsistent with the continued maintenance and operation of the project or the improvement thereof or which would be inconsistent with the due performance of any agreements between the Authority and any such federal agency and the Authority shall continue to have and may exercise all powers herein granted so long as the same shall be necessary or desirable for the carrying out of the purposes of this act and the purposes of the United States in the construction or improvement or enlargement of the project or such portion thereof

Section 14 Termination of Authority When any Authority shall have finally paid and discharged all bonds which together with the interest due thereon shall have been secured by a pledge of any of the revenues or receipts of a project it may (subject to any agreements concerning the operation or disposition of such project) convey such project to the municipality or municipalities creating the Authority When any Authority shall have finally paid and discharged all bonds issued and outstanding and the interest due thereon and settled all other claims which may be outstanding against it it may convey all its property to the municipality or municipalities and terminate its existence A certificate requesting the termination of the existence of the Authority shall be filed in the office of the Secretary of the Commonwealth If the certificate is approved by the municipality or municipalities creating the Authority by its ordinance or ordinances the said secretary shall note the termination of existence on the record of incorporation and return the certificate with his approval shown thereon to the board which shall cause the same to be recorded in the office of the recorder of deeds of the county Thereupon the property of said Authority shall pass to the municipality or municipalities and the Authority shall cease to exist

Section 15 Exemption from Taxation The effectuation of the authorized purposes of authorities created under this act shall and will be in all respects for the benefit of the people of the Commonwealth of Pennsylvania for the increase of their commerce and prosperity and for the improvement of their health and living conditions and since such authorities will be performing essential governmental functions in effectuating such purposes such authorities shall not be required to pay any taxes or assessments upon any property acquired or used by them for such purposes and the bonds issued by any Authority their transfer and the income therefrom (including any profits made on the sale thereof) shall at all times be free from taxation within the Commonwealth of Pennsylvania

Section 16 Authorities Formed Under Other Acts Any Authority heretofore or hereafter created or organized under the provisions of an act approved December twenty-seven one thousand nine hundred thirty-three entitled "An act providing for the creation of public 'Authorities' in counties of the second class authorizing such 'Authorities' to enter into agreements with the Government of the United States particularly as they relate to the National Industrial Recovery Act and any amendment and supplements thereto the Commonwealth of Pennsylvania and political subdivisions and municipalities thereof and with others defining and providing for the organization and dissolution of such 'Authorities' conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions upon which such 'Authorities' may exercise their powers endowing such 'Authorities' with the right of eminent domain and with the power to finance projects by the issuance and sale of bonds authorizing such 'Authorities' to make and receive appropriations repealing certain acts and parts of acts inconsistent herewith and for other purposes" shall have and may exercise in addition to any rights powers or purposes granted or conferred by such act or any amendment thereto all the rights and powers granted to Authorities created under this act and the purposes specified in section four of this act shall be included within the purposes of any Authority created or organized under the provisions of the aforesaid act and the rights powers and purposes of the described and conferred upon Authorities shall be cumulative with and not in limitation of the rights powers and purposes granted to or conferred upon such Authorities by any other act

Section 17 Constitutional Construction The provisions of this act shall be severable and if any of the provisions thereof shall be held to be unconstitutional such decision shall not affect the validity of any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 18 If a project shall have been established under this act by a board appointed by a municipality or municipalities which project is of a character which the municipality or municipalities have power to establish maintain or operate and such municipality or municipalities desire to acquire the same it or they may by appropriate resolution or ordinance adopted by the proper Authorities signify its or their desire to do so and thereupon the Authorities shall convey by appropriate instrument said project to such municipality or municipalities upon the assumption by the latter of all the obligations incurred by the Authorities with respect to that project

Section 19 This act shall apply to all Authorities now existing that were incorporated under the provisions of the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (P. L. 463) known as the "Municipality Authorities Act of one thousand nine hundred and thirty-five" and to those hereafter incorporated under the provisions of this act The provisions of this act so far as they are the same as those of existing laws are intended as a continuation of such laws and not as new enactments The repeal by this act of any act of Assembly shall not affect the existence of any Authority heretofore incorporated The provisions of this act shall not affect any act done liability incurred or right accrued or vested or affect any suit pending or to be instituted to enforce any right or penalty under the

authority of such repealed laws All rules and regulations made pursuant to any act of Assembly repealed by this act shall continue with the same force and effect as if such act had not been repealed

Section 20 The act approved the twenty-eighth day of June one thousand nine hundred thirty-five (P. L. 463) entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships defining the same prescribing the rights powers and duties of such Authorities authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and for other purposes" and its amendments are hereby repealed absolutely

Section 21 This act shal become effective immediately upon its final enactment

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. JASPAN. Mr. President and members of the Senate, the bill before us has been heralded as part of the stream clearance program. Apparently the newspapers have been misinformed. The purposes and powers of the authorities as outlined in section 4 of the bill, calls for, among other things, the acquiring, holding, constructing, and so forth, of sewers, sewer systems or parts thereof and sewage treatment works . . . With respect to this particular provision there is no change; it is identical in wording and meaning with the present municipal authorities act of 1935, and its amendments and supplements. Frankly, I do not think any change was intended by the authors of the present bill, with respect to the construction of sewers, sewer plants and sewage treatment plants. This particular bill was never intended, to my mind, as part of the stream clearance program.

I personally, as I have stated before, am definitely in favor of a stream clearance program. However, I do not intend to be stampeded, by people who do not know anything about it, into voting for something that was never intended. I am opposed to this bill because I feel it curbs the desires of the authorities and renders it more difficult for authorities to come into being.

I voted against proposed changes in the municipal authorities act in 1935, in 1941, and again in 1943, and I intend to vote "no" again tonight, the principal reason being section 9, sub-section "b", as outlined on page 24 of the present bill, wherein it states that "no authority shall acquire by any device or means whatsoever, including a consolidation, merger, purchase or lease, or through the purchase of stock bonds or other securities, the title to or the possession or use of all or any substantial portions of any project as defined in this act, which said project is subject to the jurisdiction of the Pennsylvania Utility Commission, without the approval of the Commission evidenced by its certificate of public convenience first had and obtained in accordance with the procedure and investigations as to value as outlined in section 203 of the act approved the 28th day of May, 1937, P. L. 1053, known as the Public Utility Law. The word "acquire" as used in this paragraph shall include only the acquisition of existing facilities."

This particular section, without any further ado, gives to the Public Utility Commission authority over property or existing facilities to be acquired by the authorities.

Mr. President and members of the Senate, may I go back to 1935? Mr. Heyburn, you command respect and I will ask the same thing for this side. I heard you and please cut it out, once and for all; if you want rough treatment you will get it. I think I have said enough. It is high time you respected the men on this side, and when you were on this side you got respect, and I am going to demand it; Mr. Heyburn, you should set an example as the leader of the group on that side. I am not going to say any more about it.

Municipal authority legislation was the natural outgrowth of the era of reckless municipal spending that led to makeshift economies and broken down municipal government. When the government started handing out largesses in ample abundance, the stricture on municipal borrowing capacity prevented many municipalities of the Commonwealth from enjoying this munificence and the legislature was forced to come to their rescue with passage of the Municipal Authorities Act in 1935. This piece of legislation, as passed in 1935, enabled cities and boroughs to undertake the acquisition and operation of projects, some self-supporting, to issue additional financing, and to generally carry on municipal activities and improvements that would have been otherwise impossible because their borrowing capacities had been exhausted. The act as originally conceived in 1935 set up a self-supporting institution entirely complete in all its details, and no need for interference by any other state group. In 1937 and 1939 the Municipal Authorities Act was amended to broaden its purposes, incinerator plants, waterworks, water supply works, water distribution and hospital motorbuses being included. In 1937 the municipal authorities act was amended authorizing municipalities to join each other in creating authorities. These amendments in the main strengthened the situation, and helped the authorities considerably, notwithstanding the fact that with respect to utility service that was given beyond the corporate limits the Public Utility Commission had jurisdiction, and still has as of this day.

Abuses have crept into the system, I admit, but you certainly can not burn the house down because there are a few rats in it. If the management of any particular authority is bad, I say get rid of the management, but do not burn down the house—the municipal authority.

Please note that municipal authorities have, by this bill and the amendment of 1943 been stripped of their power in a large measure. Mind you, up to 1941 the municipal authorities act remained the same as it was, strengthened by amendments introduced in 1937 and 1939. In 1941 an attempt was made to emasculate the bill by amendments but fortunately those amendments were defeated in the House. However, in 1943 the very same amendments, or amendments bordering on the same line, were introduced and passed and became law.

First, Mr. President, as you know, under this particular provision on page 24, section 9, sub-section (b), it is necessary that municipal authorities apply for a certificate of public convenience, putting them in the same category as any other corporation or individual. Not-

withstanding the fact that they are municipal corporations, as defined under the public utility laws of 1937, the authority is a municipal corporation. I repeat, municipal corporations, and as I said, authorities, come under this head and are exempt from operation of the public utility law. That is why the body here in 1939 passed an amendment—I have forgotten offhand the number of the act; however, in 1939 this body, and the House as well, and it was signed by Governor James, exempted municipalities from the operations of the public utility law.

Why need the municipal authorities now apply for certificates of public convenience, notwithstanding the fact that we exempt them from the operation of the law. The need for it has already been established by the existing utility that is ready to sell its facilities, otherwise it could never have operated. I think I have made myself clear on that point.

Why investigations as to the value of property offered for sale to the authority? The ordinary valuation proceedings with respect to the forming of a rate base, so that a rate can be established, takes years, and we have learned that through bitter experience.

Mr. President, it is one thing to determine value for rate-making purposes, but it is still another thing to determine fair value for the purpose of sale by a private utility to a municipal authority. The present earnings of the company—the private utility—are an important factor in determining the fair value for the purposes of sale, but the element is of no consequence in determining the fair value for rate-making purposes. Negotiation between prospective buyer and seller is the only method that can possibly be used to effect a sale. The Commission can reject a sale but can not compel it, if the parties do not get together. If buyer and seller agree, the Commission will only serve as a redundant factor. The Commission has no power to enforce its own determination of a fair selling price if the buyer and the seller do not agree.

However, with respect to establishing a rate base it is an entirely different story. They have the right—and we gave it to them—to fix rates. Common stockholders alone have this power, and if their interests are being prejudiced they have their remedy in court, that is, with respect to the sale of a private utility to a municipal authority or anybody else.

Mr. President, can you appreciate the significance of these provisions Endless delay, confusion, and with a discredited Commission now in office, what can you expect—little or no aid by the Commission for the authorities, but plenty for private utilities. Why the need now for a new authorities act, thereby repealing all preceding acts and amendments? I see no sense or point to it. I do not question the authors of the bill; I think they are honest and mean well—when it was introduced and I mean that today, and I mean what I say, but as I said before, false rumors have been circulated concerning it to enforce passage by the newspapers, by the radio, the propaganda being used to club us into passing a bill, maintaining that it was a part of the stream clearance program, when in fact it is not. There is not one provision in it that enlarges on the purposes of the original authorities act, particularly with respect to sewage disposal plants.

However, I will not succumb to the entreaties made by newspapers. based on false logic and propaganda. By and large municipal authorities have done, and today are doing, a good job. Let us not hamper them.

The bill before us is rather lengthy and contains provisions that may spell the death sentence for some authorities. I do not mind safeguards, but I certainly do object to obstacles, and I say to you, Mr. President and members of the Senate, that section 9, sub-section (b) is an obstacle. Protection, in my mind, Mr. President, should be had for all. This bill, as well as the bill that was enacted, or the amendment to the original authorities act as enacted in 1943, did a lot for the investor but very little for the consumer, that is true. A Senate committee met and determined and learned of some abuses that had crept into the system. I agree with them that safeguards should be put into the bill, and some have.

However, some obstacles have been put into the bill as well, and I refer to this section again, section 9, subsection (b), page 24 of the bill. Why not do something for the consumer? He is the one who ultimately will benefit, particularly as to rates and service. He has to foot the bill in the final analysis.

I say to you, Mr. President, strike out this particular provision—and I hope the author of the bill is within hearing distance—I do not know—oh, there he is—and I shall be only too glad to vote for this particular bill here.

Mr. COX. Mr. President, I had not expected to speak on this bill today. I thought this issue raised by the Senator from Philadelphia was settled in 1943 when we amended the municipal authorities bill. The Senate members will recall our reason for amending the bill at that time.

A situation surrounding acquisition of utilities by municipal authorities had arisen in both Delaware and Westmoreland counties. The Senator from Westmoreland, Senator Dent, in a speech on the floor of this Senate acquainted the Senate with certain facts. The Senate thought that it was imperative that there be an investigation of acquisition by municipal authorities and because of that attitude a Senate committee was appointed to make an investigation. The gentleman from Lebanon, Senator Becker, was Chairman of that Committee and the gentleman from Westmoreland, Senator Dent, was a member. I was a member. We held several public hearings, and as a result of our experience we found that the boondoggling days of the eighteen hundreds had been transcended in Pennsylvania as a result of acquisition of many municipal authorities. We found that practically all the utilities of one nature, through the years, had been acquired by one group of financiers, and they had devised a very lucrative system by which they were able to peddle their water companies and other utilities to municipal authorities.

We found that one of the difficulties was that when a community organized an authority, the authority had not any money to spend, and if an authority, to use an example, was formed for the purpose of acquiring a water company, it had not any money with which to employ an engineer to investigate the facilities of that company, to determine what the proper purchase price was. We found all kinds of chicanery surrounding the acquisition of these utilities.

During the time of our investigation a situation came

up in Allegheny county, in which the borough of Wilkinsburg was attempting to acquire the Pennsylvania Water Company, which serviced eighteen separate municipalities. The borough council of Wilkinsburg met in star session—I can not allege fraud because I know of no fraud—but certainly the circumstances surrounding the meetings held by that body, which were certainly illegal because they were not public, were such as to indicate there was something rotten in Denmark or the attempt would not have been made at that time in the manner in which it was, to acquire the Pennsylvania Water Company.

As a result of the power of this committee we had a hearing in Harrisburg at which we were able to have present all the parties involved and get a complete disclosure, and that was the end of the Wilkinsburg attempt to acquire the Pennsylvania Water Company.

The section with which the Senator from Philadelphia finds the most fault is this section which gave authority to the Public Utility Commission to investigate the terms of a purchase. That power was placed in the Public Utility Commission because we could not devise any other governmental body that could investigate the cost. If that had not been inserted I personally would have been against continuance of municipal authorities. I am a great believer in public ownership of utilities, whether it be by direct acquisition of the municipality, or whether it be in the form of a municipal authority.

The things that I know have happened, because of having served on this committee, indicated to me the situation had to be rectified and this section of the law rectified it.

After this particular amendment passed, the committee continued its work and there was pointed out to the committee many other things relative to the law, which were minor in nature and procedural in form, amendments which should be made, those amendments were collected, and at this session of the Legislature the committee agreed that the amendments would be proposed. Then it was found it would make such a patch-work quilt of the bill that it was thought advisable to repeal the old act and include the amendments in a new bill, and that is what has happened here.

There is one thing I would like to add, Mr. President, and that is this question of rate-making. When it comes to utilities owned by municipalities, I personally was absolutely opposed to the Public Utility Commission having any right to fix rates. There is quite a difference between a utility which is a corporation and run for the profit of stockholders and bondholders, and a utility which is owned by the people who consume the product of the utility. At one time I was solicitor of a little borough which had a light plant; the income from that light plant ran that borough. We had very little taxable property. The assessed value of our taxable property was so small that the tax rate would have been tremendous without that light plant, and it has certainly worked to the advantage of everyone in that community, and so I can not see eye to eye with the Senator from Philadelphia. I know the sincerity of his stand here today; he has demonstrated on the floor of this Senate many times his interest in the question of public utilities, and he has made many suggestions to members of the Senate which I have often thought should have been incorporated into the laws of this Commonwealth.

Mr. JASPAN. Mr. President, I desire to interrogate the gentleman from Allegheny, Senator Cox.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be interrogated.

Mr. COX. Mr. President, I am willing to be interrogated.

Mr. JASPAN. Mr. President, I desire to know whether this particular bill forms any part of the stream clearance program, if he knows.

Mr. COX. Mr. President, the question of stream pollution was never discussed at any meeting of the committee investigating authorities, at which I was present.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	DiSilvestro,	Leader,	Tallman,
Becker,	Ealy,	Letzler,	Taylor,
Berger,	Farrell,	Mallery,	Thomas,
Blass,	Geltz,	Margie,	Troutman,
Bowers,	Gourley,	McCreesh,	Tyler,
Carr,	Haluska,	McGinnis,	Wade,
Coleman,	Heyburn,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	James,	Scarlett,	Woodring,
Crowe,	Kephart,	Snowden,	Woodward,
Dent,	Klein,		

NAYS—7

Chapman,	Jaspan,	Stevenson,	Wilson,
Holland,	Jones,	Stiefel,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 425, on third reading, entitled:

An Act authorizing individual co-fiduciaries in certain cases to consent to holding of investments in the name of their corporate co-fiduciaries' nominee and validating such consents heretofore given

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 440, on third reading, entitled:

An Act authorizing cities of the third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities

be recommitted to the Committee on Municipal Government for the purpose of further study.

Mr. TALLMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. DENT. Mr. President, I desire to interrogate the Majority Floor Leader.

The PRESIDENT. Will the gentleman from Delaware permit himself to be interrogated.

Mr. HEYBURN. I will, Mr. President.

Mr. DENT. Will the gentleman from Delaware explain to me why this bill is to be recommitted at this time?

Mr. HEYBURN. For further study, Mr. President.

Mr. DENT. Mr. President, I know that is the usual answer, but would the gentleman from Delaware give me the real reason.

Mr. HEYBURN. Just what I said, Mr. President, for further study. There was objection raised in the Republican Caucus by some of the constitutional lawyers in the group, including the gentleman from Allegheny, Senator Walker, I believe.

Mr. DENT. Thank you. This bill, as I understand it, deals with third-class cities. I have five third-class cities in my senatorial district, and each and every one of them is in favor of this piece of legislation. I have heard no objection on the part of anybody who represents third-class city governments.

I appreciate the fact that any bill can stand further study, but after the method in which we have passed many bills in the years that I have been here, I think this bill has been studied by those who represent third-class cities and I therefore object to the motion to have this bill recommitted to the Committee on Municipal Government, for I feel once recommitted it will never re-emerge.

Mr. HEYBURN. Mr. President, this bill sets up a retirement system for officers and employes independently of any pension system or systems existing in such cities, and the question has been raised as to whether or not the provisions of this bill were not too broad. If the gentleman from Westmoreland will read page 7, Section 10, which reads: "The councils of the cities shall annually set aside, apportion and appropriate out of all taxes and income of such city unto the board a sum sufficient to maintain the compensation due under this act."

The question was raised whether this was worked out actuarially and no one seemed to know, and that is the reason the bill is being sent back to committee, for further study.

Mr. DENT. I might suggest, Mr. President, to the gentleman from Delaware, that if he will permit the bill to remain on the Calendar, I will have somebody who represents third-class cities speak to him tomorrow and give him actuarial figures to prove that this is a decided improvement over the present system allowable by law.

This is a system that will in the long run save the communities from disaster, and under the present system of time-pensions it will create disaster.

Mr. HEYBURN. Mr. President, I suppose the gentleman from Westmoreland is aware of the fact that there already is legislation on the statute books of the Commonwealth which provides for a pension system for third-class cities.

Mr. DENT. I am aware of that fact, Mr. President, and that is exactly the reason for the introduction of this bill, because the present legislation would bankrupt any third-class city, if it tried to adhere to this bill, and it was upon the advice of the Local Government Commission that third-class cities have not participated in the present retirement system allowable by law.

Mr. HEYBURN. Mr. President, I can not quite follow that line of argument, because one of the objectors in our Caucus has for a long time been a prominent member of the Local Government Commission.

Mr. DENT. I would like to interrogate that gentleman.

Mr. HEYBURN. That gentleman is not at the moment here; to the best of my knowledge he will be here later on.

Mr. DENT. I might say for the information of the Senate that when the retirement bill was passed, third-class city governments had a representative go before the Local Governments Commission and show them from actuarial figures that the system allowable by that act of the legislature would bankrupt the third-class cities in due course, and they advised the representative of the third-class cities in the state to contact his membership and ask them not to participate in the retirement system, and therefore make it inoperative.

I therefore suggest to the gentleman from Delaware that by defeating this piece of legislation you deny to employes of third-class cities the right to participate in a retirement system, because the present retirement system is not operative.

Mr. WOODWARD. Mr. President, if the Democrats succeed in repealing the wage tax, Philadelphia will at once become a third class-city, and as we are on the brink of that, I think I can now speak for third-class cities in answer to the question of the gentleman from Westmoreland, Senator Dent.

I am a member of the committee which considered this bill, and it was touch and go whether the bill would come out of committee.

The objection is that it is actuarily unsound. As Senator Dent well knows, the two best pension systems in this Commonwealth are those pertaining to teachers and state employes—they are actuarily sound and they will not go on the rocks, but municipal pension systems do go on the rocks, and this one was shown to be glaringly unfair and altogether in favor of employes and against the interests of the taxpayers.

Mr. DENT. Mr. President, I would suggest to the gentleman from Philadelphia that there is no question now of setting up some system of pensions for the employes, in favor of employes against the municipalities. This is a question of setting up a retirement pension system that can be participated in by the municipality without facing bankruptcy or financial catastrophe.

This is an improvement over the present act, which the gentleman from Philadelphia, Doctor Woodward, voted for.

Mr. WOODWARD. Does the gentleman from Westmoreland mean it is voluntary?

Mr. DENT. Mr. President, it is only a "may" bill but not a "must" bill.

Mr. WOODWARD. The sticker seems to be the three per cent paid by the employe and all deficits incurred made up by the taxpayer.

Mr. DENT. That is true, but the school teachers and state employes retirement fund have the same feature; they contribute to a certain extent and then we, as taxpayers, make up the amount that is paid out where they do not earn sufficient funds to do so. In fact, Senate Bill No. 29, on today's Calendar, makes up that deficiency.

Mr. WOODWARD. As the Senator from Westmoreland ought to know, in the two good retirement funds which I have mentioned, it is a fifty-fifty proposition, and this is far from that.

Mr. DENT. Mr. President, does the gentleman from Philadelphia know what the present retirement system would require from a municipality?

Mr. WOODWARD. I do not, but I claim to know something about the state employes retirement fund and the teachers retirement fund, and they are fifty-fifty.

Mr. DENT. I have no objection to the state employes retirement fund, nor to the teachers retirement fund, and if I had the opportunity today I would vote again and again and again for them, but I see no reason to deny employes of third-class cities the right of retirement—they are not covered under the Social Security Act and have no way of retiring at a reasonable age from their labors.

Mr. WOODWARD. May I say this in conclusion, so far as I am concerned, that they now have a very bad system in Erie, and this is supposed to be a shade better than what they have there, according to the mayor and the city solicitor. The sponsor of this bill is going to have a heart-to-heart talk with the mayor and the city solicitor and bring in a better bill. That is the idea.

Mr. DENT. I thank the gentleman from Philadelphia very kindly. Coming from a third-class city like Philadelphia, the discussion of the gentleman from Philadelphia, Dr. Woodward, has been very informative.

Now, Mr. President, I desire to interrogate the gentleman from Erie, Senator Blass.

The PRESIDENT. Will the gentleman from Erie permit himself to be interrogated?

Mr. BLASS. I will, Mr. President.

Mr. DENT. As the sponsor of this particular piece of legislation, does the gentleman from Erie not think it is a decided improvement over the present system?

Mr. BLASS. It certainly is a very decided improvement over the system that we now have in Erie, and for that reason I sponsored this bill, at the instance of the mayor of the city, the city solicitor and the city fathers, all from a non-partisan standpoint.

Mr. DENT. Have the mayor, the city solicitor and the city fathers been consulted about sending it back to committee?

Mr. BLASS. They have not been consulted about anything except the welfare of this bill.

Mr. DENT. Does the gentleman from Erie think it is going to be an asset if this bill is sent back to the committee on Municipal Government?

Mr. BLASS. Frankly I think the bill has a lot of merit except perhaps one clause, section 10, might be inquired into as to whether or not it is actuarily sound. So far we have no evidence to back up that particular clause, and for that reason I had no argument to offer when the proposition was proposed in Caucus today.

However, it is a great improvement over our present pension system. Under the present pension system in the city of Erie a man on a small salary contributes just as much to the fund as the highest paid employe, including the mayor and other high paid city officials. Under the present plan, as proposed, each employe would contribute three per cent of his income.

Mr. DENT. I wish the gentleman would allow me to explain that one particular item for the benefit of Senators who do not come from third-class cities.

With the permission of the gentleman from Erie, I would like to say to the Senate that under the present system the solicitor, for instance, in the city of Erie, receives $6,500 a year compensation; there is a total amount allowable under the act of $48 per year as a contribution towards the retirement system. The ordinary individual who works as an employe of the city and receives a salary or stipend of $200 a month pays the same amount as the individual receiving $6,500 or $7,000 a year, and yet under the system now in vogue, when the solicitor retires or receives retirement pension he would be eligible to receive one half of his base pay or $3,250 a year, and the individual who paid exactly the same amount into the fund would receive approximately $1,200 a year.

If the question of the soundness of the actuarial figures of this bill we have now introduced is taken into consideration, certainly you can never show any sane individual where there is any semblance of any actuarial soundness to the present system now in vogue.

I am only pleading for the passage of this bill, or at least to allow it to remain on the Calendar where we can all get a shot at it if necessary, rather than send it back to committee without giving us opportunity to prove the condition in our own communities.

I represent probably more third class cities than any other individual in the Senate and I am more concerned than any one else in this Senate over the fate of this particular bill.

I would like to have the bill go over in its order, rather than have it sent back to committee, as it then becomes the property of the committee and not the property of the Senate.

And the question recurring,

Will the Senate agree to the motion?

Mr. DENT. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. DENT and were as follows, viz:

YEAS—28

Berger,	Geltz,	Mallery,	Troutman,
Becker,	Heyburn,	Scarlett,	Tyler,
Carr,	Homsher,	Snowden,	Wade,
Chapman,	James,	Stevenson,	Wagner,
Crider,	Jones,	Tallman,	Walker,
Ealy	Kephart,	Taylor,	Wilson,
Farrell,	Letzler,	Thomas,	Woodward,

NAYS—18

Barr,	DiSilvestro,	Klein,	McGinnis,
Blass,	Gourley,	Leader,	Ruth,
Coleman,	Haluska,	Margie,	Stiefel,
Cox,	Holland,	McCreesh,	Woodring,
Dent,	Jaspan,		

PRESENT—1

Bowers,

So the question was determined in the affirmative.

BILLS RECOMMITTED

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 455, on third reading, entitled:

An Act to amend section twenty-one of, and add section twenty point one to the act, approved the second day of June, one thousand nine hundred thirty-three (P. L., 1433), entitled "An act defining the powers of the courts of quarter sessions, the Municipal Court of Philadelphia, and the County or Juvenile Court of Allegheny County, with respect to the care, guidance, control, trial, placement and commitment of delinquent, dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency, neglect and dependency of children; and amending, revising and consolidating the law relating thereto," by defining the jurisdiction of the juvenile courts and making parents responsible for delinquency of children under the age of fourteen years; and prescribing penalties

be recommitted to the Committee on Judiciary General.

Mr. SNOWDEN. Mr. President, I second the motion.

The motion was agreed to.

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 456 on third reading, entitled:

An Act to amend section four hundred nineteen of, and to add section four hundred eighteen point one, to the act approved the third day of June, one thousand nine hundred thirty-three (P. L. 1449), entitled "An act establishing a court of record in the county of Allegheny for control, care, guidance, treatment, trial, placement and commitment of delinquent, neglected and dependent children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging delinquency, neglect or dependency of children; defining the jurisdiction and powers of the court, and regulating procedure therein; providing for the transfer thereto of certain powers, functions and duties from other courts, providing for the election of judges thereof, the appointment of probation officers, other necessary staff officials and assistants; providing for housing of same, and providing for detention facilities; making the contributing to or encouraging of the delinquency, neglect or dependency of children a misdemeanor; and providing penalties," by defining the jurisdiction of the juvenile courts, making parents responsible for delinquency of children under the age of fourteen years; and prescribing penalties

be recommitted to the Commitee on Judiciary General.

Mr. SNOWDEN. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. KEPHART. Mr. President, I ask unanimous consent that Senate Bill No. 462 on third reading, entitled:

An Act establishing a mode of selecting and drawing jurors for counties of the first class, and imposing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 483, as follows:

An Act to add clause fifty-five to section two thousand four hundred three of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" authorizing the acquisition and maintenance of parking lots and the exercise of the power of eminent domain therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two thousand four hundred three of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" is hereby amended by adding at the end thereof a new clause to read as follows

Section 2403 Specific Powers In addition to other powers granted by this act the council of each city shall have power by ordinance

* * * * *

55 Parking Lots To acquire by lease purchase or condemnation proceedings any land which in the judgment of city council may be necessary and desirable for the purpose of establishing and maintaining parking lots and to regulate the use thereof

Section 2 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Coleman,	Holland,	McGinnis,	Wade,
Cox,	Homsher,	Rosenfeld,	Wagner,
Crider,	James,	Ruth,	Walker,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Jones,	Snowden,	Woodring,
DiSilvestro,	Kephart,	Stevenson,	Woodward,

NAYS—1

Chapman,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 484, as follows:

An Act to amend Article six Section six hundred and two of the Act approved May eighteen one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by making further provision relating to the acquisition of real estate for the construction of school buildings

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article six Section six hundred and two of the Act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the Act of April twenty-seventh one thousand nine hundred and twenty-five (P. L. 348) is hereby amended by adding at the end thereof the following

Provided however that title to no such real estate shall pass to any school district and no such real estate title to which shall not have passed to the school district prior to March twelfth one thousand nine hundred forty-five shall be used for school purposes unless the Superintendent of Public Instruction shall have approved such real estate as a proper site for the construction thereon of a school building and found that the construction of such school building within a period of not less than three years from the date of acquisition of such real estate is necessary All duties necessary to a determination of whether or not such approval shall be given and finding made in any case are hereby imposed on the Superintendent of Public Instruction

Section 2 The provision of this Act shall become effective immediately upon final enactment

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill on third reading?

Mr. COX. Mr. President, I desire to interrogate the gentleman from Fayette, Senator Bowers.

The PRESIDENT. Will the gentleman from Fayette permit himself to be interrogated?

Mr. BOWERS. I will, Mr. President.

Mr. COX. Will the gentleman from Fayette tell me the purpose he is trying to accomplish in this bill?

Mr. BOWERS. Mr. President, in years past school districts throughout the Commonwealth have purchased land for future improvements and building. After receiving clear title to this property time may elapse for six, seven, eight or ten years before anything is done with the property or any building is even considered.

This bill, Mr. President, limits the time after a clear title has been received, providing a limit of three years within which they must do something with the land.

Mr. COX. Mr. President, I desire to further interrogate the gentleman from Fayette.

The PRESIDENT. Will the gentleman from Fayette permit himself to be further interrogated?

Mr. BOWERS. I will, Mr. President.

Mr. COX. Will the gentleman from Fayette tell me what difference it makes if these school districts have these lands for eight or ten years and have not constructed school buildings on them?

Mr. BOWERS. Mr. President, school property is tax free and this prohibits and stops the paying of taxes after three years.

Mr. COX. Mr. President, from practical experience I know that one of the difficulties in all government, whether it is state, federal or municipal, is the lack of foresight. Land is developed on plans, houses are built, villages are formed, villages increase in size and become boroughs and then cities

At the beginning of many of these municipal corporations if people could have looked ahead and could have realized the potential population, they would have acquired land when it could have been acquired in locations which would make it suitable for school purposes. I have found in many instances that when it came time to build a school or to afford playground facilities, that the best locations were gone and those locations which were procurable had to be procured at tremendous cost.

I personally think that this is a step in the wrong direction. Instead of helping the schools to plan for when they are in need, it will handicap the schools and lead to great expenditure of public finances.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Ealy,	Leader,	Stiefel,
Becker,	Farrell,	Letzler,	Tallman,
Berger,	Geltz,	Mallery,	Taylor,
Blass,	Haluska,	Margie,	Thomas,
Bowers,	Heyburn,	McCreesh,	Troutman,
Carr,	Holland,	McGinnis,	Tyler,
Chapman,	Homsher,	Rosenfeld,	Wade,
Coleman,	James,	Ruth,	Wagner,
Crider,	Jaspan,	Scarlett,	Walker,
Crowe,	Jones,	Snowden,	Wilson,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,	Klein,		

NAYS—3

Cox,	Gourley,	Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 488, as follows:

An Act to amend Section 3 of the act approved the twelfth day of June one thousand nine hundred thirty-one (P. L. 568) entitled "An act to expedite and simplify the collection of payment by banks of checks and other instruments for the payment of money" by making further provision concerning the revocation of credits given by a bank for items drawn on or payable at such bank

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 3 of the act approved the twelfth day of June one thousand nine hundred thirty-one (P. L. 568) entitled "An act to expedite and simplify the collection and payment by banks of checks and other instruments for the payment of money" is hereby amended to read as follows

Section 3 Item on Same Bank A credit given by a bank for an item drawn on or payable at such bank shall be provisional subject to revocation at or before the end of the business day following the day on which the item is deposited in the event the item is found not payable for any reason Whenever a credit is given for an item deposited after banking hours such right of revocation may be exercised during the next business day after the following business day

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 510, as follows:

A Act to amend section four hundred eleven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by providing for the appointment of two additional members of the Pennsylvania Historical Commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred eleven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" is hereby amended to read as follows

Section 411 Pennsylvania Historical Commission The Pennsylvania Historical Commission shall consist of the Superintendent of Public Instruction ex officio and [five] seven citizens of the Commonwealth

[Three] Four members of the commission shall constitute a quorum

The commission shall select from their number a chairman and shall elect a secretary who need not be a member of the commission

The secretary shall receive such compensation as the commission shall with the approval of the Superintendent of Public Instruction determine

Section 2 The two additional members of the said commission to be appointed by the Governor by reason of this amendment shall be chosen from sections of the Commonwealth not now represented on the commission

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. DENT. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection?

Mr. EALY. The gentleman from Westmoreland, Senator Dent, spoke to me about offering amendments. In view of the fact the Calndar has been pushed along rather hastily during the last week, I think perhaps he should have opportunity to offer the amendments, but as the gentleman from Westmoreland explained the proposed amendments to me, they would be putting this historical commission into politics, and I believe we should vote down the amendments which he is about to offer.

The PRESIDENT. The gentleman from Somerset does not object to the offering of amendments?

Mr. EALY. I think it will be all right to let him present the amendments.

Mr. DENT. Mr. President, I offer amendments at this time.

The Clerk read the amendments as follows:

Amend the title, page 2, by adding at the end of the title the following; "said members to be of the minority party in the Commonwealth to be approved by the State Committee of the minority party"; Amend Section 2, page 3, lines 21 and 22, by striking out the words, "shall be chosen from sections of the Commonwealth not now represented on the commission," and inserting in lieu thereof the words, "shall be members of the minority party in the Commonwealth to be approved by the State Committee of the minority party."

On the question,

Will the Senate agree to the amendments?

Mr. DENT. I know that in a strictly non-political state like Pennsylvania it seems, according to the remarks of the gentleman from Somerset, that I am trying to throw the historical commission into partisan politics.

I might say, Mr. President, that every member of the historical commission today is a registered Republican and, of course, that is not political in one sense because they are not bi-partisan, it is at least one-party politics,

but, Mr. President, in the great and enlightened state of New York for many years they have had a rule set up under state government whereby all commissions named have minority representation and the said minority is appointed by the responsible head of the minority party.

We in Pennsylvania have for years passed certain bills setting up certain commissions which called for minority representation, and the vogue has been always to name a member of the minority that is acceptable to the majority.

We believe, Mr. President, that the time has come when a start must be made towards giving all the people of Pennsylvania some representation on all the commissions named. We are willing as the minority party to say to you that when the precedent is set by the now majority party, we will respect that precedent when, in the very near future, we become the majority party in Pennsylvania, and we will stand honor-bound to name only men to the minority positions on commissions that the minority party of the future shall designate through their elected and responsible heads.

You know and I know that under the Liquor Board set-up, for instance, in Pennsylvania, we had minority representation at all times until Governor James became the Governor of the Commonwealth and a vacancy existed and rather than sully the precedent that had been set up whereby a minority member must be appointed to that board, he refrained during his term of four years from naming anybody, and that has been followed by the present Governor, so that at this late date we still have only two members on the Liquor Control Board, and the law specifically calls for three members.

But I say, Mr. President, if we had a set-up whereby the minority was represented on all commissions, and that minority membership should be selected by the responsible heads of the minority party, we would have better government in Pennsylvania instead of this strictly one-party government at all times, whether your party is in power or my party is in power.

I do not think the people in Pennsylvania get a just government under the present system, and I therefore ask the members of this Senate to reconsider their rather hasty vote upon the question of naming to the historical commission two members of the Democratic Party, which I believe is the majority party in Pennsylvania so far as the people are concerned.

And the question recurring,

Will the Senate agree to the amendments?

(A voice vote having been taken the question was determined in the negative.)

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. STEVENSON. Mr. President, I ask unanimous consent that Senate Bill No. 523, on third reading, entitled:

An Act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts, and vocational school districts; conferring powers and imposing duties on tax collectors, courts and various officers of said polical subdivisions; and prescribing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 552, as follows:

An Act to further amend section two hundred twenty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" authorizing the use of eel chutes in the Delaware River above Easton

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred twenty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" as last amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 314) is hereby further amended to read as follows

Section 220 Resident Fishing License Fees For the purposes of this article every person sixteen years of age and upward upon application to any issuing agent within the Commonwealth or to the Department of Revenue and upon the establishment of his identity to the satisfaction of the issuing agent or the Department of Revenue by producing a bank book letters lodge cards police cards a motor vehicle operator's permit or some other positive means of identification that he has been a bona fide resident of this Commonwealth for a period of sixty days next preceding his application and was born in the United States and in the case of naturalized foreign-born residents the production of such applicant's naturalization papers shall upon the payment to the issuing agent or the Department of Revenue of a license fee of one dollar and

fifty cents ($1.50) for the use of the Commonwealth and in the event that the license is issued by an issuing agent a fee of ten cents (10c) for the use of the issuing agent be entitled to the license herein referred to as "a resident fishing license"

For the duration of the present war any person with the above qualifications who is in service with the armed forces of the United States shall be issued such license upon application to any county treasurer within the Commonwealth without the payment of the above license fee provided for the use of the Commonwealth

The application for the issuance of a license in such case shall in addition to the other information required give the serial number of the branch of service to which the applicant is attached together with the applicant's rank company battalion regiment division and other military organization

In case the license certificate is lost or destroyed a duplicate can be secured from the Department of Revenue by making affidavit to that effect In case the button is lost or destroyed the licensee can make a duplicate and in case both the license certificate and the button are lost or destroyed a new license and button may be secured from the Department of Revenue upon making affidavit to that effect and the payment of a fee of fifty cents (50c)

Upon the making of an application by any person to the Department of Revenue for a special license to catch eels by the use and operation of eel chutes and the payment of a fee of one dollar ($1.00) for the use of the Commonwealth such person shall be entitled to a special eel chute license and a special metal tag which shall give him the right to use and operate an eel chute in the Susquehanna River below the boundary line of the city of Pittston and the Duryea Borough line on the north branch below the bridge at the Northumberland-Lycoming County line on the west branch in the Juniata River below Mount Union and in the Delaware River [below Easton] in accordance with the provisions of this act

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 631, as follows:

An Act approving ratifying and enacting into law the Ohio River Valley Sanitation Compact for the prevention abatement and control of pollution of the rivers streams and waters in the Ohio River drainage basin and making the State of Pennsylvania a party thereto creating the "Ohio River Valley Water Sanitation Commission" providing for the members of such commission from the State of Pennsylvania and providing for the carrying out of said compact after the conclusion of hostilities of the present war

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Ohio River Valley Water Sanitation Compact Approved The following Ohio River Valley Water Sanitation Compact which has been negotiated by representatives of the States of Illinois Indiana Kentucky New York Ohio Pennsylvania Tennessee and West Virginia is hereby approved ratified adopted enacted into law and entered into by the State of Pennsylvania as a party thereto and signatory state namely

Ohio River Valley Sanitation Compact

Whereas A substantial part of the territory of each of the signatory states is situated within the drainage basin of the Ohio River and

Whereas The rapid increase in the population of the various metropolitan areas situate within the Ohio drainage basin and the growth in industrial activity within that area have resulted in recent years in an increasingly serious pollution of the waters and streams within said drainage basin constituting a grave menace to the health welfare and recreational facilities of the people living in such basin and occasioning economic loss and

Whereas The control of future pollution and the abatement of existing pollution in the waters of said basin are of prime importance to the people thereof and can best be accomplished through the cooperation of the states situated therein by and through a joint or common agency

Now Therefore The States of Illinois Indiana Kentucky New York Ohio Pennsylvania Tennessee and West Virginia do hereby covenant and agree as follows

Article I

Each of the signatory states pledges to each of the other signatory states faithful cooperation in the control of future pollution in and abatement of existing pollution from the rivers streams and waters in the Ohio River Basin which flow through into or border upon any of such signatory states and in order to effect such object agrees to enact any necessary legislation to enable such state to place and maintain the waters of said basin in a satisfactory sanitary condition available for safe and satisfactory use as public and industrial water supplies after reasonable treatment suitable for recreational usage capable of maintaining fish and other aquatic life free from unsightly or malodorous nuisances due to floating solids or sludge deposits and adaptable to such other uses as may be legitimate

Article II

The signatory states hereby create a district to be known as the "Ohio River Valley Water Sanitation District" hereinafter called the district which shall embrace all territory within the signatory states the water in which flows ultimately into the Ohio River or its tributaries

Article III

The signatory states hereby create the "Ohio River Valley Water Sanitation Commission" hereinafter called the commission which shall be a body corporate with the powers and duties set forth herein and such additional powers as may be conferred upon it by subsequent action of the respective legislatures of the signatory states or by act or acts of the Congress of the United States

Article IV

The commission shall consist of three commissioners from each state each of whom shall be a citizen of the state from which he is appointed and three commissioners

representing the United States Government The commissioners from each state shall be chosen in the manner and for the terms provided by the laws of the state from which they shall be appointed and any commissioner may be removed or suspended from office as provided by the law of the state from which he shall be appointed The commissioners representing the United States shall be appointed by the President of the United States or in such other manner as may be provided by Congress The commissioners shall serve without compensation but shall be paid their actual expenses incurred in and incident to the performance of their duties but nothing herein shall prevent the appointment of an officer or employe of any state or of the United States Government

Article V

The commission shall elect from its number a chairman and vice-chairman and shall appoint and at its pleasure remove or discharge such officers and legal clerical expert and other assistants as may be required to carry the provisions of this compact into effect and shall fix and determine their duties qualifications and compensation It shall adopt a seal and suitable by-laws and shall adopt and promulgate rules and regulations for its management and control It may establish and maintain one or more offices within the district for the transaction of its business and may meet at any time or place One or more commissioners from a majority of the member states shall constitute a quorum for the transaction of business

The commission shall submit to the Governor of each state at such time as he may request a budget of its estimated expenditures for such period as may be required by the laws of such state for presentation to the legislature thereof

The commission shall keep accurate books of account showing in full its receipts and disbursements and said books of account shall be open at any reasonable time to the inspection of such representatives of the respective signatory states as may be duly constituted for that purpose

On or before the first day of December of each year the commission shall submit to the respective Governors of the signatory states a full and complete report of its activities for the preceding year

The commission shall not incur any obligation of any kind prior to the making of appropriations adequate to meet the same nor shall the commission pledge the credit of any of the signatory states except by and with the authority of the legislature thereof

Article VI

It is recognized by the signatory states that no single standard for the treatment of sewage or industrial wastes is aplicable in all parts of the district due to such variable factors as size flow location character self-purification and usage of waters within the district The guiding principle of this compact shall be that pollution by sewage or industrial wastes originating within a signatory state shall not injuriously affect the various uses of the interstate waters as hereinbefore defined

All sewage from municipalities or other political subdivisions public or private institutions or corporations discharged or permtted to flow into these portions of the Ohio River and its tributory waters which form boundaries between or are contiguous to two or more signatory states or which flow from one signatory state into another signatory state shall be so treated within a time reasonable for the construction of the necessary works as to provide for substantially complete removal of settleable solids and the removal of not less than forty-five per centum (45%) of the total suspended solids Provided That in order to protect the public health to preserve the waters for other legitimate purposes including those specified in Article I in the specific instances such higher degree of treatment shall be used as may be determined to be necessary by the commission after investigation due notice and hearing

All industrial wastes discharged or permitted to flow into the aforesaid waters shall be modified or treated within a time reasonable for the construction of the necessary works in order to protect the public health or to preserve the waters for other legitimate purposes including those specified in Article I to such degree as may be determined to be necessary by the commission after investigation due notice and hearing

All sewage or industrial wastes discharged or permitted to flow into tributaries of the aforesaid waters situated wholly within one state shall be treated to that extent if any which may be necessary to maintain such waters in a sanitary and satisfactory condition at least equal to the condition of the waters of the interstate stream immediately above the confluence

The commission is hereby authorized to adopt prescribe and promulgate rules regulations and standards for administering and enforcing the provisions of this article

Article VII

Nothing in this compact shall be construed to limit the powers of any signatory state or to repeal or prevent the enactment of any legislation or the enforcement of any requirement by any signatory state imposing additional conditions and restrictions to further lessen or prevent the pollution of waters within its jurisdiction

Article VIII

The commission shall conduct a survey of the territory included within the district shall study the pollution problems of the district and shall make a comprehensive report for the prevention or reduction of stream pollution therein In preparing such report the commission shall confer with any national or regional planning body which may be established and any department of the Federal Government authorized to deal with matters relating to the pollution problems of the district The commission shall draft and recommend to the governors of the various signatory states uniform legislation dealing with the pollution of rivers streams and waters and other pollution problems within the district The commission shall consult with and advise the various states communities municipalities corporations persons or other entities with regard to particular problems connected with the pollution of waters particularly with regard to the construction of plants for the disposal of sewage industrial and other waste The commission shall more than one month prior to any regular meeting of the legislature of any state which is a party thereto present to the Governor of the state its recommendations relating to enactments to be made by any legislature in furthering intents and purposes of this compact

Article IX

The commission may from time to time after investigation and after a hearing issue an order or orders upon any municipality corporation person or other entity discharging sewage or industrial waste into the Ohio River stream or water any part of which constitutes any part of the boundary line between any two or more of the signatory states or into any stream any part of which flows from any portion of one signatory state through any portion of any other signatory state Any such order or orders may prescribe the date on or before which such discharge shall be wholly or partially discontinued modified or treated or otherwise disposed of The commission shall give reasonable notice of the time and place of the hearing to the municipality corporation or other entity against which such order is proppsed No such order shall go into effect unless and until it receives the assent of at least a majority of the commissioners from each of not less than a majority of the signatory states and no such order upon a municipality corporation person or entity in any state shall go into effect unless and until it receives the assent of not less than a majority of the commissioners from such state

It shall be the duty of the municipality corporation persons or other entity to comply with any such order issued against it or him by the commission and any court of general jurisdiction or any United States district court in any of the signatuory states shall have the jurisdiction by mandamus injunction sepcific per-

formance or other form of remedy to enforce any such order against any municipality corporation or other entity domiciled or located within such state or whose discharge of the waste takes place within or adjoining such state or against any employe department or subdivision of such municipality corporation person or other entity provided however such court may review the order and affirm reverse or modify the same upon any of the grounds customarily applicable in proceedings for court review of administrative decisions The commission or at its request the Attorney General or other law enforcing official shall have power to institute in such court any action for the enforcement of such order

Article X

The signatory states agree to appropriate for the salaries office and other administrative expenses their proper proportion of the annual budget as determined by the commission and approved by the Governors of the signatory states one-half of such amount to be prorated among the several states in proportion to their population within the district at last preceding Federal census the other half to be prorated in proportion to their land area within the district

Article XI

This compact shall become effective upon ratification by the legislatures of a majority of the states located within the district and upon approval by the Congress of the United States and shall become effective as to any additional states signing thereafter at the time of such signing

In Witness Whereof the various signatory states have executed this compact through their respective compact commissioners

Section 2 Appointment of Members of Ohio River Valley Water Sanitation Commission Secretary of Health to be Member Ex-officio In pursuance of Article IV of said compact there shall be three members of the Ohio River Valley Water Sanitation Commission from the State of Pennsylvania The Governor by and with the advice and consent of the Senate shall appoint two persons as two of such commissioners each of whom shall be a resident and citizen of this State The terms of one of the said two commissioners first appointed shall be three years and of the other shall be six year and their successors shall be appointed by the Governor by and with the advice and consent of the Senate for terms of six years each Each commissioner shall hold office until his successor shall be appointed and qualified Vacancies in the office of any such commissioner from any reason or cause shall be filled by appointment by the Governor by and with the advice and consent of the Senate for the unexpired term The third commissioner from this State shall be the Secretary of Health ex-officio and the term of any such ex-officio commissioner shall terminate at the time he ceases to hold said office of Secretary of Health and his successor as a commissioner shall be his successor as said Secretary of Health With the exception of the issuance of any order under the provisions of Article IX of the compact said ex-officio commissioner may delegate from time to time to any deputy or other subordinate in his department or office the power to be present and participate including voting as his representative or substitute at any meeting of or hearing by or other proceeding of the commission The terms of each of the initial three members shall begin at the date of the appointment of the two appointive commissioners provided the said compact shall then have gone into effect in accordance with Article XI of the compact otherwise shall begin upon the date which said compact shall become effective in accordance with said Article XI

Any commissioner may be removed from office by the Governor

Section 3 Powers of Commission Duties of State Officers Departments Etc Jurisdiction of Common Pleas Courts Enforcement of Act There is hereby granted to the commission and commissioners thereof all the powers provided for in the said compact and all the powers necessary or incidental to the carrying out of said compact in every particular All officers of this State are hereby authorized and directed to do all things falling within their respective provinces and jurisdiction necessary to or incidental to the carrying out of said compact in every particular it being hereby declared to be the policy of this State to perform and carry out the said compact and to accomplish the purposes thereof All officers bureaus departments and persons of and in the State Government or administration of this State are hereby authorized and directed at convenient times and upon request of the said commission to furnish the said commission with information and data possessed by them or any of them and to aid said commission by loan of personnel or other means lying within their legal powers respectively

The courts of common pleas of this State are hereby granted the jurisdiction specified in Article IX of said compact and the Attorney General or any other law enforcing officer of this State is hereby granted the power to institute any action for the enforcement of the orders of the commission as specified in said Article IX of the compact

Section 4 Powers Herein Granted in Addition to Those Heretofore Granted Any powers herein granted to the commission shall be regarded as in aid of and supplemental to and in no case a limitation upon any of the powers vested in said commission by other laws of this State or by the laws of the States of Illinois Indiana Kentucky New York Ohio West Virginia Tennessee or by Congress or the terms of said compact

Section 5 Expenses of Commission Appropriations Officers and Employes The commissioners shall be reimbursed out of moneys appropriated for such purposes all sums which they necessarily shall expend in the discharge of their duties as members of such commission

There shall be appropriated to the commission out of any moneys in the State Treasury unexpended and available therefor and not otherwise appropriated such sums as may be necessary for the uses and purposes of the commission in carrying out the provisions of this act and the payment of the proper proportion of this State of annual budget of the Ohio River Valley Water Sanitation Commission in accordance with Article X of said compact

The commission shall elect from its membership a chairman and may also select a secretary who need not be a member The commission may employ such assistance as it may deem necessarily required and the duties of such assistants shall be prescribed and their compensation fixed by the commission and paid out of the State Treasury out of funds appropriated for such purposes upon the requisition of said commission

The commission shall meet at such times and places as agreed upon by the commissioners or upon call of its chairman

Section 6 Consent to State of Virginia Becoming Party The State of Pennsylvania hereby consents that the State of Virginia may become a party to and a signatory state of the aforesaid compact as fully as it had been expressly named therein

Section 7 When Act to Become Effective The provisions of this act shall become effective immediately upon its final enactment but the compact provided for hereby shall be executed for and on behalf of the Commonwealth of Pennsylvania only after the approval ratification adoption and entering into thereof by the States of New York Ohio and West Virginia and no project shall be authorized or required thereunder until the conclusion of hostilities of the present war

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. HOLLAND. Mr. President, much has been said by the Governor on bi-partisan agreements. He has made many appeals, and many speeches asking the Demo-

cratic Party to join with him in giving Pennsylvania a short business-like session as an example, what can be done when a country is at war and all the forces unite on issues beneficial to the people as a whole.

I was one of those who was doubtful that this could be, but I was willing, in the interest of the war effort and unity on the home front to go along and hope that the beautiful sounding phrases of the Governor would become a reality. Bi-partisan to my way of thinking, is uniting on legislation, whether or not it be Democratic or Republican sponsored, considering only the intent and benefits of the legislation to all the people. This is not the intent of the Governor, but rather to put the stamp of the Republican Party on legislation even if bills must be stolen and re-introduced with Republican sponsors.

Back in 1935 and 1937 I had some correspondence with groups in Ohio on the advisability of forming a compact among all the States adjoining the Ohio River Valley Basin to stop the polluting of this great water shed. We were of the opinion that it was time to stop talking about States' rights and stop raising objections to the Federal Government imposing themselves on the States to carry out objectives that would benefit their sister States, and continue a do nothing attitude. We thought State's responsibility should be stressed more than States' rights, because no State can have a right unless it accepts a responsibility in relation to the other States. Out of these meetings the Ohio River Valley Compact was born.

In 1939 I introduced this Bill in the House. It passed by unanimous vote; came to the Senate but never saw the light of day after it was placed in the State Government Committee.

In 1941, fearing that on account of it being sponsored only by a Democrat, I asked Mr. Turner of Delaware County to co-sponsor the Bill. It again passed the House by unanimous vote and again in the State Government Committee of the Senate it received a very thorough pickling.

In 1943 when I became a member of the Senate it was one of the first bills, Senate Bill No. 111, that I introduced, and again Forest and Waters killed the bill in Committee. In 1943 it was not introduced in the House, so I believe I can claim the credit of keeping it before the public and keeping it alive in Pennsylvania.

In these years the Democratic Organization of Pennsylvania gave me full cooperation and full support in trying to get the Ohio River Valley Compact written into law. In 1942, while serving the Congress of the United States I had quite a few meetings in Washington with Democratic leaders of Ohio, Congressman Spence of Kentucky, as well as Senator Barkley and Senator Chandler of Kentucky, and I had the pleasure of meeting with the then Mayor of Cleveland, Frank Lausche, who was very much interested in it, although it did not effect the City of Cleveland, but he felt then that if it would benefit Ohio, it was much needed legislation. Since Mayor Lausche became Governor of Ohio, he has been in constant touch with me on this legislation. Today I received a telegram from him which was as follows:

"I am glad to know that you are again the author of Senate Bill No. 160, which contemplates having Pennsylvania ratify the Ohio River Valley Sanitation Compact. I urge you to exercise all of your efforts to have this bill adopted, you understand that the ratification heretofore made by the States of Ohio and West Virginia are conditioned upon a similar ratification by the State of Pennsylvania. Persons who have made an impartial study of the pollution that is being fed into the Ohio River are in rather uniform accord that action must be taken to control, abate, and prevent the pollution of the Ohio River water shed,"—signed Frank J. Lausche, Governor of Ohio.

Before this Session started I had the Legislative Reference Bureau redraft for me the Ohio River Valley Water Sanitation Compact and introduced the Bill on January 22nd, after its introduction I was asked by a number of Republican leaders if I would agree to a co-sponsor. I immediately said I would, and I stated, "Since the Governor wished to make stream pollution bi-partisan, I do not want to do anything that would interfere in hindering the cleaning up of our great rivers in Pennsylvania."

On February 19th, I was rudely awakened from my dream of bi-partisan legislation by learning that Mr. Kurtz of Lebanon County and Mr. Lichtenwalter of Lehigh County had introduced the Bill word for word, without even changing a comma or a period of the bill I had introduced in the Senate and which we have for consideration on today's calendar.

I do not feel in any way offended to find my Bill on the calendar under a different sponsor and by two men who I doubt have seen the entire Ohio River Valley, although they are acquainted with the Lehigh Valley and the Lebanon Valley.

It has taken six years of education to convince the Republican Party of Pennsylvania that it is wise for them to follow the leadership of the Democrats.

To cut a passage through a dense forest is a much harder job than to use the path after it is open. You Republicans are welcome to use the path made by us Democrats.

You are flattering me by adopting my Bill. I am glad to know that you approve and I see realization in the passage of this Bill six years of hard work at last become a finished product. We Democrats in the Senate want to thank you on behalf of the Democrats in Kentucky, Ohio and West Virginia, who fought for this good legislation in their respective States. It is a grand and glorious feeling to know that the Republican Party has seen the light. We Democrats have held the torch aloft to you; we have guided you out of the wilderness of darkness.

Mr. WALKER. Mr. President, I want to join with the gentleman from Allegheny, Senator Holland, in appreciation of the fact that it looks like this bill is about to become to law. And I would like to remind him that this bill has a very slight non-partisan touch, due to the fact that I also sponsored this bill in 1939 and 1941 and I feel just a little hurt, as does he, that the sponsorship went east, but after a while he will get accustomed to the fact that most things in Pennsylvania go east.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,

Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margle,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 3, entitled:

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum Philadelphia.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 16, entitled :

An Act making an appropriation from the State Stores Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Stores Fund.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 17, entitled:

An Act making appropriations to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented and to adjust errors.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 29, entitled:

An Act making an appropriation from the Banking Department Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes Retirement System with respect to State Employes receiving compensation from the Banking Department Fund.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 42, entitled:

An Act making an appropriation from the Game Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Game Fund.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 43, entitled:

An Act making an appropriation from the Motor License Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Emlpoyes' Retirement System with respect to State employes receiving compensation from the Motor License Fund.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 49, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 51, entitled:

An Act making an appropriation from the Manufacturing Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Manufacturing Fund.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 61, entitled:

An Act making appropriations from the Motor License Fund to the Board of Finance and Revenue to meet interest sinking fund and service requirements on the State debt.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 64, entitled:

An Act making an appropriation to the Moore Institute of Art Science and Industry formerly Philadelphia School of Design for Women at Philadelphia Pennsylvania.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 66, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 90, entitled:

An Act making an appropriation to the Department of Health for the purpose of conducting cancer research.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 115, entitled:

An Act to exempt from taxation for all local purposes certain property of hospitals universities colleges seminaries academies associations and institutions of learning benevolence or charity and declaring the public policy of the Commonwealth with respect to the exemption of said property from such taxation

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 170, entitled:

An Act to amend section seven hundred one of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," abolishing capital punishment in the case of murder of the first degree.

And said bill having been read at length the second time,

On the question,

Will the Senate agree to the bill on second reading?

Mr. COX. Mr. President, I was informed by the Majority Leader that it was the request of his Caucus that this bill be recommitted. I do not want to break the promise to the Committee on Judiciary General which I made at the time the bill was reported out, but I would ask the indulgence of the Senate at this time, to permit this bill to stay on second reading until Monday of next week.

This is probably one of the most serious matters we will face on our Calendar during this session, because it deals with the question of whether a man's life should be taken or whether it should not.

I have in preparation at this time a collection of statistics from the criminal courts over the period of the last eleven years, by which I am trying to arrive at some conclusion as to what the effect of capital punishment has been in cases in our county. I have also written to a man well versed in criminology and I have not yet received a reply to that letter.

For those reasons, Mr. President, I am asking that this bill be permitted to go over in its order until Monday of next week.

Mr. HEYBURN. Mr. President, the bill will get a reprieve for twenty-four hours.

BILL OVER IN ORDER

Mr. COX. Mr. President, I ask unanimous consent that Senate Bill No. 170, on second reading, go over in its order.

The PRESIDENT. Is there objection?

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 180, entitled:

An Act making an appropriation to the Pennsylvania School for the Deaf at Philadelphia Pennsylvania for the purpose of replacing and renewing certain equipment and machinery

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 222, entitled:

An Act abating certain tax penalties interest and costs on unpaid county city, borough, town township, school district, poor district, and county institution district taxes with certain exceptions, prohibiting the sale of real property for the nonpayment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 225, on second reading, entitled:

An Act to amend sections one and two of the act, approved the twenty-second day of May, one thousand eight hundred and ninety-five (P. L. 111), entitled "An act providing for the divestiture of liens of taxes levied or assessed against lands sold at judicial sales, and for the payment of the same out of the proceeds of such sales"; requiring officers and persons conducting judicial sales to notify political subdivisions to file statements of taxes due on real estate to be sold at such sales; imposing duties on political subdivisions and certain officers having taxes for collection and on county commissioners; providing for the discharge of tax liens where tax statements are not filed; and clarifying the provisions of said act

be recommitted to the Committee on Municipal Government, for the purpose of further study.

Mr. THOMAS. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 296, on second reading, entitled:

An Act providing that taxes levied by political subdivisions of the Commonwealth on real estate of service persons shall not bear interest or be subject to penalties; and providing for abatement of certain accrued interest and penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 333, on second reading, entitled:

An Act to reenact sections five hundred one, five hundred two, five hundred three, five hundred four, five hundred five and five hundred six of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 334, entitled:

An Act to provide for the appointment of election officers to fill the vacancies caused by the expiration of terms of election officers; imposing duties on County Boards of Elections; and conferring powers on courts of quarter sessions.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 349, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment to Somerset County Institution District to reimburse said district on account of certain property damages, under agreement between the Commonwealth and the institution district

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 421, entitled:

An Act to further amend section fifty-four of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" requiring that counties shall pay the premiums on bonds of parole or probation officers

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 434, entitled:

An Act to further amend sections twenty-one and thirty-one of, and to add section twenty-one and one tenth to the act, approved the sixth day of August, one thousand nine hunded forty-one (P. L. 861), entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth; establishing the 'Pennsylvania Board of Parole'; conferring and defining its jurisdiction, duties, powers and functions, including the supervision of persons placed upon probation in certain designated cases; providing for the method of appointment of its members; regulating

the appointment, removal and discharge of its officers, clerks and employes; dividing the Commonwealth into administrative districts for purposes of parole; fixing the salaries of members of the board and of certain other officers and employes thereof; making violations of certain provisions of this act misdemeanors; providing penalties therefor; and for other cognate purposes, and making an appropriation," by further defining the jurisdiction, duties, powers and functions of the Pennsylvania Board of Parole.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 435, entitled:

An Act to repeal certain sections of the act approved the nineteenth day of June, one thousand nine hundred eleven (P. L. 1055), entitled "An act authorizing the release on probation of certain convicts, instead of imposing sentences; the appointment of probation and parole officers, and the payment of their salaries and expenses; regulating the manner of sentencing convicts in certain cases, and providing for their release on parole; their conviction of crime during parole, and their rearrest and reconviction for breach of parole; and extending the powers and duties of boards of prison inspectors of penitentiaries," as amended and supplied.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 457, entitled:

An Act to further amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," further revising and changing the penal laws of the Commonwealth.

The first, second, third, fourth, and fifth sections were read and agreed to.

The sixth section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendment:

Amend Section 734, page 20, line 5, by adding at the end thereof the following: Provided that nothing in this act shall be construed to repeal any of the provisions of an act, approved the twelfth day of July, one thousand nine hundred and thirteen, entitled "An act establishing a court for the county of Philadelphia; prescribing its jurisdiction and powers; providing for the service of its writs, process, or warrants by the proper officers of the county or city of Philadelphia; regulating the procedure therein, and appeals therefrom, and providing for the expenses thereof," or the amendments thereto, and the act approved the fifth day of May, one thousand nine hundred and eleven, entitled "An act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof," or the amendments thereto.

It was agreed to.

The section was agreed to as amended.

The seventh, eighth, ninth, tenth, eleventh, twelfth, and thirteenth sections and title were read and agreed to.

And said bill having been read at length the second time, as amended.

On the question,

Will the Senate agree to the bill on second reading?

BILLS OVER IN ORDER

Mr. JASPAN. Mr. President, I ask unanimous consent that Senate Bill No. 457 on Second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JASPAN. Mr. President, I ask unanimous consent that Senate Bill No. 459 on second reading, entitled:

An Act to amend section six of the act, approved the twelfth day of June, one thousand eight hundred seventy-eight (P. L. 196), entitled "An act to consolidate revise and amend the penal laws of this Commonwealth," by fixing the time for the commencement and prosecution of indictments and for certain felonies committed by certain persons

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 469, entitled:

An Act to repeal the act approved the twenty-first day of March one thousand nine hundred twenty-nine (P. L. 34) entitled "An act authorizing the judges of the courts of common pleas and orphans' courts in counties of the third class to employ stenographers, typists, and clerks to facilitate the business of the courts and to provide for the payment of their compensation by the county and validating former employments and payments therefore"

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 475 on second reading, entitled:

An Act to further amend section two of the act, approved the thirteenth day of June one thousand eight hundred eighty-three (P. L. 119) entitled "An act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose and to prevent unauthorized uses and traffic in human bodies" authorizing administrative officers of county institution districts at their discretion to bury unclaimed bodies

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 475 on second reading entitled:

An Act requiring cities boroughs towns and townships to notify adjacent political subdivisions of proposed streets roads and highways leading into them.

go over in its order

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 476, entitled:

An Act to amend section five hundred ninety of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by extending provisions of the act to include memorials erected to commemorate services of women who have been members of organizations officially connected with the armed forces of the United States.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. WOODWARD, Mr. President, I move that House Bill No. 480 on second reading, entitled:

An Act to add subsection nineteen to section twenty-one to the act, approved the fourteenth day of April, one thousand eight hundred sixty-eight (P. L. 1083), entitled "A supplement to an act, entitled 'An act appropriating ground for public purposes in the city of Philadelphia, approved the twenty-sixth day of March, Anno Domini one thousand eight hundred and sixty-seven," providing that children under the age of seventeen years shall not be charged for the use of certain recreational facilities within Fairmount Park

be recommitted to the Committee on Judiciary Special.

Mr. THOMAS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. JASPAN. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Woodward.

The PRESIDENT. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. WOODWARD. With pleasure, Mr. President.

Mr. JASPAN. Mr. President, I desire to ask why the gentleman from Philadelphia, Senator Woodward, moved that House Bill 480 be recommitted to the Committee on Judiciary Special?

Mr. WOODWARD. Mr. President, the General Assembly of Pennsylvania really has nothing to do with the Fairmount Park Commission of Philadelphia. We do not appropriate any money to them, and the Fairmount Park Commission gets all its money from Philadelphia, and, while the Senator from Philadelphia objects to these rules and regulations of the commissioners, they have a perfect right to make their own rules and regulations without interference from Harrisburg. I am willing to discuss in public or private the wisdom of the rule. I think the rule is all right. As I say, I am willing to answer any questions, unless the gentleman wants to talk privately.

Mr. JASPAN. Mr. President, I desire to further interrogate the gentleman from Philadelphia.

The PRESIDENT. Will the gentleman from Philadelphia permit himself to be further interrogated?

Mr. WOODWARD. Go ahead.

Mr. JASPAN. Does the gentleman from Philadelphia, Senator Woodward, have any objection to this bill?

Mr. WOODWARD. Yes. I do not know the sponsor of this bill, but it looks to me like just a play to the gallery. Why should the sponsor object to the rules of the Fairmount Park Commission, as to giving children of a certain age free recreation. The point is that the commissioners of Fairmount Park have been managing the park for many years and have established certain rules about paying a fee to play tennis and to indulge in recreation, as a result of experience—they have not anything against these children under seventeen—and then suddenly for Harrisburg to tell the Park Commission they must make a special exemption of children under seventeen, I think it is none of our business.

Mr. JASPAN. Mr. President, if the gentleman from Philadelphia has any objection, I feel the proper thing to do is to pass the bill on second reading and let him vote against it on third reading.

Mr. President, this is a very important bill to the youngsters, the young men of Philadelphia. From time to time they see fit to play sports in our parks, particularly tennis, and there is a charge of from seventy-five cents to one dollar for those boys to play. Those boys are high-school boys and in many instances they are just about to enter college.

I had been given to understand, in answer to the argument of the gentleman from Philadelphia, Dr. Woodward, that the Fairmount Park Commission is without authority, and at a meeting of the board decided they were without authority, and it was up to the legislature to determine whether or not a charge should be made for boys to play tennis in Fairmount Park.

If we are interested in juvenile delinquency, if it is our thought to curb juvenile delinquency, certainly we ought to go on record as favoring a bill of this kind.

For the information of the Senate, this bill was presented in the House some time ago by Representative Chudoff and it passed without a dissenting vote. Now of all people, Dr. Woodward of Philadelphia, who probably has no youngsters, who probably is not familiar with their activities and with their wants, should be the last to object to it. If anything, somebody with children should get up either for or against the bill and make complaints concerning it.

However, I realize what it is to play in the streets of Philadelphia. If we would rather have them play on the streets, let us say so by sending this bill back to committee.

As I said before, and I can not emphasize it too strongly,

it is necessary that these parks be appropriated to the boys so that they can play tennis, and in doing that we can curb juvenile delinquency to a great extent.

Mr. ROSENFELD. Mr. President, I would like to remind the gentleman from Philadelphia, Dr. Woodward, and the other members of this Senate, that the Fairmount Park Commission is a creature of the State of Pennsylvania, created by an act of 1868, and that as such, under section 21 of that act, they are under certain rules and regulations passed by the Legislature of the Commonwealth of Pennsylvania.

They have a right also to make such rules and regulations that do not contravene any of the rules set forth by the Legislature.

This matter has been before the Fairmount Park Commission on numerous occasions. There has been clamoring by many juvenile organizations, and many organizations interested in the problem of juvenile delinquency, to cut this fee down or to eliminate it altogether so that the original purposes for which the recreational facilities in Fairmount Park were built could be utilized.

I consider myself exhibit "A", having been born and raised along the borders of Fairmount Park many years ago, and I recall very distinctly when as a youngster I was able to play tennis in Fairmount Park without paying any money for it. Today it is a problem, and it will continue to be a problem. Since the Fairmount Park Commission has seen fit not to change this regulation in this regard, I think we just can not accept that; we should go back to the right given us and tell the Fairmount Park Commission that we feel that children under seventeen should have the right to use these facilities without any charge whatsoever.

Mr. STIEFEL. Mr. President, about a year ago Senator Ealy of Somerset paid a visit to Philadelphia and I remember after he completed his visit he said "it is about time that the people from up-state Pennsylvania should come down to Philadelphia and learn conditions there, and vice versa, and then the people of Pennsylvania would learn something about the status of many problems in Pennsylvania."

If the people from up-state Pennsylvania, especially the Senators, would visit Philadelphia and see how rapidly the city is declining, how dangerous the streets are, they would probably sympathize with this measure and I hope that the Senate will not be hasty in sending this bill back to committee, where it will probably be pickled. Let the bill go up to third reading and whoever is against it, let him voice his objections, but let us at least approach the problem in a proper way.

And the question recurring,

Will the Senate agree to the motion?

Mr. JASPAN. Mr. President, I ask for a roll call.

(During the calling of the roll the following occurred:

Mr. JASPAN. Mr. President, may I inquire how the gentleman from Philadelphia, Senator Farrell, voted: I did not hear him.

Mr. FARRELL. Mr. President, I voted "aye." I was not going to say anything about this bill. I do not know how many of the Senators are familiar with Fairmount Park. I am as familiar with it as any other man, and the privileges they have there are perfect. Boys of all ages go there, they take picnics, by the thousands, to this beautiful park.

Like my colleague from Philadelphia, Senator Woodward, I believe that the Fairmount Park Commission, comprised of Republicans and Democrats alike, is a splendid body of men, and I would be willing to trust the running of Fairmount Park to the commission in preference to anybody else in Pennsylvania.

Mr. JASPAN. Mr. President, to the gentleman from Philadelphia, Senator Farrell, I desire to state that the Fairmount Park Commission suggested the proposal of this bill, and its passage as well.

The yeas and nays were required by Mr. JASPAN and were as follows, viz:

YEAS—29

Becker,	Ealy,	Letzler,	Thomas,
Berger,	Farrell,	Mallery,	Troutman,
Blass,	Geltz,	Scarlett,	Tyler,
Bowers,	Heyburn,	Snowden,	Wade,
Carr,	Homsher,	Stevenson,	Wagner,
Chapman,	James,	Tallman,	Wilson,
Crider,	Jones,	Taylor,	Woodward,
Crowe,			

NAYS—17

Barr,	Gourley,	Kephart,	Rosenfeld,
Coleman,	Haluska,	Klein,	Ruth,
Cox,	Holland,	Leader,	Stiefel,
Dent,	Jaspan,	Margie,	Woodring,
DiSilvestro,			

So the question was determined in the affirmative.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 518, entitled:

An Act to amend section two thousand two of, and to add section two thousand thirteen to the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," expanding the activities and extending the courses of instruction at the Cheyney Training School for Teachers; and making an appropriation.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 518, the bill just read, be recommitted to the Committee on Appropriations.

Mr. GELTZ. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 526, entitled:

A Supplement to the act approved the fourth day of June, one thousand nine hundred forty-three (Appropriation Acts page 59) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-three" providing a deficiency for indexing the Legislative Journal.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 530 on second reading, entitled:

An Act authorizing the Department of Justice to prescribe rules of practice for administrative departments departmental administrative boards and commissions independent administrative boards and commissions officers and other agencies of the Commonwealth authorizing such agencies to adopt rules providing for the appointment of an Administrative Rules Committee and fixing its powers and duties and imposing certain duties upon State officers and agencies

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 536, entitled:

An Act authorizing the Department of Forests and Waters with the approval of the Governor to acquire certain tracts of land for the use of said department and making an appropriation therefor.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 536, the bill just read, be recommitted to the Committee on Appropriations.

Mr. FARRELL. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 543, entitled:

An Act relating to establishing and regulating the Port of Chester creating the commission for the Port of Chester as a departmental administrative commission in the Department of Forests and Waters and prescribing its powers and duties regulating the acquisition transfer construction and use of navigation facilities providing for regulating services and fixing minimum rates for wharfage cranage and dockage authorizing acquisition and construction of facilities by the Commonwealth and the exercise of the right of eminent domain providing for the use and leasing of such facilities authorizing the abatement of nuisances and the correcting of improper conditions and collecting the cost thereof from the owner or occupant of harbor structures prescribing penalties and making an appropriation.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 543, the bill just read, be recommitted to the Committee on Appropriations.

Mr. JONES. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 569, entitled:

An Act to further amend section nine hundred one of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by further regulating the filling of vacancies in elective borough offices.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING

Mr. HEYBURN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. MALLERY. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 410, entitled:

An Act relating to and regulating the care and maintenance of children away from their parents providing for the certification and licensing of child welfare organizations and foster homes; imposing duties and conferring powers upon the Department of Welfare; imposing duties upon juvenile courts; prohibiting certain advertising and prescribing penalties.

And said bill having been read at length the first time, and agreed to.

Ordered, To be transcribed for a second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 456, entitled:

An Act authorizing and empowering minors seventeen years of age or older to contract for and to make loans in accordance with the provisions of the Act of Congress known as the "Servicemen's Readjustment Act of 1944" and saving and relieving the parents guardians and trustees of such minors from any liability therefor unless joining therein

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 525, entitled:

An Act to further amend subsection (a) of section four of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2045), entitled "An act relating to the support of indigent persons publicly cared for or assisted; providing for the support of such persons by certain relatives, and for the recovery of public moneys expended for care and assistance from the property and estates of such persons; providing for guardians of the person and property of such persons; providing for the arrest and seizure and sale of the property of deserters; and providing procedure," by providing that no security shall be required for assistance furnished in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) announced that the Acting Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 187, entitled:

An Act giving consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately eighty-nine acres of land in the Twenty-Sixth and Forty-Eighth Wards of the City of Philadelphia, Pennsylvania, known as the League Island Navy Yard; and ceding jurisdiction to the United States.

Senate Bill No. 217, entitled:

An Act authorizing agreements between the Secretary of Highways and officials of political subdivisions of the Commonwealth or the Federal Government whereby Federal funds appropriated for the payment of property damages on State highways may be made available to the political subdivisions.

Senate Bill No. 324, entitled:

An Act to amend article nine of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," providing for auxiliary State game refuge projects; and repealing existing provisions for auxiliary State game refuges.

Senate Bill No. 384, entitled:

An Act to repeal section three hundred twenty and part of section three hundred twenty-one of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," eliminating the provisions of said act which require licensees to forward to the commission reports of game and fur-bearing animals killed during the previous season.

Whereupon,

The PRESIDENT (Lieutenant-Governor, John C. Bell, Jr.) in the presence of the Senate signed the same.

ADJOURNMENT

Mr. HEYBURN. Mr. President, I move that the Senate do now adjourn until Tuesday, March 27, 1945, at 3:00 o'clock p. m., Eastern War Time.

Mr. SCARLETT. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 7:21, o'clock p. m., Eastern War Time until Tuesday, March 27, 1945, at 3:00 o'clock p. m., Eastern War Time.

HOUSE OF REPRESENTATIVES

MONDAY, March 26, 1945.

The House met at 9 p. m.

The SPEAKER (Ira T. Fiss) in the Chair.

PRAYER

The Chaplain, Rev. Lester C. Updegrove, offered the following prayer:

Eternal God, is whose sight a thousand years are but as yesterday and as a watch in the night, grant unto us peace in believing that, about the conflicting purposes of men and nations, Thine eternal purpose stands secure, and that the righteousness which Thou dost ordain must, in Thy good time, prevail. Help every member of this legislature sufficiently to see in the light of eternity, that they may pursue the duties of those difficult days with calmness of mind and serenity of spirit, doing the right as Thou dost give us to see the right, with courage and confidence; committing our enemies to Thy justice and mercy; and to Thy providence ourselves and all that we cherish for today, tomorrow, and forever; through Jesus Christ, our Lord. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Wednesday, March 21, 1945.

The Clerk proceeded to read the Journal of Wednesday. March 21, 1945, when, on motion of Mr. MYHAN, unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. BENTLEY. HOUSE BILL No. 1241.

An Act making an appropriation to the Tuberculosis Hospital of the City of Pittsburgh, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. REYNOLDS. HOUSE BILL No. 1242.

An Act providing for the disposition of rentals from publicly owned real estate not devoted to public use in

cities of the second class and prohibiting the levying of taxes thereon.

Referred to the Committee on Cities and Counties—Second Class.

SENATE MESSAGES

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 224.

An Act to extend the lien of taxes and municipal claims and the period for the redemption of real property where the commencement of proceedings or actions for the collection of taxes or municipal claims or sales for the collection thereof are stayed by a court pursuant to the Soldiers' and Sailors' Civil Relief Act of 1940 or the period for the redemption of real property expires before the end of six months after termination of the military service of a person having the right to redeem such real property.

Referred to the Committee on Judiciary General.

SENATE BILL No. 373.

An Act to further amend the act, approved the nineteenth day of June, one thousand nine hundred thirty-one (P. L. 589), entitled as amended "An act to promote the public health and safety, by providing for the examination and licensure of those who desire to engage in the occupation of barbering; regulating barber shops and barber schools, and apprentices and students therein; regulating compensation for service rendered; conferring certain powers and duties on the Department of Public Instruction; and providing penalties," by further regulating the practice of barbering and the registration of barber shops, managers and owners of barber shops, barbers, teachers of barbering, students and apprentices.

Referred to the Committee on Professional Licensure.

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, February 7, 1945.

Be it Resolved (if the House of Representatives concur), That the General Assembly of the Commonwealth of Pennsylvania does hereby memorialize and petition the Congress of the United States to propose an amendment to the Constitution of the United States of America limiting the tenure of office of a President of the United States to not more than two consecutive terms, and be it

Resolved, That certified copies of this resolution properly authenticated be sent forthwith to the presiding officer of each house of the National Congress and to each of the United States Senators and Representatives from Pennsylvania

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

Referred to the Committee on Rules.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 246, 322 and 34

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 21, 1945.

To the Honorable, the House of Representatives of th Commonwealth of Pennsylvania:

I have the honor to inform you that I have this da approved and signed House Bill No. 246, Printer's N 192, entitled "An Act defining and regulating the practic of Chiropody and providing penalties."

EDWARD MARTIN.

March 21, 1945.

To the Honorable, the House of Representatives of th Commonwealth of Pennsylvania:

I have the honor to inform you that I have this da approved and signed House Bill No. 322, Printer's No. 2 entitled "An Act to further amend section one of the a approved the thirteenth day of May one thousand nin hundred twenty-seven (P. L. 984) entitled 'An act rela ing to transactions between a person acting on his ow behalf and the same person acting jointly with othe and to make uniform the law relating thereto' by a thorizing conveyances from husband and wife as tenan by the entireties to either husband or wife alone."

EDWARD MARTIN.

March 21, 1945.

To the Honorable, the House of Representatives of th Commonwealth of Pennsylvania:

I have the honor to inform you that I have this da approved and signed House Bill No. 342, Printer's No. 6 entitled "An Act to amend section one of the act a proved the fifth day of March one thousand nine hu dred and three (P. L. 14) entitled 'An act concernin proxies authorizing representation and voting of shar of capital stock of corporations at meetings and electio thereof' by further regulating the execution of proxies

EDWARD MARTIN.

March 21, 1945.

To the Honorable, the House of Representatives of th Commonwealth of Pennsylvania:

I have the honor to inform you that I have this da approved and signed House Bill No. 320, Printer's No. 3 entitled "An Act to amend the act approved the eleven day of June one thousand nine hundred thirty-five (P. 319) entitled 'An act authorizing the waiver of trial b jury in certain criminal cases and the trial of such cas by a judge without a jury regulating such trials an conferring a jurisdiction upon the judges of the sever courts in such cases' by extending the act to all cas except murder and treason."

EDWARD MARTIN.

March 21, 1945.

To the Honorable, the House of Representatives of th Commonwealth of Pennsylvania:

I have the honor to inform you that I have this da approved and signed House Bill No. 39, Printer's No. 1 entitled "An Act to reenact and amend the title and th act approved the ninth day of June one thousand nin hundred thirty-six (Special Session of 1936 P. L. 13) e titled 'An act imposing an emergency State tax for limited period of time on liquor as herein defined so by the Pennsylvania Liquor Control Board providing f the Collection and payment of such tax and imposin duties upon the Department of Revenue and the Pen

lvania Liquor Control Board' as previously reenacted id amended by extending the provisions thereof for a rther limited period of time."

EDWARD MARTIN.

March 21, 1945.

o the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day pproved and signed House Bill No. 665, Printer's No. 148, ntitled "An Act to further amend the act approved the venty-second day of April one thousand nine hundred ne (P. L. 122) entitled 'An act to validate the exercise franchise of manufacturing corporations and land comanies whose charters have expired and to validate the nveyances and other instruments of said corporations' aking said act apply to any corporation of the Commonealth of Pennsylvania and extending the time thereof id authorizing certain conveyances."

EDWARD MARTIN.

COMMUNICATIONS

The SPEAKER laid before the House the following mmunication which was read by the Clerk.

ENNSYLVANIA STATE TEMPORARY COMMISSION ON THE URBAN COLORED POPULATION

524-26 South Sixteenth Street, Philadelphia 46, Pa.

March 21, 1945.

LETTER OF TRANSMITTAL

onorable Sir:

I am enclosing herewith a summary of the findings of ie Pennsylvania State Temporary Commission on the onditions of the Urban Colored Population and the recnmendations based thereupon.

As Chairman of the Commission and in behalf of it, desire to express our deep sense of appreciation for ur cooperation.

Though the work of the Commission comes to an end the close of this biennium, it is for the Honorable odies and His Excellency to complete the work by enting the legislation herein recommended.

The enclosed address, delivered by the Chairman, is ncerned with the most important recommendation of ie Commission; namely, a Fair Employment Practice ommission Act.

Very sincerely yours,

E. WASHINGTON RHODES,
Chairman.

WR:mel
nclosures
(For Report see Appendix)

The SPEAKER laid before the House the following mmunication which was read by the Clerk.

Commonwealth of Pennsylvania
Department of Commerce, State Planning Board,

Harrisburg, March 20, 1945.

on. Ira T. Fiss
peaker
ouse of Representatives
arrisburg, Pennsylvania

ear Mr. Speaker:

At the direction of the State Planning Board, I am ansmitting to you herewith copies of the Board's report "Conservation".

The Board hopes this material will be of interest to u and members of the House of Representatives.

Sincerely yours,

(Signed) FLOYD CHALFANT, Chairman

The SPEAKER. The Chair calls the attention of the House to the fact that the report of the State Planning Board on "Conservation" will be found in the mail boxes of the members.

PETITIONS AND REMONSTRANCES

The SPEAKER laid before the House the following petitions and remonstrances which were read by the Clerk.

TEACHERS' PENSIONS

A communication from Henry J. Kane, Locust Gap urging legislation increasing pension of teachers.

Referred to the Committee on Education.

PYMATUNING LAKE

Communication from James Donahue, protesting passage of legislation permitting use of motor boats on Pymatuning Lake.

Referred to the Committee on Fisheries.

UNFAIR EMPLOYMENT PRACTICES

Numerous communications for and against legislation prohibiting unfair employment practices, and requesting a public hearing on House Bill No. 354.

Referred to the Committee on Labor.

STRIP MINING

Resolution from the Beaver County Pomona Grange of Beaver County favoring legislation regulating strip mining.

Referred to the Committee on Mines and Mining.

BINGO

Communication from the Pennsylvania Council of Churches protesting passage of House Bill No. 725, permitting certain organizations to conduct bingo games.

Referred to the Committee on Law and Order.

ADMINISTRATIVE AGENCY LAW

Resolution from the Pennsylvania Association of Milk Dealers, Inc., favoring passage of Senate Bill No. 7 and House Bill No. 1203, Congress of the United States, and Senate Bills Nos. 52 and 57 of the General Assembly of Pennsylvania.

Referred to the Committee on State Government.

GRADED TAX LAW

Resolution from the City Clerk, City of Pittsburgh, opposing passage of legislation repealing the Graded Tax Law.

GAS TAX

Communication from the Middlecreek Township School District Board of Supervisors, requesting passage of House Bills Nos. 255 and 759.

Referred to the Committee on Ways and Means.

WORKMEN'S COMPENSATION

Communication from Local Union 803, United Mine Workers of America, Hazleton, favoring passage of the following bills: House Bills Nos. 532, 599 and 253, and Senate Bills Nos. 261, 270, 329 and 328.

Referred to the Committee on Workmen's Compensation.

SENATE MESSAGES

The Clerk of the Senate, Mr. Steinfeld, being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence 303, 319, 320, 321, 322, 323, 343, 385, 423, 483, 484, 410.

House Bills concurred in by Senate 264, 278, 335, 552, 631.

Amended House Bill returned for concurrence 102.

Resolution for concurrence recalling bill from Governor Senate Bill 123.

Resolution, time of adjournment.

Senate Bills to be signed 38, 187, 217, 324, 384.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 38.

An Act making an appropriation to the Department of Property and Supplies for completing the construction of accommodations and furnishing facilities for the conduct of a nautical school for the use by the Navigation Commission for the Delaware River and it navigable tributaries.

SENATE BILL No. 187.

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately eighty-nine acres of land in the Twenty-Sixth and Forty-Eighth Wards of the City of Philadelphia, Pennsylvania, known as the League Island Navy Yard; and ceding jurisdiction to the United States.

SENATE BILL No. 217.

An Act authorizing agreements between the Secretary of Highways and officials of political subdivisions of the Commonwealth or the Federal Government whereby Federal funds appropriated for the payment of property damages on State highways may be made available to the political subdivisions.

SENATE BILL No. 324.

An Act to amend article nine of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" providing for auxiliary State game refuge projects and repealing existing provisions for auxiliary State game refuges.

SENATE BILL No. 384.

An Act to repeal section three hundred twenty and part of section three hundred twenty-one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" eliminating the provisions of said act which require licensees to forward to the commission reports of game and fur-bearing animals killed during the previous season.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGES

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 264.

An Act to amend section three and to further amend section twelve of the act, approved the twentieth day of July, one thousand nine hundred seventeen (P. L. 1143), entitled, "An act relating to free, public, nonsectarian libraries and branch libraries within this Commonwealth; providing for their establishment, maintenance, and regulation, and for the maintenance and regulation of such free, public non-sectarian libraries as may have been already established by the several counties, cities, boroughs, towns, and townships; and providing that all library property, and all gifts, devises, grants or endowments for library purposes, shall be exempt from taxation; and providing that the several counties, cities, boroughs, towns, and townships may levy taxes, condemn private property, and borrow money for library purposes; and imposing penalties for injuring library property and for violations of library regulations; and repealing existing laws in relation to the above subjects," making more specific the power of the municipal authorities of counties, cities, boroughs, towns, and townships to appropriate moneys out of current revenues for library purposes without the levy of a special tax therefor; and validating such appropriations heretofore made.

HOUSE BILL No. 278.

An Act to further amend the title and section one of the act approved the twenty-eighth day of June, one thousand nine hundred and thirty-five (P. L. 477), entitled "An act providing for the payment of the salary, medical and hospital expenses of policemen and firemen by cities (except of the second class A), boroughs, towns, and townships who are injured in the performance of their duty; and providing that absence during such injury shall not reduce any usual sick leave period," extending the provisions of said act to cities of the second class A.

HOUSE BILL No. 335.

A Joint Resolution proposing an amendment to section fourteen Article VIII of the Constitution of the Commonwealth of Pennsylvania

HOUSE BILL No. 552.

An Act to further amend section two hundred twenty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" authorizing the use of eel chutes in the Delaware River above Easton.

HOUSE BILL No. 631.

An Act approving ratifying and enacting into law the Ohio River Valley Sanitation Compact for the prevention abatement and control of pollution of the rivers streams and waters in the Ohio River drainage basin and making the State of Pennsylvania a party thereto creating the "Ohio River Valley Water Sanitation Commission" providing for the members of such commission from the State of Pennsylvania and providing for the carrying out of said compact after the conclusion of hostilities of the present war

With the information that the Senate has passed the same without amendment.

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, March 26, 1945.

Resolved (if the House of Representatives concur), That Senate Bill No. 123, Printer's No. 110, entitled:

An Act to repeal section one thousand thirty-three (1033) of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the Act approved May twenty-first one thousand nine hundred forty-three (P. L. 559)

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

FORMER MEMBERS WELCOMED

The SPEAKER. The Chair welcomes to the House this evening three former members, the gentleman from Crawford, Mr. John G. Pierce, the gentleman from Crawford, Mr. J. Perry Eckles, and the gentleman from Luzerne, Mr. Edwin A. Miller.

LEAVE OF ABSENCE

By consent of the House leave of absence was granted as follows:

Mr. McCormack for Mr. O'DARE because of illness.

COMMITTEE REPORTS

Mrs. DYE from the Committee on Cities and Counties—Second Class, reported as committed House Bill No. 844, entitled:

An Act to amend section ten of the act, approved the twenty-eighth day of May, one thousand nine hundred fifteen (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities, and regulating the administration and the payment of such pensions," including the solicitor for delinquent real estate tax and water rate liens and the employes of his office under the provisions of said act.

Mr. YEAKEL from the Committee on Rules reported as committed Senate Concurrent Resolution Serial No. 116, and asked and obtained unanimous consent for its immediate consideration.

The resolution was read by the Clerk as follows:

In the Senate, March 12, 1945.

Whereas, Philadelphia is the birthplace of the Declaration of Independence, "that title-deed of the human race," and

Whereas, the loftiest ideology of Democracy was born on the soil of Pennsylvania and in the City of Brotherly Love, setting into motion dynamic forces that became the torchbearers of mankind and shapers of its destiny, and

Whereas, the eternal principles enunciated in the Declaration of Independence permeate and cement the United Nations in their sacred quest for a lasting peaie, and

Whereas, the coming victory of the United Nations in the present global struggle and the ensuing peace will make the Declaration of Independence not only the heritage of America but that of the entire world, and

Whereas, on April 25, 1945 there will be held in San Francisco, California a conference of 39 nations to create a pact to make secure the future peace of the world, and

Whereas, Philadelphia, once the capital of the United States is thus ideologically and historically eminently suited to become the World Capital of Peace, the permanent home of the United Nations and the nerve-center of the world-machinery of peace, and

Whereas, proposals have been put forth advocating Philadelphia as the World Capital of the United Nations and the Independence Hall as the theme-center of a beautifully landscaped mall leading to the Delaware River Bridge Plaza, the latter proposal in complete harmony with the elaborate plans of Independence Hall Association, and

Whereas, aforesaid proposals have received the fervent approval of Pennsylvania's citizenry with such eminent Pennsylvanians in its vanguard as Governor Martin, U. S. Senators Joseph F. Guffey and Francis J. Myers, Congressman Michael J. Bradley and many other members of the Pennsylvania Congressional Delegation, Mayor Bernard Samuel, outstanding civic leaders and representatives of historic, patriotic, fraternal, business and labor organizations, and

Whereas, it is urgent that the aforesaid proposals receive local, national and international attention as a prerequisite to their favorable consideration, Now Therefore Be It

Resolved (if the House of Representatives concur) that the General Assembly of Pennsylvania join forces with all advocates of the aforementioned proposals by

1. Memorializing the President of the United States, U. S. Secretary of State and the members of the United States Delegation to the forthcoming San Francisco Conference of the United Nations to advocate the establishment of the World Capital of the United Nations on the soil of Pennsylvania and in the City of Brotherly Love

2. Viewing with favor the proposal for the construction of a landscaped mall leading from Independence Hall to Delaware River Bridge Plaza and the suggested grouping of the building of the United Nations Council around our Shrine of Liberty

3. Memorializing the United States Senators from Pennsylvania and the Congressional Delegation from Pennsylvania to initiate and support all Federal Legislation that may be required for the accomplishment of the aforementioned proposals

4. Expressing its readiness to enact measures, if any may be required, that will be conducive to the execution of the plans embodied in the aforementioned proposals.

On the question,

Will the House adopt the resolution?

It was adopted.

Ordered, That the Clerk inform the Senate accordingly.

RESOLUTION

RECALLING HOUSE BILL No. 336 FROM THE GOVERNOR

Mr. REAGAN offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, March 26, 1945.

Resolved (if the Senate concur), that House Bill No. 336, Printer's No. 191, entitled "An act to amend clause IV section seven hundred and two of the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled 'An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto' designating the purposes for which appropriations may be made to fire companies and requiring annual reports by such fire companies of expenditures of appropriated moneys" be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

MOTION TO INSTRUCT STANDING COMMITTEES OF HOUSE

Mr. ANDREWS. Mr. Speaker, I move that for the remainder of this regular session, the Standing Committees of the House are hereby instructed, that all bills reported to the House, shall have appended thereto, a concise, clear statement in writing, not to exceed five hundred words, summarizing, the purpose, intent and effect of each bill. Statements accompaning bills shall be printed on a colored paper, as a separate daily supplement to the house Calendar, for the use of the Members.

On the question,

Will the House agree to the motion?

Mr. ANDREWS. Mr. Speaker, I offer this motion in the interests of more speedy procedure and more intelligent parliamentary action. I do not know how it may be on the other side when you meet in caucus. It may be that every member of your caucus, the caucus of the majority group, understands all the bills, the purpose to be effected by each bill, but I know that in the circles in which I move we do not all understand all of the bills; we do not know always what the purpose of a particular bill is. If we did know the purpose of the bills there would be much less aimless discussion.

I submit to you that the chairman of the committee and the sponsor of the bill should know the intent, purpose and effect of the measure he introduces and he should be able to state not the mechanics of the bill but the intent, purpose and effect of that bill in a very concise statement. I submit to you in all seriousness that such a statement in the hands of your members when they went into caucus and such a statement in the hands of the members of this House when they were voting upon bills would eliminate hours and hours and hours of spur track discussion.

A member of the majority group, Mr. Speaker, said to me, "Don't you have a committee that reads the bills?" Sure, we can have a committee that reads the bill, but if the committee reads the bill the committee knows what is in the bill, not I, and if you have a committee on your side that is reading the bill the committee knows what is in the bill but the members of the House do not know.

It can be argued that this proposition would present a printing difficulty. It would not present a printing difficulty at all because this report can be set in any measure. The printing you do for the House has to be set in a particular measure. These statements could be set 12 ems or 13 ems, any width of column you want. The reports would be printed in 7 point, 8 point or 10 point type. You have no printing difficulty similar to ones you have in printing the bills.

Members of the House, I offer this motion in all good faith as a means of speeding action and promoting more intelligent action.

Mr. LICHTENWALTER. Mr. Speaker, I arise to oppose the motion of the gentleman from Cambria.

He first states that the reason for this motion is to more quickly expedite the business of this House. I do not see how it would accomplish that by reason of the provisions contained in the motion of the gentleman from Cambria. If anything, Mr. Speaker, I believe it would clog the legislative machinery as far as the workings here upon the floor of the House are concerned, and it would certainly place an unnecessary burden both upon an over burdened industry, and that is upon the printer. Very recently the printers who do our legislative printing lost fourteen men under the Man Power Commission in a pool, because they said this printing was not essential, and therefore, these men had to be released to a pool where they might be placed in a more essential industry.

I certainly do not see, Mr. Speaker, how a statement not containing over five hundred words and placed as a supplement to the calendar at this particular time would in any way help to speed up the work of the House. We on this side are ceretainly interested in the suggestion made by the gentleman from Cambria, and any other suggestion which will clearly and definitely show us where we can speed up the work of the House and not necessitate the many hours required to be in our seats here upon the floor, but I also would point out that in probably many instances where the sponsor of a bill might be setting forth the legislative intent, many of these measures would particularly affect some individual district or some idea in the mind of the legislator himself, but it might set forth that intent and not express the general benefit of the legislation and how it might affect the people of the Commonwealth.

I therefore, Mr. Speaker, certainly see no need for passing the motion made by the gentleman from Cambria except as I said before, I feel it would rather prolong and confuse rather than help and speed up the work of the session.

Mr. ANDREWS. Mr. Speaker, I would submit that when the gentleman from Lehigh talks about the printing situation he probably doesn't know what he is talking about. The printing that is being done for the House is all in a particular measure and a particular face of type. There are only so many linotype machines that can be utilized for setting this measure on this 10 point type, but there are any number of linotype machines accessible that can set 7 point type or 8 point type in any column measure you want, and so I submit to anyone on the other side that knows the printing business, that the printing question is not an issue.

The issue simply is this, Mr. Speaker, if there is a brain trust of which the gentleman from Lehigh is in command, and if that brain trust is utilized to tell the lesser members what is in a bill, how they are to vote and all about it, then of course you don't need my motion, but if you want the members of the House to read these bills, to interpret these bills, to know what they are doing independent of the brain trust then my motion is in order.

I would suggest to the gentleman from Lehigh that he and I are sponsors of a couple of measures dealing with farmers and cooperation, and I will bet him a nickel, or a red apple or anything else, if he can select any Member on his side of the House, hand him one of those bills, and tell him to come back in fifteen minuts and tell us what is in it, and he can not do it.

Mr. LICHTENWALTER. Mr. Speaker, I certainly have a great deal more confidence and faith in the intelligence of the men on this side of the House, and I am certain that I could hand them any one of those four bills on agriculture and cooperatives and they would not require more than five minutes to come back and tell me just what those bills contain.

I am very happy to have the gentleman say, or rather admit that we probably have a closed market on the brain trust on this side of the House. I am also sorry that I am not a printer and therefore I cannot, of course, discuss the kinds of type, the sort of type, but I do believe that even with all the brain trust and the brain power on this side of the House, that it still takes man power to operate any type of linotype machine, even though they are available. I still say that it takes man power, and that is very critical in these trying times. I, therefore, contend that my original argument holds and asks that the motion be voted down.

On the question recurring,

Will the House agree to the motion?

Mr. ANDREWS. Mr. Speaker, I ask for a division.

A division having been called for, ninety-three Members having voted in the affirmative and one hundred four in the negative, the question was determined in the negative and the motion was not agreed to.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair is informed that we have with us a former Member of the House, Judge Kenneth Harkins of Allegheny County, who is a former Member of the House. The Chair welcomes the gentleman.

The SPEAKER. The Chair requests the gentleman from Jefferson, Mr. Dennison, to preside during the first reading calendar.

MR. DENNISON IN THE CHAIR

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 375, entitled:

An Act to further amend the first paragraph of section one thousand seven hundred one of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing for the issuance of equivalent high school diplomas in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 850, entitled:

An Act to further amend sections five hundred twenty-two and five hundred twenty-four, and to repeal section five hundred twenty-three of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureau, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by providing regulations relating to standard fire insurance policies.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill NoN. 898, entitled:

An Act conferring the power to administer oaths on minute clerks in the court of common pleas or the courts of quarter Sessions of the Peace, Oyer and Terminer and General Jail Delivery in counties of the second class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 143, entitled:

An Act to amend clause (a) of section six hundred twenty-one and one-tenth of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by further regulating group, accident and health insurance.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 89, entitled:

An Act making an appropriation from the State Workmen's Insurance Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to

the State Employes' Retirement System with respect to State employes receiving compensation from the State Workmen's Insurance Fund

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 155, entitled:

An Act making an appropriation from the Fish Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Fish Fund

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 439, entitled:

An Act providing for the establishment in counties of the second class of the lot and block plan for the registration of land titles for the accumulation of county tax liens and for the enumeration of the parcels of real estate to be assessed for county city borough township school and institution district taxation providing for the incurring of indebtedness for the installation thereof and imposing duties upon the county controller and the deed registrar in each of such counties

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 448, entitled:

An Act to add section nineteen and two-tenths to the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" by providing for the admission of assessors into membership of such retirement systems

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 482, entitled:

An Act to amend section seven of the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 883) entitled "An act authorizing and directing the Department of Highways to erect and maintain as a post war construction project a toll bridge over the Allegheny River between a point in or near the Borough of Tarentum Allegheny County and a point in Westmoreland County and to provide the necessary approaches and connections with State highways providing for the acceptance of Federal aid empowering counties to pay certain damages providing for the collection of tolls on such bridge and making an appropriation" by appropriating funds from the Motor License Fund for the construction of said bridge

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 655, entitled:

An Act to add section six to the act approved the tenth day of June one thousand nine hundred eleven (P. L. 872) entitled "A supplement to an act entitled 'An act for the government of cities of the second class' approved the seventh day of March Anno Domini one thousand nine hundred and one creating and regulating a City Planning Department giving it jurisdiction extending it over the city and for three miles beyond the city limits and regulating the laying out of plans of lots within the limits of the city" requiring notice of proposed roads streets and highways leading to adjoining political subdivisions to be given to the authorities thereof by the City Planning Commission in cities of the second class A

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 664, entitled:

An Act to add section twenty-one point one to the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 1011) entitled "A supplement to an act entitled 'An act for the government of cities of the second class' approved the seventh day of March Anno Domini one thousand nine hundred and one creating a department of city planning providing for its organization and powers regulating the platting of ground prohibiting the recording of plans and sales of lots therein before their approval under penalties making it a misdemeanor for the recorder of deeds to record an unapproved plan restricting accepting laying out opening and improving private streets prohibiting the erection of buildings on land not abutting on public streets or streets not shown on the official master plan or an approved plat transferring to the department of city planning powers conferred by other statutes over plats or subdivisions of land the reservation of locations of mapped streets for future use and authorizing the assessment of damages for same, the preparation and compilation of an official street map providing penalties for the violation of this act and repealing certain statutes" requiring notice of proposed roads streets and highways leading to adjoining political subdivisions to be given to the authorities thereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 691, entitled

An Act to further amend section five hundred three of the act approved the eleventh day of July one thousand nine hundred twenty-three (P. L. 998) entitled "An act for the prevention and treatment of mental diseases mental defect epilepsy and inebriety regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics governing the transfer discharge interstate rendition and reportation of mental patients providing for the payment by individuals counties or the Commonwealth of the cost of the admission care and discharge of mental patients and imposing penalties" granting an exemption to the estates of mental patients from the cost of maintenance in mental institutions otherwise liable for such maintenance

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 823, entitled:

An Act to further amend subsection (1) of section six of the act approved the nineteenth day of July one thousand nine hundred thirty-five (P. L. 1356) entitled "An act to regulate the sale and delivery of solid fuel as herein defined providing for appointment of licensed weighmasters prescribing their powers and duties authorizing substitute licensed weighmasters imposing certain duties on the Department of Internal Affairs and providing penalties" further regulating the return of part of the weighmasters's license fee to cities and counties

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 824, entitled:

An Act to repeal certain statutes relating to weights and measures

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideratio nof House Bill No. 936, entitled:

An Act to amend section two of the act approved the twelfth day of May one thousand nine hundred eleven (P. L. 295) entitled "A supplement to an act entitled 'An act for the government of cities of the second class' approved the seventh day of March Anno Domini one thousand nine hundred and one providing for the levy collection and disbursement of taxes and water-rents or rates and conferring certain powers and duties in reference thereto upon the city treasurer the board of water assessors and the collector of delinquent taxes and repealing certain acts relating to matters herein provided for" by fixing a limit for taxes to be levied on real estate

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1002, entitled:

An Act providing for vocational rehabilitation for disabled individuals by the State Board of Vocational Education authorizing cooperation with other departments and agencies and reciprocal agreements with other States requiring cooperation with the Federal Government making the State Treasurer custodian and disbursement agent of Federal vocational rehabilitation funds prohibiting misuse of vocational rehabilitation lits and records limiting political activities by persons engaged in the administration of vocational rehabilitation and prescribing penalties

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1004, entitled:

An Act to further amend sections one and six of the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) entitled "An act relating to institutions of counties cities and institution districts for the care maintenance and treatment of mental patients providing for the transfer of such institutions to the Commonwealth providing for the management and operation or closing and abandonment thereof and the maintenance of mental patients therein including the collection of maintenance in certain cases providing for the retransfer of certain property to institution districts under certain circumstances conferring and imposing upon the Governor the Department of Welfare the courts of common pleas and counties cities and institutions districts certain powers and duties prohibiting cities counties and institutions dstricts from maintaining and operating institutions in whole or n part for the care and treatment of mental patients and repealing inconsistent laws" as amended and reenacted by further regulating the procedure relating to property of such institutions abandoned by the Commonwealth and to institutions closed

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1050, entitled:

An Act to further amend clause I of section three of article XIX of the act approved the seventh day of March one thousand nine hundred one (P. L. 20) entitled "An act for the government of cities of the second class" making the real estate of public service companies subject to taxation and providing certain exceptions

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1068, entitled:

An Act to protect the health safety and welfare of the public by empowering and authorizing the Water and Power Resources Board of the Department of Forests and Waters to act as the agency of the Commonwealth to carry into effect a protect to correct the existing and prevent the future silting of the Schuylkill River and its tributaries by wastes from anthracite coal mining operations defining the powers and duties of said Board authorizing purchase or condemnation of necessary properties easements rights and right-of-ways and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1082, entitled:

An Act to further amend the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissioners commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and bards of

school directors and imposing penalties" by changing the provisions of said act as to the registration of electors before and after certain elections the preparation of street lists the cancellation of registrations for failure to vote and the destruction of records.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1095, entitled:

An Act to amend section one thousand nine hundred one of the act approved the third day of June one thousand nine hundred thirty-seven (. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" requiring the Pennsylvania Game Commission to pay bounties to public employees.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1110, entitled:

An Act providing for the equalization of salaries for tipstaves in the courts of common pleas oyer and terminer and general jail delivery quarter sessions of the peace county court of Allegheny County and orphans' courts in counties of the second class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1135, entitled:

An Act conferring upon counties of the second class power to enter upon private property and open and maintain drainage channels along county roads or highways and providing penalty for interference with such drains or ditches.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1132, entitled:

An Act to amend the title and sections 2, 3, 4, 6, and 10, to repeal section 19 of and to add section 21.1 to the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1705) entitled "An act to promote public health morals safety and welfare by providing for the supervision and encouragement of housing creating a State Board of Housing a departmental administrative board within the Department of Health providing for the organization of the board the appointment and removal of its members enumerating its duties and powers including the powers to conduct investigations issue subpoenas apply to courts for punishment of contempts make orders rules and regulations prescribe forms require reports supervise the operations of limited dividend housing companies and housing authorities and their members and employes acquire property by eminent domain for limited dividend housing companies commence actions to prevent violations of law and to surcharge members of authorities supervise rental charged by limited dividend companies charge fees for services providing for the selection and removal of the board's employes providing for appeals from its orders and making an appropriation" by substituting the Department of Commerce for the Department of Health eliminating the honorarium for members of the board requiring the approval of the Secretary of Commerce for the appointment and compensation of an executive director enlarging the board's general powers and the plans to be filed therewith rescinding the provisions for selection and removal of the board's employes to transfer the board from the Department of Health to the Department of Commerce and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1139, entitled:

An Act to create a commission to act jointly with commissions appointed for like purpose by the States of West Virginia and Maryland the Commonwealth of Virginia and the District of Columbia which together with three members to be appointed by the President of the United States shall constitute the Interstate Commission on the Potomac River Basin with power to cooperate in the abatement of the existing pollution and in the control of future pollution of the waters of the drainage basin of the Potomac River within the States of Maryland and West Virginia the Commonwealth of Virginia and the District of Columbia to authorize the Governor of the state to execute on behalf of this state a compact with representatives of other states for the purpose of forming the above-mentioned commission and creating a Potomac Valley Conservancy District providing for the appointment of the Pennsylvania members of said commission and their terms of office and providing an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1232, entitled:

An Act to amend section nine hundred ten of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidate primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by providing that in the case of a candidate for nomination as a judge of a court of record who is in the armed service in time of war, the affidavit to his nomination petition may be made by the chairman of the political party.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 184, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in the Thirty-Fifth Ward in the City of Philadelphia, Commonwealth of Pennsylvania, known as the Naval Aviation Supply Depot; and ceding jurisdiction to the United States.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 185, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately twenty-seven acres of land in the Twenty-sixth and Forty-eighth Wards of the City of Philadelphia, known as the Naval Hospital; and ceding jurisdiction to the United States.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 186, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately sixty-five acres of land in the Fortieth Ward of the City of Philadelphia, known as the Naval Ammunition Depot at Fort Mifflin; and ceding jurisdiction to the United States.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 266, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America, of approximately two thousand four hundred acres of land in the County of Mercer, Commonwealth of Pennsylvania, for use in connection with Camp Reynolds, and ceding jurisdiction to the United States.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 357, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately five hundred fifty-seven acres of land in the Township of South Lebanon, County of Lebanon, and Commonwealth of Pennsylvania known as the Veterans' Administration Facility at Lebanon Pennsylvania and ceding jurisdiction to the United States.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 405, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of American of certain tracts of land in Chester County, Pennsylvania, for use in connection with the Valley Forge General Hospital, and ceding jurisdiction to the United States.

And said bill having been read at length the first time, Ordered. To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 422, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract of land in Lebanon County, Pennsylvania, containing approximately sixty-four acres, for use in connection with the Indiantown Gap Military Reservation; and ceding jurisdiction to the United States.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 429, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of three tracts of land in Cumberland County, Pennsylvania, containing approximately nine hundred forty-three acres, for use in connection with a military reservation known as Carlisle Barracks, and ceding jurisdiction to the United States.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 431, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of certain tracts of land in Dauphin County, Pennsylvania, for use in connection with the Middletown Air Depot, and ceding jurisdiction to the United States.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 3, entitled:

An Act to further amend clause (b) of section four of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" prohibiting the requiring of security for repayment of public assistance cancelling existing obligations and providing for reconveyance of real property

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 58, entitled:

An Act to further amend section two hundred twenty-two of the act approved the ninth day of April one thou-

sand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the exeutive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by further regulating the vacation leave and sick leave to which State employes are entitled with pay

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 411, entitled:

An Act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 685, entitled:

An Act to further amend section one of the act approved the twenty-fourth day of June one thousand nine hundred and nineteen (P. L. 579) entitled "An act to fix the salary and mileage of the members of the General Assembly and to provide for the furnishing of such postage stationery and supplies as may be necessary for the conduct of their offices and repealing all acts or parts of acts inconsistent therewith" increasing the mileage rate of members of the General Assembly

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 686, entitled:

An Act fixing the per diem rate for free or part payment service in State-aided hospitals

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 689, entitled:

An Act to amend section two hundred thirty-three and one-tenth of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing the recorder of deeds the prothonotary the clerks of the court of quarter sessions and the clerk of the orphans' court in counties of the fifth class to appoint solicitors and fixing their maximum salary

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 721, entitled:

An Act to amend section ten and to further amend section twelve of the act approved the twelfth day of May one thousand nine hundred twenty-five (P. L. 603) entitled "An act concerning conditional sales and to make uniform the law relating thereto" by changing the fees to which the filing officer shall be entitled

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 44, entitled:

An Act to further amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 814), entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration, and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," as amended, by further regulating and changing the provisions of the act relating to cancellation of registration upon the failure to vote within two years

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 45, entitled:

An Act to further amend sections three and thirty-nine of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849), entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics and certain public utility corporations, real estate brokers, rental agents, and boards of school directors: im-

posing penalties; and repealing existing legislation," as amended, by further regulating and changing the provisions of the act relating to cancellation of registration upon the failure to vote within two years

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 46, entitled:

An Act to further amend sections two and thirty-eight of the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487), entitled "An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as a condition of their right to vote at elections and primaries. and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspector of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," as amended, by further regulating and changing the provisions of the act relating to cancellation of registration upon failure to vote within two years.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 47, entitled:

An Act to further amend the act, approved the thirtieth day of March, one thousand nine hundred and thirty-seven (P. L. 115), entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commission, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents, certain public service companies, persons, firms, and corporations operating vehicles for moving furniture and household goods, and boards of school directors; and imposing penalties", as amended, by further regulating and changing the provisions of the act relating to cancellation of registration upon failure to vote within certain periods

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 48, entitled:

An Act to further amend the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1132), entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties" as amended, by further regulating and changing the provisions of the act relating to cancellation of registration upon the failure to vote within two years

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 52, entitled:

An Act relating to the practice procedure regulations and adjudications of departments departmental administrative boards and commissions independent administrative boards and commissions officers and other administrative agencies of this Commonwealth and judicial review thereof and preserving equitable jurisdiction in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 57, entitled:

An Act providing for the Pennsylvania Register for the publication and distribution of certain orders, regulations, rules, notices, proclamations, and similar instruments; imposing powers and duties on the Legislative Reference Bureau and the Department of Property and Supplies; creating the Pennsylvania Register Board and defining its powers and duties; and making an appropriation for payment of expenses and costs of publication, and distribution of the Pennsylvania Register.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 59, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-one (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by providing rest periods sick leave hospital and medical expenses and extra compensation in certain cases for police in counties of the second class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 197, entitled:

An Act authorizing the Department of Property and Supplies to acquire all property of The General State Authority and to purchase its outstanding bonds and obligations; authorizing and directing said authority to cancel its bonds, discharge its obligations and to transfer all its property to the Commonwealth of Pennsylvania; authorizing and directing the Department of Property and Supplies to transfer to any land grant college any properties acquired by it from The General State Authority which are being used by such land grant college; and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

THE SPEAKER (Ira T. Fiss) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Jefferson, Mr. Dennison, for presiding.

BILLS ON SECOND READING

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 284, entitled:

An Act to further amend section four of the act, approved the twentieth day of May, one thousand nine hundred and fifteen (P. L. 566), entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities, and all county or other public employes, if any, paid by appropriation of the city councils thereof, and out of the treasury of said cities; and regulating the administration and the payment of such pensions," increasing the maximum monthly pension payments in such cases.

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 86, entitled:

An Act making an appropriation to the several fire companies of the City of Harrisburg Pennsylvania.

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 87, entitled:

An Act making an appropration to the Women's Medical College of Pennsylvania located at East Falls Philadelphia Pennsylvania.

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 88, entitled:

An Act making an appropriation to the Cresson Volunteer Fire Company for the protection of State property.

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 90, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school.

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 91, entitled:

An Act making an appropriation to the National Farm School at Doylestown Pennsylvania.

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 112, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of Indiana State Teachers' College, to acquire a certain tract of land for the use of said school; and making an appropriation therefor.

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 141, entitled:

An Act making an appropriation to Sleighton Farm School for Girls situate in Delaware County Pennsylvania.

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 145, entitled:

An Act making an appropriation to The Glen Mills Schools situate in Delaware County Pennsylvania.

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 151, entitled:

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania.

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 153, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 158, entitled:

An Act making an appropriation to the Trustees of the College of Lincoln University Chester County.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 160, entitled:

An Act making an appropriation to the Department of Forests and Waters for the use of the Valley Forge Park Commission for payment of lands acquired by condemnation and of the necessary expenses incurred incident thereto.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 168, entitled:

An Act making an appropriation for aid to free public non-sectarian county libraries and for the purchase and transportation of books.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 214, entitled:

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 215, entitled:

An Act making an appropriation to the Orlando S. Johnson Industrial School of Scranton, Pennsylvania.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House No. 216, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 494, entitled:

An Act making an appropriation to the Local Government Commission to continue its work.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 511, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of maintaining dikes along Darby Creek in Tinicum and Darby Townships, Delaware County, and in Philadelphia.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 869, entitled:

An Act making an appropriation to the Trustees of the George Jr. Republic Association, Grove City, Pennsylvania, for the payment of costs of new construction and repairs.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1170, entitled:

An Act making an appropriation to the Department of Property and Supplies for the installation of an electric roll call system in the Hall of the House of Representatives.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 517, entitled:

An Act increasing the fees of Justices of the Peace and Aldermen in cases of summary conviction relating to motor vehicles.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 633, entitled:

An Act to add section 1402.1, and to further amend section 2556 of the act approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," providing that the city treasurer shall appoint the assistants and employes of his office, and requiring the various taxing authorities to pay the cost of insuring the city treasurer against losses of money through no fault of his own.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 717, entitled:

An Act further amending and supplementing the act approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business croporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commission, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by adding to Article III, Section three hundred two thereof a new subsection to be designated as (sixteen), empowering every business corporation to make contributions, out of its income in any taxable year, for public and charitable purposes, to an amount which does not exceed fifteen per centum (15%) of the net income of such business corporation for such taxable year, as returned by it to the Federal Government for income tax purposes.

The first section was read.

On the question,

Will the House agree to the section?

Mr. COHEN. Mr. Speaker, I desire to interrogate the sponsor of this bill, the gentleman from Elk, Mr. Sorg.

The SPEAKER. Will the gentleman from Elk permit himself to be interrogated?

Mr. SORG. I shall, Mr. Speaker.

Mr. COHEN. Mr. Speaker, I should like to ask the gentleman whether or not this bill would empower the boards of directors of corporations of Pennsylvania to contribute fifteen per cent of the net earnings, or is it net income of the corporations, for charitable purposes?

Mr. SORG. It would, Mr. Speaker.

Mr. COHEN. Is that net income or net earnings, Mr. Speaker?

Mr. SORG. Net, or as it is reported for Federal income tax purposes.

Mr. COHEN. Would this mean, Mr. Speaker, an additional deduction from Uncle Sam's tax bill?

Mr. SORG. Mr. Speaker, it would not, in my opinion.

Mr. COHEN. Will the gentleman tell me whether or not such action by boards of directors of corporations would have to meet with the approval of the stockholders of the corporation?

Mr. SORG. No, Mr. Speaker, it is my opinion that it would not require the approval of the stockholders.

Mr. COHEN. Will the gentleman tell me whether there has been any great demand for this special privilege for the corporations?

Mr. SORG. Mr. Speaker, I might advise the gentleman that there has been no great demand, only requests.

Mr. COHEN. Mr. Speaker, I think perhaps that the most that can be said for this bill might better be said on third reading, although quite frankly I should like for the benefit of the Members on both sides of the House to give my own reaction to this bill, which might mean the taking away of dividends or earnings from stockholders of both large and small, and I am particularly interested of course in the small corporations which would under this bill be permitted to be given to charitable institutions.

Of course no one has any objection to benevolent and charitable institutions receiving any amounts of money—we are all for it, but the question, and if I am right in my conception of the bill, is, should we permit the directors of a corporation to spend the moneys of the stockholders each year before a dividend is declared, and give it to some organization or organizations, first, for which the stockholders might not have sympathy, and second, which the stockholders, even though they may have sympathy for it, might feel there has been enough of their money devoted to that particular charitable or benevolent institution.

There might be much more said generally, but I leave that for your examination, to turn it over in your mind even with our motion to have the purpose and intent of bills printed, even if that had prevailed, the members might have something in their minds to think about.

What is a benevolent institution or what is a charitable institution? It may be, according to certain current thinking, an organization possibly that might use the money for political purposes, although the bill specifically states not to be used for political propaganda. I have in mind at least one of them which up to now has been able to defy the United States Senate to determine whether it is a political organization or whether it is a charitable organization or an educational organization. I submit all these matters for the members' thinking until tomorrow when we get to third reading, when I may have more to say about it.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 917, entitled:

An Act to validate certain acknowledgments and to regulate the effect thereof.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 984, entitled:

An Act to amend section one thousand eighty of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," authorizing collection by the tax collector of moneys other than taxes levied or assessed against real property.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1087, entitled:

An Act to amend section one of the act, approved the eighteenth day of March, one thousand eight hundred seventy-five (P. L. 32), entitled "An act requiring recorders of deeds to prepare and keep in their respective offices general, direct and ad sectum indexes of deeds and mortgages recorded therein, prescribing the duty of said recorders and declaring that the entries in said general indexes shall be notice to all persons," further prescribing the entries to be made by recorders of deeds in the indexes for deeds and indexes for mortgages.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1098, entitled:

An Act authorizing cities of the third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1099, entitled:

An Act to add section seventeen point one to the act approved the third day of May, one thousand nine hundred thirty-three, (P. L. 242), entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture; defining beauty culture, and regulating beauty culture shops, schools, students, apprentices, teachers, managers and operators; conferring powers and duties upon the Department of Public Instruction; providing for appeals to certain courts by applicants and licensees; and providing penalties," by declaring the right of municipalities to adopt ordinances for the regulation of beauty shops and beauty schools.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1111, entitled:

An Act to amend section one thousand two hundred two of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs, and revising, amending and consolidating the law relating to boroughs," authorizing borough councils to make appropriations of certain sums for community nursing and ambulance service.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1172, entitled:

An Act to further amend the first six paragraphs of section four hundred seven of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined," increasing the membership of the Pennsylvania Aeronautics Commission.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 72, entitled:

An Act to further amend section six hundred one of the act approved the twenty-fifth day of May, one thousand nine hundred thirty-three (P. L. 1001), entitled "An act providing for the regulation of aeronautics within this Commonwealth conferring powers and imposing duties upon the Pennsylvania Aeronautics Commission and the Department of Revenue in respect thereto providing for the licensing and registration of airman and aircraft establishing the legal status of air navigation providing for sovereignty in and ownership of space providing for lawfulness of flights regulating civil causes of action arising out of operation of aircraft fixing the status of contracts, crimes and torts in by or by means of operation of aircraft imposing duties upon officers, burgesses, magistrates, aldermen, justices of the peace, the courts and clerks thereof, providing for denial or revocation of licenses providing for certain penalties and their disposition and repealing certain existing laws" by reducing the amount of the minimum fine which may be imposed for certain violations

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 113, entitled:

An Act to empower political subdivisions to promulgate administer and enforce airport zoning regulations limiting the height of structures and objects of natural growth and otherwise regulating the use of property in the vicinity of airports and to acquire by purchase grant or condemnation air rights and other interests in land to authorize penalties and remedies for violations of this act or of any ordinances or regulation made under the authority conferred herein and to authorize appropriations

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 115, entitled:

An Act to repeal Section forty-five of the Act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents"

The first and second sections and title were separately read and agreed to.

On the question.

Will the House agreed to the bill on second reading?

Mr. ANDREWS. Mr. Speaker, I was trying to get the speaker's attention. I desire to have either the Majority Leader or the gentleman from Elk interpret this bill. I would like to know what it does, how it does it and have its various provisions explained to me in United States language that I can understand.

Mr. SORG. Mr. Speaker, I will confess that I do not know what Section 45 of the act of 1917 is, but it is my understanding that this measure is intended only to repeal that particular Section of the act.

Mr. ANDREWS. Mr. Speaker, might I request the gentleman to take five minutes and report to the House what that section that is repealed does.

Mr. SORG. Mr. Speaker, if the gentleman says that it is very complicated I am very much flattered at the allowance of only five minutes.

Mr. ANDREWS. Did I misunderstand the Majority Leader when he assured this House that every Member and any Member on his side of the House could within five minutes report to this House the purpose and intent of any bill that was pending?

Mr. SORG. Mr. Speaker, I presume that the statement was made by the Majority Leader, and I am quite sure that in five minutes it could be learned and a satisfactory report made to the gentleman.

PARLIAMENTARY INQUIRY

Mr. ANDREWS. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ANDREWS. Mr. Speaker, what will it be necessary to do or what motion is it necessary to make to give the gentleman five minutes?

The SPEAKER. If a motion of that kind is made the bill would have to be placed on the postponed calendar.

Mr. SORG. Mr. Speaker, do I understand that the bill is to be placed on the second reading postponed calendar?

The SPEAKER. The Chair has not received such a motion.

Mr. KRISE. Mr. Speaker, I was chairman of the Committee that reported this bill out to the House. I believe earlier this evening the gentleman from Cambria, Mr. Andrews, said that the Chairman of the Committee ought to know something about the bill. I do know something about the bill and it may be I can clarify it.

Presently, Mr. Speaker, they are allowed to charge the full administrative fee. When it gets to an estate that might go on ten or fifteen or twenty years, and a bank continues on as trustee, they are not permitted to charge an additional fee. This bill would permit that to be done under the direction of the court. They would set that fee so that there would be both the administrator's fee and the fee for the administration of the estate set by the court.

Mr. ANDREWS. Mr. Speaker, I desire to thank very much the gentleman. The Chairman of the Committee has vindicated my contention one hundred percent. I submit to the Speaker and to the House that we would have indeed been in a sorry mess had we not been able to avail ourselves of the services of the Chairman of the Committee. As I pointed out to this House, the Chairman of the Committee can always probably tell us what is in these bills.

On the question recurring,

Will the House agree to the bill on second reading?

It was agreed to.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 188, entitled:

An Act to amend section four hundred twenty as added to the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled, "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by including annuity policy contracts.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection Senate Bill No. 195, Printer's No. 72 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 356, entitled:

An Act to further amend Section 411 subsection B of Section 512 Section 1012 Section 1108 and subsection B of Section 1109 of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and duties and limitations upon powers of corporations and persons authorized to engage in a banking or fiduciary business or both

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 424, entitled:

An Act to amend Section 686 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth" by providing that a cashier of a bank who engages in any gainful profession, occupation, or calling other than that of his duty as cashier shall not be guilty of a misdemeanor.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 460, entitled:

An Act to further amend Sub-section A of Section one thousand one of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National Banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by regulating the making of certain classes of loans and clarifying the powers and limitations on powers of banks and bank and trust companies

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 620, entitled:

An Act to prohibit discriminatory employment practices based upon race color creed national origin or ancestry to create a State Commission Against Discrimination within the Department of Labor and Industry prescribing its powers and duties providing for an educational program authorizing the issuance of subpoenas by the commission or its agents conferring jurisdiction upon courts to punish contempts of orders of the commission providing for appeals to the courts from decisions of the commission imposing penalties providing appropriations.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILL RECOMMITTED

Mr. SALUS. Mr. Speaker, I move that this bill be recommitted to the Committee on Labor for the purpose of a public hearing.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1093, entitled:

An Act to establish a separate orphans' court in and for the County of Beaver.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILLS ON THIRD READING

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. READINGER.

The House resumed the consideration on third reading of House Bill No. 581, entitled:

An Act relating to the imposition of costs in criminal cases; providing for such costs to be borne by the Commonwealth in certain cases; and imposing duties upon counties and upon the Commonwealth in connection with the costs in criminal cases.

On the question,

Will the House agree to the bill on third reading?

Mr. READINGER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend the title, page 1, first line of title, by inserting after the word "cases" "in counties of the first and second classes."

Amend Sec. 1, page 1, line 2, by inserting after the word "Commonwealth" "in counties of the first and second classes."

Amend Sec. 1, page 1, line 3, by inserting after the word "courts" "in such counties."

Amend Sec. 9, page 3, line 16, by striking out the word "specifically"

Amend Sec. 9, page 3, line 17, by inserting after the word "repealed" "in so far as they are inconsistent with the provisions of this act."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILLS PASSED OVER

There being no objection House Bill No. 51, Printer's No. 166.

House Bill No. 528, Printer's No. 232, and

Senate Bill No. 243, Printer's No. 113,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 792, as follows:

An Act prescribing the question to be determined in certain cases where a new trial is granted

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 When in any action a new trial shall be granted to any party solely upon the ground of inadequacy or excessiveness of a verdict or finding the sole question to be determined upon such new trial shall be the amount of damages and the question of liability as between the parties shall be deemed to have been finally determined by the prior verdict or finding

Section 2 All acts and parts of acts inconsistent herewith are hereby repealed

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TURNER. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia, Mr. Modell.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. MODELL. I shall, Mr. Speaker.

Mr. TURNER. Will the gentleman from Philadelphia explain the purpose of this bill?

Mr. MODELL. Mr. Speaker, this bill provides that where a new trial is granted in any case because of excessive or inadequacy of the verdict, that the new trial shall only be to determine the question of the amount involved and will not determine again as to the merits.

Mr. TURNER. And this is not the present rule under the law?

Mr. MODELL. This is not.

Mr. TURNER. Then why the change?

Mr. MODELL. The reason for that is this, Mr. Speaker, many attorneys have brought to my attention, and I also have noticed in my practice that what very often happens is that a trial is had upon any kind of a matter, and more often in negligence matters where a party may have a verdict in its favor, and the verdict by the jury in that particular case might have been inadequate or excessive, and for this example I will take the case where it is inadequate, and a new trial is granted solely upon that question.

Then a new trial is had and the difficulty is very often encountered in finding your witnesses because they might have left the jurisdiction or they may be very busy and difficult to obtain for a second hearing, and as a result justice very often is not done to those people.

If, however, the only question on the second trial after liability has already been determined is the amount to be given to that plaintiff, then there is no need for finding those witnesses again, and the court upon depositions, or the testimony rather, can determine the amount to be given, or the jury may determine that, but the witnesses need not be there to again explain how the accident happened or how the facts turned out originally.

Mr. TURNER. Mr. Speaker, might not the jury that first decided in determining the question of negligence also have some thought in mind in fixing the amount of the damages, that is the relation between the question of negligence and the damages?

Mr. MODELL. Mr. Speaker, in my opinion the answer to that is no, for this reason; the jury has two questions to determine; one is liability and after they have determined that, then the question is how much damages are to be given for the injury sustained.

Mr. TURNER. I can agree with that legal opinion, but from the standpoint of a human being and the person in the jury box, might it not have some reflection?

Mr. MODELL. In my opinion it would not, Mr. Speaker, because they are two different questions. The jury has already determined the first and that is settled, and then they have only to determine upon the evidence how much should be given to the plaintifl, because the liability has already been determined.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—125

Andrews,	Green,	McMillen,	Reilly,
Baker,	Greenwood,	McNair,	Reynolds,
Barrett,	Greer,	McNally,	Riley,
Bentzel,	Haberlen,	Mihm,	Root,
Boles,	Hamilton,	Mikula,	Rose,
Boney,	Hare,	Mills,	Salus,
Boory,	Heatherington,	Modell,	Scanlon,
Brancato,	Hennihan,	Mooney,	Schuster,
Brice,	Herman,	Moore, C. E.,	Shaffer,
Brown,	Hersch,	Moore, W. J.,	Skale,
Brunner, P. A.,	Hoggard,	Moran,	Smith,
Burns,	Howells,	Moser,	Snider,
Chervenak,	Hunter,	Murray, M. L.,	Snyder,
Chudoff,	Jones,	Myhan,	Stank,
Cohen,	Kennedy,	Nagel,	Swope,
Coleman,	Kirley,	Nelson,	Tahl,
Corrigan,	Kline,	O'Brien,	Tate,
Costa,	Kolankiewicz,	O'Connor,	Tittle,
Coyle,	Komorofski,	O'Donnell,	Trachtman,
Cullen,	Kurtz,	O'Neill,	Turbett,
Dougherty,	Leonard,	Owens,	Varallo,
Duffy,	Levy,	Pentrack,	Verona,
Elish,	Loftus,	Petrosky,	Wachhaus,
Finnerty,	Longo,	Pettigrew,	Wagner,
Fox,	Lovett,	Pickens,	Waterhouse,
Gaffney,	Madden,	Polaski,	Watkins,
Gallagher,	Mahany,	Polen,	Weiss,
Gardner,	McAtee,	Powers,	Welsh,
Getchey,	McCormack,	Readinger,	White,
Goodling,	McDowell,	Reese, R. E.,	Wright,
Gore,	McLanahan,	Reidenbach,	Yester,
Grant,			

NAYS—51

Barton,	Erb,	James,	Shoemaker,
Boorse,	Ewing,	Krise,	Sloan,
Bower,	Flack,	Laughner,	Sorg,
Brunner, C. H.,	Foor,	Lee,	Stockham,
Cadwalader,	Fullerton,	Leisey,	Stonier,
Cooper,	Gibson,	Lichtenwalter,	Stuart,
Coulson,	Guthrie,	McClester,	Trout,
Dague,	Gyger,	McKinney,	Turner,
Dalrymple,	Hall,	Miller,	Wood, N.,
Dennison,	Helm,	Milliken,	Worley,
Dix,	Hewitt,	Propert,	Yeakel,
Dye,	Hoffman,	Reese, D. P.,	Fiss,
Elder,	Huntley,	Royer,	Speaker.

NOT VOTING—30

Baumunk,	Fleming,	Lyons,	Robertson,
Bentley,	Freed,	Madigan,	Rudisill,
Bonawitz,	Frost,	Matthews,	Serrill,
Breisch,	Haudenshield,	Munley,	Sollenberger,
Brothers,	Hering,	Murray, P. G.,	Trent,
Cook,	Hoopes,	Reagan,	Wescott,
Depuy,	Lane,	Regan,	Wood, L. H.,
Dillon,	Lopez,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection House Bill No. 846, Printer's No. 265, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 522, entitled:

An Act to further amend the title and sections one, three, eight, eleven, sixteen, eighteen and nineteen of, and to add section ten point one to, the act, approved the twenty-eighth day of May, one thousand nine hundred fifteen (P. L. 587), entitled "An act to protect the public health by regulating the manufacture, preparation, handling, storage, sale, transportation and possession of meat and meat-food products; prescribing the powers and duties of the State Live Stock Sanitary Board incidental thereto," including poultry within the provisions of the act providing for the licensing of establishments; making possession of unwholesome meat or meat-food products prima facie evidence of intention to sell; and prescribing additional penalties.

On the question,

Will the House agree to the bill on third reading?

Mr. TURNER. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend Sec. 2, (Sec. 8), page 3, line 20, by inserting after the word "product" "for the purposes set forth above".

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 770, entitled:

An Act to amend section eight hundred and fifteen of the act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by controlling certain shooting throughout the year.

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED

Mr. LICHTENWALTER. Mr. Speaker, I move that this bill be placed on the postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 295, as follows:

An Act to repeal certain obsolete and supplied penal laws

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following obsolete and supplied penal acts and parts of acts and resolutions and parts of resolutions are hereby repealed absolutely

Section three of the act approved the twenty-sixth day of August one thousand seven hundred twenty-one (1 Sm L 129) entitled "An act for preventing accidents that may happen by fire"

The act approved the ninth day of February one thousand seven hundred fifty-one (1 Sm L 208) entitled "An

act for the more effectual preventing accidents which may happen by fire and for suppressing ideleness drunkenness and other debaucheries"

The act approved the twenty-fourth day of December one thousand seven hundred seventy-four (1 Sm L 421) entitled "An act to suppress the disorderly practice of firing guns &c on the times therein mentioned"

Section six of the act approved the twenty-ninth day of September one thousand seven hundred eighty-seven (2 Sm L 432) entitled "An act for regulating chimney-sweepers within the city of Philadelphia the district of Southwark and township of the Northern-Liberties in the county of Philadelphia"

Section three four and twelve of the act approved the twenty-second day of April one thousand seven hundred ninety-four (3 Sm L 177) entitled "An act for the prevention of vice and immorality and of unlawful gaming and to restrain disorderly sports and dissipation"

Sections one two three four five six seven and eight of the act approved the seventeenth day of February one thousand eight hundred twenty (P. L. 20 7 Sm L 244) entitled "An act against horse racing"

The act approved the sixth day of March one thousand eight hundred twenty (P. L. 46 7 Sm L 254) entitled "An act relative to the owners and drivers of public stages and other carriages for the conveyance of passengers and for other purposes"

Sections one two three and four of the act approved the second day of April one thousand eight hundred twenty-two (P. L. 286 7 Sm L 660) entitled "An act to prevent the disturbance of meetings held for the purpose of religious worship"

Clause three of the resolution approved the third day of April one thousand eight hundred forty (P. L. 714) entitled "A resolution providing for the resumption of specie payments by the banks and for other purposes"

Section nineteen of the act approved the twenty-sixth day of January one thousand eight hundred forty-nine (P. L. 10) entitled "An act regulating turnpike and plank road companies"

The act approved the second day of April one thousand eight hundred seventy (P. L. 46) entitled "An act supplementary to an act entitled 'An act to consolidate revise and amend the laws of this Commonwealth relating to penal proceedings and pleadings' approved the thirty-first day of March Anno Domini one thousand eight hundred and sixty"

The act approved the eighth day of May one thousand eight hundred seventy-six (P. L. 154) entitled "An act to define and suppress vagrancy"

The act approved the third day of May one thousand eight hundred seventy-eight (P. L. 40) entitled "An act to amend an act entitled 'An act to define and suppress vagrancy' approved May eighth one thousand eight hundred and seventy-six so as to prohibit the payment of fees for arrests made by police officers and high constables"

The act approved the fourth day of June one thousand eight hundred seventy-nine (P. L. 85) entitled "An act to prevent the obstruction of toll-gates for the purpose of evading the payment of tolls"

The act approved the thirteenth day of June one thousand eight hundred eighty-three (P. L. 100) entitled "An act to authorized in cities of the first class whenever wayfarers' lodges shall be established therein the commitnemt of persons to the house of correction as vagrants who shall obtain shelter and food from such lodges and who shall refuse to perform work in return therefor when physically able to work"

Section four of the act approved the twenty-eighth day of May one thousand eight hundred eighty-five (P. L. 27) entitled "An act supplementary to an act entitled 'An act to protect children from neglect and cruelty and relating to their employment protection and adoption' approved the eleventh day of June one thousand eight hundred and seventy-nine providing for the further protection of minors and regulating the boarding and maintaining of infant children for hire"

Sections one and two of the act approved the eighth day of May one thousand eight hundred eighty-nine (P. L. 131) entitled "An act forbidding the refilling of or dealing or trafficking in registered bottles by persons other than the owners thereof without the written permission of the owner declaring it to be a misdemeanor so to do imposing a penalty therefor and providing what shall be prima facie proof thereof"

The act approved the tenth day of July one thousand nine hundred one (P. L. 638) entitled "An act to prohibit the sale and furnishing of tobacco to persons under the age of sixteen years"

Section one of the act approved the twenty-seventh day of March one thousand nine hundred three (P. L. 102) entitled "An act to prevent bigamous marriages defining same and declaring same misdemeanors fixing the punishment declaring certain marriages void exempting certain persons from the penalties marking out limits of time within which the prosecution must be brought and repealing inconsistent acts"

The act approved the twenty-third day of April one thousand nine hundred nine (P. L. 171) entitled "An act making it a misdemeanor for any person to make utter circulate or transmit false or derogatory statements affecting the solvency or financial standing of any bank banking house banking company trust company surety company guarantee company title insurance company or other financial institution in this Commonwealth and providing penalties for violation of this act"

Sections one and two of the act approved the sixth day of May one thousand nine hundred nine (P. L. 443) entitled "An act prohibiting any owner offering for sale or selling any horse which could not be worked in this Commonwealth without violating the laws against cruelty to animals by reason of lameness debility disease or other cause and preventing any person from leading riding or driving on any public way for any purpose except to a proper place for humane keeping or killing or for medical or surgical treatment any horse which by reason of debility disease or lameness or for other cause could not be worked without violating the laws against cruelty to animals providing a penalty for the violation of this act and authorizing policemen constables or agents of any society for the prevention of cruelty to animals in this Commonwealth to make arrests on view or by warrant of offenders of this act

Section three of the act approved the eleventh day of May one thousand nine hundred eleven (P. L. 274) entitled "An act to prohibit the bringing into prisons of all weapons or other implements which may be used to injure any convict or person or in assisting any convict to escape punishment or the selling or furnishing of same to convicts to prohibit the bringing into prisons of all spirituous or fermented liquors drugs medicines poisons opium morphine or any other kind or character of narcotics or the giving selling or furnishing of spirituous or fermented liquor drugs medicine poison opium morphine or any other kind or character of narcotics or bringing into or taking out letters notes money or contraband goods of any kind whatsoever and providing a penalty for the violation thereof"

Sections eight and nine of the act approved the twelfth day of June one thousand nine hundred thirteen (P. L. 481) entitled "An act relating to inns and hotels regulating certain rights and liabilities of hotelkeepers and innkeepers and providing penalties for fraud against innkeepers and hotelkeepers"

Sections two three and four of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1068) entitled "An act to prevent the publication and distribution of discriminating matter against any religious sect creed class denomination or nationality and to punish the same"

The act approved the twenty-fifth day of June one thousand nine hundred thirty-one (P. L. 1361) entitled "An act to amend section one of the act approved the twenty-third day of April one thousand nine hundred and nine (P. L. 171) entitled 'An act making it a misdemeanor for any person to make utter circulate or

transmit false or derogatory statements affecting the solvency or financial standing of any bank banking house banking company trust company surety company guarantee company title insurnace company or other financial institution in this Commonwealth and providing penalties for violation of this act' by extending the provisions of said act so as to include the writing and publishing of derogatory financial statements and to include statements affecting building and loan associations"

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, I intend voting for this bill on faith. My lawyer friends tell me that it is quite all right. As a layman there is no possible way I could guide myself except by relying on sometimes treacherous support of members of the legal fraternity.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boies,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Donnell,	Varallo,
Dennison,	Kennedy,	O'Neill,	Verona,
Depuy,	Kirley,	Owens,	Wachhaus,
Dillon,	Kline,	Pentrack,	Wagner,
Dix,	Kolankiewicz,	Petrosky,	Waterhouse,
Dougherty,	Komorofski,	Pettigrew,	Watkins,
Duffy,	Krise,	Pickens,	Weiss,
Dye,	Kurtz,	Polaski,	Welsh,
Elder,	Lane,	Polen,	Wescott,
Elish,	Laughner,	Powers,	White,
Erb,	Lee,	Propert,	Wood, N.,
Ewing,	Leisey,	Readinger,	Worley,
Finnerty,	Leonard,	Reagan,	Wright,
Flack,	Levy,	Reese, D. P.,	Yeakel,
Fleming,	Lichtenwalter,	Reese, R. E.,	Yester,
Foor,	Loftus,	Regan,	Fiss,
Fox,	Longo,	Reidenbach,	Speaker.
Freed,	Lopez,		

NAYS—0

NOT VOTING—1

Wood, L. H.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 754, as follows:

An Act to further amend section two of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1513) entitled "An act regulating the construction equipment maintenance operation and inspection of boilers granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing penalties for violations of this act and repealing all acts or parts of acts inconsistent with this act" by exempting certain boilers from the provisions of the act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1513) entitled "An act regulating the construction equipment maintenance operation and inspection of boilers granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing penalties for violations of this act and repealing all acts or parts of acts inconsistent with this act" as amended by the act approved the fifth day of June one thousand nine hundred thirty seven (P. L. 1662) is hereby further amended to read as follows

Section 2 General Requirement Every boiler used or destined for use by any establishment and every boiler used or destined for use in any school or place of public assembly in this Commonwealth shall be so constructed installed maintained and operated with respect to the thickness and strength of the materials used in construction stay bolts and braces drums headers tubes doors riveting welding steam air and water guages safety valves blow offs all necessary piping and all other parts and appurtenances as to safely sustain the pressure at which the said boiler is designed and intended to operate Provided That nothing in this act shall be construed to apply to boilers subject to Federal inspection and control on steam locomotives railroad cars or steam boats nor to equipment used in connection with the operation of trains nor to boilers on other common carrier nor to boilers used in the operation of oil wells nor to boilers used in connection with the operation of coal mines nor to boilers carrying a pressure of not more than fifteen pounds per square inch which are equipped with safety device approved by the department except such boiler located in theatres motion picture theatres hospitals schools and colleges

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Andrews,	Fullerton,	Lyons,	Reilly,
Baker,	Gaffney,	Madden,	Reynolds,
Barrett,	Gallagher,	Madigan,	Riley,
Barton,	Gardner,	Mahany,	Robertson,
Baumunk,	Getchey,	Matthews,	Root,
Bentley,	Gibson,	McAtee,	Rose,
Bentzel,	Goodling,	McClester,	Royer,
Boies,	Gore,	McCormack,	Rudisill,

Bonawitz,	Grant,	McDowell,	Salus,
Boney,	Green,	McKinney,	Scanlon,
Boorse,	Greenwood,	McLanahan,	Schuster,
Boory,	Greer,	McMillen,	Serrill,
Bower,	Guthrie,	McNair,	Shaffer,
Brancato,	Gyger,	McNally,	Shoemaker,
Breisch,	Haberlen,	Mihm,	Skale,
Brice,	Hall,	Mikula,	Sloan,
Brothers,	Hamilton,	Miller,	Smith,
Brown,	Hare,	Milliken,	Snider,
Brunner, C. H.,	Haudenshield,	Mills,	Snyder,
Brunner, P. A.,	Heatherington,	Modell,	Sollenberger,
Burns,	Helm,	Mooney,	Sorg,
Cadwalader,	Hennihan,	Moore, C. E.,	Stank,
Chervenak,	Hering,	Moore, W. J.,	Stockham,
Chudoff,	Herman,	Moran,	Stonier,
Cohen,	Hersch,	Moser,	Stuart,
Coleman,	Hewitt,	Munley,	Swope,
Cook,	Hoffman,	Murray, M. L.,	Tahl,
Cooper,	Hoggard,	Murray, P. G.,	Tate,
Corrigan,	Hoopes,	Myhan,	Tittle,
Costa,	Howells,	Nagel,	Trachtman,
Coulson,	Hunter,	Nelson,	Trent,
Coyle,	Huntley,	O'Brien,	Trout,
Cullen,	James,	O'Connor,	Turbett,
Dague,	Jones,	O'Donnell,	Turner,
Dalrymple,	Kennedy,	O'Neill,	Varallo,
Dennison,	Kirley,	Owens,	Verona,
Depuy,	Kline,	Pentrack,	Wachhaus,
Dillon,	Kolankiewicz,	Petrosky,	Wagner,
Dix,	Komorofski,	Pettigrew,	Waterhouse,
Dougherty,	Krise,	Pickens,	Watkins,
Duffy,	Kurtz,	Polaski,	Weiss,
Dye,	Lane,	Polen,	Welsh,
Elder,	Laughner,	Powers,	Wescott,
Elish,	Lee,	Propert,	White,
Erb,	Leisey,	Readinger,	Wood, N.,
Ewing,	Leonard,	Reagan,	Worley,
Finnerty,	Levy,	Reese, D. P.,	Wright,
Flack,	Lichtenwalter,	Reese, R. E.,	Yeakel,
Fleming,	Loftus,	Regan,	Yester,
Foor,	Longo,	Reidenbach,	Fiss,
Fox,	Lopez,		Speaker.
Freed,	Lovett,		
Frost,			

NAYS—0

NOT VOTING—1

Wood, L. H.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 404, as follows:

An Act to amend section one thousand four hundred one of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" further regulating the establishment and maintenance of sidewalks

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand four hundred one of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows

Section 1401 Power of Supervisors to Establish Width and Location of sidewalks Consents in Certain Cases The supervisors of any township [upon the request of any landowner whose land fronts upon a public highway within such township] may construct and maintain sidewalks along any public highway in the township and may establish the width grade and location for a sidewalk along one or both sides of said highway [along the lands of such owner] [The width] of the walk on each side of said highway shall not be less than six feet for roads fifty feet in with or less and for roads over fifty feet in width shall be ten feet in width [when said sidewalks are so established such landowner shall pay for and keep the same in repair]

In case the street or highway is a State Highway or a county road the written consent of the Department of Highways or the county commissioners as the case may be shall first be obtained at least thirty days before the supervisors of any township shall construct any sidewalk under the provisions of this section they shall post notices of such proposed construction along the highway where the sidewalk is to be constructed Upon the presentation to the supervisors of a petition signed by property owners representing fifty-one (51) or more per centum of the real property in the township requesting the supervisors not to construct such proposed sidewalk the supervisors shall discontinue the plans for such construction and shall not again propose the same for a period of at least two years after the posting of the aforesaid notices

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boles,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Donnell,	Varallo,
Dennison,	Kennedy,	O'Neill,	Verona,
Depuy,	Kirley,	Owens,	Wachhaus,
Dillon,	Kline,	Pentrack,	Wagner,
Dix,	Kolankiewicz,	Petrosky,	Waterhouse,
Dougherty,	Komorofski,	Pettigrew,	Watkins,
Duffy,	Krise,	Pickens,	Weiss,
Dye,	Kurtz,	Polaski,	Welsh,
Elder,	Lane,	Polen,	Wescott,
Elish,	Laughner,	Powers,	White,
Erb,	Lee,	Propert,	Wood, N.,
Ewing,	Leisey,	Readinger,	Worley,
Finnerty,	Leonard,	Reagan,	Wright,
Flack,	Levy,	Reese, D. P.,	Yeakel,
Fleming,	Lichtenwalter,	Reese, R. E.,	Yester,

Foor,	Loftus,	Regan,	Fiss,	
Fox,	Longo,	Reidenbach,		Speaker.
Freed,	Lopez,			

NAYS—0

NOT VOTING—1

Wood, L. H.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 725, as follows:

An Act authorizing certain organizations with permission of the court of quarter sessions to conduct bingo games and award prizes to the winners fixing fees and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Upon the payment of a permit fee as hereinafter provided any fraternal or beneficial organization incorporated under the laws of the Commonwealth any religious organization labor union company or organization of volunteer firemen athletic association improvement association playground association band orchestra musical organization post branch or camp of any National organization of United States War Veterans or any charitable institution or agency required by existing law to file reports with the Department of Welfare or with any other department or office of the Commonwealth may upon petition secure from the court of quarter sessions of the county wherein such organization is located at the discretion of the court a permit authorizing it to conduct or operate bingo games at a fixed place within the said county for the purpose of raising funds for the use of such organization Before any petition is presented notice of the presentation shall be advertised once a week for two successive weeks in at least two newspapers of general circulation in the city borough or township and in the legal journal if any of the county Upon presentation of the petition a time for a hearing thereon in open court shall be fixed not less than thirty days after presentation of the petition during which period any interested party may file a remonstrance against the granting of a permit Each such permit shall be effective for the calendar year in which issued and shall authorize the charging of a fee for the privilege of playing said games and the giving winning and awarding of prizes of goods and other valuables to and by the winners in such games

Section 2 The fees for permits under the provisions of this act shall be graduated according to the political subdivisions in which the permit is effective as follows

In cities of the first and second classes fifty dollars ($50.00)

In cities of the third class twenty-five dollars ($25.00)

In townships of the first class fifteen dollars ($15.00)

In boroughs and incorporated towns ten dollars ($10.00)

In townships of the second class five dollars ($5.00)

The permit fees authorized under this act shall be collected by the clerk of the court for the use of the political subdivision in which such permit is to be effective and all such moneys so collected shall be paid to the political subdivision thereto monthly

The clerk of the court shall be entitled to a fee of one dollar ($1.00) for each such permit issued to be paid by the person in whom the permit is issued

Section 3 It is unlawful for any organization holding a permit as herein provided or any agent or employe thereof to pay any portion of the proceeds received by reason of any such games to or for the use of any individual as compensation for promoting organizing or conducting such games

Section 4 If any organization or person is convicted in a summary proceeding of violating the provisions of section three such person or organization shall be sentenced to pay a fine of one hundred dollars ($100.00) or undergo imprisonment for not more than thirty (30) days or both and the permit of the organization holding such games shall thereupon be void and of no effect

Section 5 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 6 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. HUNTLEY. Mr. Speaker, I have examined this bill and have concluded that it is a good bill. For years I have stood on the floor of this House and protested against Philadelphia and Pittsburgh bringing their dirty linen to this House to be washed. Such things could be put through the wringer at home; you can get no remedy here. The problem can only be solved at home. When Philadelphia wanted to stop smoking on its streetcars and motor buses last year,—or last summer I believe it was, they didn't come here. If they had, they would have gotten no place, but you will remember there was quite a controversy with the smokers. Many of the smokers said those who didn't want to put up with the smoke should get off and walk, but they didn't win. The people of Philadelphia decided that the smokers should get off and walk, or at least not smoke. In other words they solved the question there.

It wasn't so long ago that a judge in Pittsburgh instructed a grand jury and told them that the churches had been accustomed to playing bingo, and it was sort of a natural act, and if the grand jury found that there were no promoters getting a rake-off from putting bingo games across, they would be justified in not indicting the players.

This bill is not a gambling bill; it is a local option bill; it is a bill to take this matter before the local courts and decide it there. The bill, if you will read it, applies not to everybody, but to certain organizations, and they can go before the court and decide the place where it should be played, the fees, what they shall be used for. The license will only last for one year. If they are not satisfied the next year they can go back to court and reveal it, and there is no rake-off allowed or anybody allowed to promote it. It must be put on by the players themselves, and if this provision is broken, there is a severe penalty for doing it. All you need to do is to read this bill and you will see it is only a local option bill.

All sumptuary laws are not popular, and are either obeyed or they are nullified. For that reason local option has been decided by experience, and all experience has taught us that local option is the best way to handle sumptuary laws, because public opinion is the law that decides it. Where public opinion is in favor of a law it will be observed, and where public opinion is not in favor of the law, they will nullify it. These local option laws are simply trying to materialize public opinion of certain localities, and that is all this law intends to do.

Bingo is not a gambling game in the sense that professional gamblers use it. I have never known bingo to be practiced by professional gamblers. I have never known it to be played in a gambling house, and it is a sort of innocent game played by men, women and children in the open. Everybody plays it, and I don't think they are gamblers or law breakers, and this bill is the only means, as I see it, to give them a chance to stop it at home.

Mr. SALUS. Mr. Speaker, I personally am opposed to bingo because it is a vehicle that may open the road to gambling, but I am going to vote for this bill, and I am going to vote for it because it is a local option bill,—a local option bill, a home rule bill, and whether we in Philadelphia want bingo is a question for the local authorities to decide. I agree with the chairman of the committee, it is a question in each community, what they think is the best thing for the community. My own opinion is just the vote of one person, but I am going to support this bill on the theory that it is a home rule bill.

Mr. ANDREWS. Mr. Speaker, as I read this bill, particularly section three, the organizations that are now playing bingo, and their name and number is legion, would each be required to man their bingo games with volunteers? They couldn't pay anybody for calling the bingo numbers where you have a bingo game going and you have eight hundred to twelve hundred people, it becomes big business, and you can not man big business whether it is church, lodge or anything else, in the bingo line with volunteers; you have to pay your floor people, you have to pay your callers. This measure is simply a measure that kills big time bingo. Don't make any mistake about that. The people that are playing bingo don't want big time bingo killed. The people that are opposed to bingo won't want bingo legalized.

At the present time the people that don't want bingo legalized, and the people that want to play bingo are all perfectly happy. The people that don't want bingo legalized have the law, and the people who want to play bingo can play bingo it is a very happy situation, but those who are interested in bingo as a big time proposition put across by the Moose, by the Veterans of Foreign Wars, by the Legion, by various churches, by various other fraternal organizations will find it impossible to man their big time games with volunteer help. That is the reason why I am opposed to this measure, because it does not please people who are opposed to bingo and it cannot possibly please the people who want bingo.

Mr. HOFFMAN. It would appear to me, Mr. Speaker, that the principal of this bill, House Bill No. 725, is greater than the sentiment we are expressing concerning the bill. I think it is about time that we recognize the two fundamental factors that are necessary to the security of our well being and the perpetuity of what we call the American way of life. There is a moral and a spiritual principal involved in this proposed bill, and it appears to me that if there ever was a time when the people ought to be alive to the preservation of the moral standards of the youth of our land and to emphasize and reemphasize the spiritual values of our life, our living, that time is now, and I cannot conceive that this House would like to put itself on record as opening the door to the temptation of our youth and to set a standard that will lower our morals rather than evaluate them on a higher plane.

This war ought to teach us how necessary it is for us to bring back, if we can, better moral standards for our living. This country needs today more than anythg else, more solid and honest faith, and I do not think that at this particular season of year, in the solemnity of this Holy Week, that I am going to forget myself to vote for something that is recognized by law as evil, and under a bill transfer that evil to the judgment of local courts.

In the case of my own county I am reasonably sure that our presiding judge is not in favor of a bill of this character, and I am appealing to the Members of this House to think soberly today on this question of whether they are going to by their vote in support of this bill lower the standards of morals, leaving open the door for temptation to the youth and to the returning soldiers when they come back home. They went away from here with the knowledge that there was no law legalizing bingo. We have promised them that when they come back they will find the same America and the same standards, and I think we ought to be courageous enough in our hearts, strong enough in our purpose and steadfast enough in our faith to uphold the standards of morals and to preserve those things that we call our American liberty and our American way of life. I make this appeal ladies and gentlemen of the House, that we vote down House Bill 725.

Mr. HEATHERINGTON. Mr. Speaker, on the question of how many people play bingo, how many volunteers you can get to operate bingo, I know in my district we have quite a few volunteer fire companies, and the only possible chance that they have of making money to buy their equipment and to keep the fire company in action is from bingo. Some of them are games where they have as high as eight hundred or one thousand or twelve hundred people playing at a time and our game is manned by volunteers, nobody getting any pay. By voting for this bill you will be enabling quite a lot of fire companies to keep going, so that the company may still be in the business when G. I. Joe returns home, the way it was when he left.

Mr. HOGGARD. Mr. Speaker, this bill is similar to a bill introduced in this House during the last session. I was opopsed to it then, although it was introduced by one of my colleagues and I am opposed to this bill now. Nor am I alone in this matter. I have in my possession several letters here in my hand representing two major faiths in Philadelphia who are also opposed to this bill.

With the consent of the House I wish to read the letters. They are very brief; one of them consists only of one paragraph, and one of two very brief paragraphs. The first one is from the Methodist Church, headquarters at 1701 Arch Street, Philadelphia and reads as follows:

> The Methodist churches do not want the privilege of legalized Bingo. Gambling is gambling whether the church does it, or any other organization. In the interest of sound morality and for the protection of young people, Methodists want House Bill No. 725 killed. Such measures sabotage the much needed efforts now to give a morale and spiritual undergirding to society. Respectfully, Fred Pierce Corson, Resident Bishop.

The next one reads:

In view of House Bill No. 725 which would legalize bingo for religious groups, may I say on behalf of the 625 Baptist Churches in Pennsylvania that our churches are unalterably opposed to such legislation.

Nor a single one of our churches would condone or use bingo. From our viewpoint bingo is gambling and we feel it would be tragic misfortune to have the church become a member of the gambling fraternity. Respectfully yours, Benjamin P. Browne, Executive Secretary of the Pennsylvania Baptist Convention.

Mr. FINNERTY. Mr. Speaker, I listened to this debate here on the floor, and I feel that the gentleman who opposed this bill evidently never attended a bingo game. The way this bill is written, as the Chairman ably stated, it is a protection around the racketeers, and professional gamblers so they will not take hold of it. I feel where the crowd is small, particularly in a small town it brings about a community spirit, it brings people together.

I would say as far as the Floor Leader on this side is concerned that you have to pay those who conduct the games, that I have attended hundreds of games where nobody received a penny; it was given for charity, and I ask you Members of the House to support this bill. I feel that the women and the children who attend these games and the young men and the soldiers when they come back, will know that they have a place to get together, and under circumstances that will know where they are, where they are safe. If you do not give them some kind of sport you will have them going to places where they should not go. I ask you Members of this House to support this bill and to give the people who love this innocent game a chance to play it.

Mr. DENNISON. Mr. Speaker, I just wish to call the attention of the Members of the House to the provision of this bill which provides that bingo must be advertised in two papers of the county and also in the legal journal. I submit to you that the postal laws now forbid the circulation of any newspaper having any reference to a lottery. Therefore, I believe the advertising provision of this bill would be nulified by a Federal law.

Mr. MORAN. Mr. Speaker, there seems to be a lot of confusion on this bill, and I would like to ask the sponsor if he will put this bill on the postponed calendar until we have a chance to study it for a couple of days.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—93

Baker,	Freed,	McCormack,	Reynolds,
Barrett,	Gaffney,	McNair,	Root,
Baumunk,	Gallagher,	McNally,	Rose,
Bentzel,	Getchey,	Mihm,	Rudisill,
Boles,	Gore,	Mikula,	Salus,
Boney,	Grant,	Modell,	Scanlon,
Boory,	Green,	Mooney,	Schuster,
Brancato,	Heatherington,	Moore, W. J.,	Shaffer,
Brown,	Hennihan,	Moser,	Shoemaker,
Brunner, C. H.,	Hersch,	Munley,	Skale,
Brunner, P. A.,	Howells,	Murray, M. L.,	Sorg,
Burns,	Hunter,	Myhan,	Stank,
Chervenak,	Huntley,	O'Connor,	Stonier,
Coleman,	Jones,	O'Donnell,	Tahl,
Cook,	Kirley,	O'Neill,	Tate,
Corrigan,	Kline,	Owens,	Trachtman,
Costa,	Kolankiewicz,	Pentrack,	Varallo,
Coyle,	Komorofski,	Petrosky,	Verona,
Cullen,	Lane,	Pettigrew,	Wachhaus,
Dalrymple,	Leonard,	Polaski,	Watkins,
Dougherty,	Loftus,	Powers,	Weiss,
Duffy,	Longo,	Reese, R. E.,	Welsh,
Finnerty,	McAtee,	Reidenbach,	White,

NAYS—100

Andrews,	Fullerton,	Levy,	Riley,
Barton,	Gardner,	Lichtenwalter,	Robertson,
Bonawitz,	Gibson,	Madden,	Royer,
Boorse,	Goodling,	Madigan,	Serrill,
Bower,	Greenwood,	Mahany,	Sloan,
Breisch,	Greer,	McClester,	Smith,
Brice,	Guthrie,	McDowell,	Snider,
Brothers,	Gyger,	McKinney,	Snyder,
Cadwalader,	Haberlen,	McLanahan,	Stockham,
Cooper,	Hall,	McMillen,	Stuart,
Coulson,	Hamilton,	Miller,	Swope,
Dague,	Hare,	Milliken,	Tittle,
Dennison,	Haudenshield,	Mills,	Trent,
Depuy,	Helm,	Moore, C. E.,	Trout,
Dix,	Hering,	Murray, P. G.,	Turbett,
Dye,	Hewitt,	Nagel,	Turner,
Elder,	Hoffman,	Nelson,	Wagner,
Elish,	Hoggard,	O'Brien,	Waterhouse,
Erb,	James,	Pickens,	Wescott,
Ewing,	Kennedy,	Polen,	Wood, N.,
Flack,	Krise,	Propert,	Worley,
Fleming,	Kurtz,	Readinger,	Wright,
Foor,	Laughner,	Reagan,	Yeakel,
Fox,	Lee,	Reese, D. P.,	Yester,
Frost,	Leisey,	Reilly,	Fiss, Speaker.

NOT VOTING—13

Bentley,	Herman,	Lyons,	Regan,
Chudoff,	Hoopes,	Matthews,	Sollenberger,
Cohen,	Lopez,	Moran,	Wood, L. H.,
Dillon,	Lovett,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 901, as follows:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by transferring the State Board of Undertakers from the Department of Health to the Department of Public Instruction

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and

reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the twenty-first day one thousand nine hundred forty-three (P. L. 443) is hereby further amended to read as follows

Section 202 Departmental Administrative Boards Commissions and Officers The following boards commissions and offices are hereby placed and made departmental administrative boards commissions or offices as the case may be in the respective administrative departments mentioned in the preceding section as follows

In the Department of State
State Employes' Retirement Board
In the Department of Justice
Board of Pardons
Board of Commissioners on Uniform State Laws
In the Treasury Department
Board of Finance and Revenue
In the Department of Internal Affairs
Board of Property
In the Department of Public Instruction
State Council of Education
Pennsylvania State Board of Censors
Public School Employes' Retirement Board
Pennsylvania Historical Commission
Board of Trustees of Thaddeus Stevens Industrial School
Board of Trustees of Pennsylvania State Oral School for the Deaf
Board of Trustees of Pennsylvania Soldiers' Orphan School
Board of Trustees of West Chester State Teachers' College
Board of Trustees of Millersville State Teachers' College
Board of Trustees of Kutztown State Teachers' College
Board of Trustees of East Stroudsburg State Teachers' College
Board of Trustees of Mansfield State Teachers' College
Board of Trustees of Bloomsburg State Teachers' College
Board of Trustees of Shippensburg State Teachers' College
Board of Trustees of Lock Haven State Teachers' College
Board of Trustees of Indiana State Teachers' College
Board of Trustees of California State Teachers' College
Board of Trustees of Slippery Rock State Teachers' College
Board of Trustees of Edinboro State Teachers' College
Board of Trustees of Clarion State Teachers' College
Board of Trustees of Cheyney Training School for Teachers
State Board of Medical Education and Licensure
State Board of Pharmacy
State Dental Council and Examining Board
State Board of Optometrical Examiners
State Board of Osteopathic Examiners
Osteopathic Surgeons' Examining Board
State Board of Examiners for the Registration of Nurses
State Board of Veterinary Medical Examiners
State Board for the Examination of Public Accountants
State Board of Examiners of Architects
Anthracite Mine Inspectors' Examining Board
Mine Inspectors' Examining Board for the Bituminous Coal Mines of Pennsylvania
State Registration Board for Professional Engineers
State Civil Service Commissions
State Board of Undertakers
In the Department of Military Affairs
Armory Board of the State of Pennsylvania
Board of Trustees of Pennsylvania Soldiers' and Sailors' Home
In the Department of Banking
Board to License Private Bankers
Pennsylvania Securities Commission
In the Department of Agriculture
State Farm Products Show Commission
In the Department of Forests and Waters
Water and Power Resources Board
Geographic Board
Lake Erie and Ohio River Canal Board
Pennsylvania State Park and Harbor Commission of Erie
Washington Crossing Park Commission
Valley Forge Park Commission
Fort Washington Park Commission
In the Department of Mines
Anthracite Mine Inspectors
Bituminous Mine Inspectors
In the Department of Highways
State Bridge Commission
In the Department of Health
Sanitary Water Board
[State Board of Undertakers]
In the Department of Labor and Industry
Workmen's Compensation Board
Workmen's Compensation Referees
State Workmen's Insurance Board
The Industrial Board
In the Department of Welfare
State Council for the Blind
Board of Trustees of Eastern State Penitentiary
Board of Trustees of Western State Penitentiary
Board of Trustees of Pennsylvania Industrial School which upon the completion of the present Pennsylvania Industrial School at Huntingdon for the reception care maintenance detention employment and training of defective delinquents shall thereafter be known as the Board of Trustees of Pennsylvania Institution for Defectives Delinquents
Board of Trustees of State Industrial Home of Women
Board of Trustees of Pennsylvania Training School
Board of Trustees of Allentown State Hospital
Board of Trustees of Danville State Hospital
Board of Trustees of Farview State Hospital
Board of Trustees of Harrisburg State Hospital
Board of Trustees of Norristown State Hospital
Board of Trustees of Warren State Hospital
Board of Trustees of Wernersville State Hospital
Board of Trustees of Torrance State Hospital
Board of Trustees of Ashland State Hospital
Board of Trustees of Blossburg State Hospital
Board of Trustees of Coaldale State Hospital
Board of Trustees of Connellsville State Hospital
Board of Trustees of Hazleton State Hospital
Board of Trustees of Locust Mountain State Hospital
Board of Trustees of Nanticoke State Hospital
Board of Trustees of Philipsburg State Hospital
Board of Trustees of Scranton State Hospital
Board of Trustees of Shamokin State Hospital
Board of Trustees of Laurelton State Village
Board of Trustees of Pennhurst State School
Board of Trustees of Polk State School

Board of Trustees of Selinsgrove State Colony for Epileptics

In addition to the foregoing there are hereby created as departmental administrative boards in the Department of Welfare boards of trustees for the respective institutions which are acquired by the Commonwealth from counties cities or institution districts for actual use as State mental hospitals under the provisions of act number twenty-one approved the twenty-ninth day of September one thousand nine hundred thirty-eight Each respective board of trustees shall be known as the Board of Trustees of the .....
(descriptive name of political subdivision in which institution is located)
State Hospital

In the Department of Property and Supplies
Board of Commissioners of Public Grounds and Buildings
State Art Commission

In the Department of Revenue
State Athletic Commission

In the Department of Public Assistance
State Board of Public Assistance

In the Department of Commerce
Pennsylvania Aeronautics Commission
State Planning Board

All of the foregoing departmental administrative boards and commissions shall be organized or reorganized as provided in this act

Section 2 Section four hundred nineteen of said act as last amended by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1865) is hereby further amended to read as follows

Section 419 State Board of Undertakers The State Board of Undertakers shall consist of the [Secretary of Health] Superintendent of Public Instruction ex officio and five persons who shall be practicing undertakers The practicing undertakers hereinafter appointed shall be appointed from a full list of the members in good standing of the Funeral Directors Association of the State of Pennsylvania Inc which list shall be furnished to the Governor by the president and secretary of such association annually The terms of members of the board shall be for such periods of time as is now provided by law

Three members of the board shall constitute a quorum The board shall select from among their number a chairman and shall elect a secretary who need not be a member of the board

Each member of the board other than the [Secretary of Health] Superintendent of Public Instruction shall receive fifteen dollars per diem when actually engaged in the transaction of official business

The secretary of the board shall receive such reasonable compensation as the board may determine with the approval of the [Secretary of Health] Superintendent of Public Instruction

Section 3 The members (exclusive of the ex officio member) officers and employes of the State Board of Undertakers which is transferred by this act from the Department of Health to the Department of Public Instruction shall continue to be the members officers and employes of such board and to perform their usual duties upon the same terms and conditions as heretofore until removal or appointed to other positions Such members officers and employes shall retain all accrued retirement rights and their services shall be deemed to be continuous as if such board had not been transferred as aforesaid

Section 4 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Andrews,	Frost,	Lovett,	Reilly,
Baker,	Fullerton,	Lyons,	Reynolds,
Barrett,	Gaffney,	Madden,	Riley,
Barton,	Gallagher,	Madigan,	Robertson,
Baumunk,	Gardner,	Mahany,	Root,
Bentley,	Getchey,	Matthews,	Rose,
Bentzel,	Gibson,	McAtee,	Royer,
Boies,	Goodling,	McClester,	Rudisill,
Bonawitz,	Gore,	McCormack,	Salus,
Boney,	Grant,	McDowell,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McLanahan,	Serrill,
Bower,	Greer,	McMillen,	Shaffer,
Brancato,	Guthrie,	McNair,	Shoemaker,
Breisch,	Gyger,	McNally,	Skale,
Brice,	Haberlen,	Mihm,	Sloan,
Brothers,	Hall,	Mikula,	Smith,
Brown,	Hamilton,	Miller,	Snider,
Brunner, C. H.,	Hare,	Milliken,	Snyder,
Brunner, P. A.,	Haudenshield,	Mills,	Sollenberger,
Burns,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Chervenak,	Hennihan,	Moore, C. E.,	Stockham,
Chudoff,	Hering,	Moore, W. J.,	Stonier,
Cohen,	Herman,	Moran,	Stuart,
Coleman,	Hersch,	Moser,	Swope,
Cook,	Hewitt,	Munley,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Murray, P. G.,	Tittle,
Costa,	Hoopes,	Myhan,	Trachtman,
Coulson,	Howells,	Nagel,	Trent,
Coyle,	Hunter,	Nelson,	Trout,
Cullen,	Huntley,	O'Brien,	Turbett,
Dague,	James,	O'Connor,	Turner,
Dalrymple,	Jones,	O'Donnell,	Varallo,
Dennison,	Kennedy,	O'Neill,	Verona,
Depuy,	Kirley,	Owens,	Wachhaus,
Dillon,	Kline,	Pentrack,	Wagner,
Dix,	Kolankiewicz,	Petrosky,	Waterhouse,
Dougherty,	Komorofski,	Pettigrew,	Watkins,
Duffy,	Krise,	Pickens,	Weiss,
Dye,	Kurtz,	Polaski,	Welsh,
Elder,	Lane,	Polen,	Wescott,
Elish,	Laughner,	Powers,	White,
Erb,	Lee,	Propert,	Wood, N.,
Ewing,	Leisey,	Readinger,	Worley,
Finnerty,	Leonard,	Reagan,	Wright,
Flack,	Levy,	Reese, D. P.,	Yeakel,
Fleming,	Lichtenwalter,	Reese, R. E.,	Yester,
Foor,	Loftus,	Regan,	Fiss,
Fox,	Longo,	Reidenbach,	Speaker.
Freed,	Lopez,		

NAYS—0

NOT VOTING—1

Wood, L. H.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 359, as follows:

An Act to further amend sections section five of the act approved the nineteenth day of June one thousand nine hundred thirty-one (P. L. 589) entitled "An act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering regulating barber shops and barber schools and apprentices and students therein regulating compensation for service rendered conferring certain powers and duties on the Department of Public Instruction and providing penalties" by further regulating the examination and licensing of those who desire to engage in the occupation of barbering

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five of the act approved the nineteenth day of June one thousand nine hundred thirty-one (P. L. 589) entitled "An act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering regulating barber shops and barber schools and apprentices and students therein regulating compensation for service rendered conferring certain powers and duties on the Department of Public Instruction and providing penalties" as amended by the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1689) is hereby amended to read as follows

Section 5 Nothing in this act shall prohibit any person from serving as an apprentice in such occupation under a registered barber of this Commonwealth or from serving as a student in any barber school for the traning of students in said occupation under the training of a duly registered teacher authorized to teach such occupation in this Commonwealth Provided That such apprentice or student shall apply to the department to have his or her name registered with the department in a book which shall be kept by the department and secure a permit upon the payment of a fee of one dollar to practice as an apprentice under a duly registered barber or student under a duly registered teacher such permit to be displayed in front of his or her working chair Students upon graduation from a registered barber school and having served eighteen months' apprenticeship in a barber shop and apprentices upon completion of two years' apprenticeship in a barber shop as hereinbefore specified shall make application for examination at the next regular period specified in this act In case the applicant fails to pass [such] an examination he or she shall secure a new apprentice permit upon the payment of a fee of one dollar which shall be valid until the next succeeding examination Provided however That if any applicant shall have failed to pass two examinations he shall not be permitted to take a third examination with a period of one year after his second failure

Apprentice permits [not exceeding two] to practice as an apprentice barber may be issued at the discretion of the department

The Department may permit a person to take an examination for a certificate of registration entitling him or her to practice the occupation of a barber without the prior education studentship or apprenticeship required if such person shall establish to the satisfaction of the Department that he or she was engaged in the occupation of a barber for at least two years prior to January 1 1932 Any person who has been honorably discharged from service with the armed forces for the United States and who takes an examination for licensure under the provisions of this act shall have ten per centum added to his or her examination score

Any person registered as an apprentice barber prior to induction into the armed forces of the United States may be admitted to an examination for licensure under the provisions of this act upon presentation of his or her certificate of honorable discharge from such service within one year from date thereof

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Andrews,	Gaffney,	Madden,	Reilly,
Baker,	Gallagher,	Madigan,	Reynolds,
Barrett,	Gardner,	Mahany,	Riley,
Barton,	Getchey,	Matthews,	Robertson,
Baumunk,	Gibson,	McAtee,	Royer,
Bentley,	Goodling,	McClester,	Root,
Bentzel,	Gore,	McCormack,	Rose,
Boies,	Grant,	McDowell,	Rudisill,
Bonawitz,	Green,	McKinney,	Salus,
Boney,	Greer,	McLanahan,	Scanlon,
Boorse,	Guthrie,	McMillen,	Schuster,
Boory,	Gyger,	McNair,	Serrill,
Bowcr,	Haberlen,	McNally,	Shaffer,
Brancato,	Hall,	Mihm,	Shoemaker,
Breisch,	Hamilton,	Mikula,	Sloan,
Brice,	Hare,	Miller,	Smith,
Brothers,	Haudenshield,	Milliken,	Snider,
Brown,	Heatherington,	Mills,	Snyder,
Brunner, C. H.,	Helm,	Modell,	Sollenberger,
Brunner, P. A.,	Hennihan,	Mooney,	Sorg,
Burns,	Hering,	Moore, C. E.,	Stank,
Cadwalader,	Herman,	Moore, W. J.,	Stockham,
Chervenak,	Hersch,	Moran,	Stonier,
Chudoff,	Hewitt,	Moser,	Stuart,
Cohen,	Hoggard,	Munley,	Swope,
Cook,	Hoopes,	Murray, M. L.,	Tahl,
Cooper,	Howells,	Murray, P. G.,	Tate,
Corrigan,	Hunter,	Myhan,	Tittle,
Costa,	Huntley,	Nagel,	Trachtman,
Coulson,	James,	Nelson,	Trent,
Coyle,	Jones,	O'Brien,	Trout,
Dennison,	Kennedy,	O'Connor,	Turbett,
Depuy,	Kirley,	O'Donnell,	Turner,
Dillon,	Kline,	O'Neill,	Varallo,
Dix,	Kolankiewicz,	Owens,	Verona,
Dougherty,	Komorofski,	Pentrack,	Wachhaus,
Duffy,	Krise,	Petrosky,	Wagner,
Dye,	Kurtz,	Pettigrew,	Waterhouse,
Elder,	Lane,	Pickens,	Watkins,
Elish,	Laughner,	Polaski,	Weiss,
Erb,	Lee,	Polen,	Welsh,
Ewing,	Leisey,	Powers,	Wescott,
Finnerty,	Leonard,	Propert,	White,
Flack,	Levy,	Readinger,	Wood, N.,
Fleming,	Lichtenwalter,	Reagan,	Worley,
Foor,	Loftus,	Reese, D. P.,	Wright,
Fox,	Longo,	Reese, R. E.,	Yeakel,
Freed,	Lopez,	Regan,	Yester,
Frost,	Lovett,	Reidenbach,	Fiss,
Fullerton,	Lyons,		Speaker.

NAYS—7

Coleman,	Dague,	Greenwood,	Skale,
Cullen,	Dalrymple,	Hoffman,	

NOT VOTING—1

Wood, L. H.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative

Ordered, That the Clerk present the same to the Senate for concurrence.

HOUSE RESOLUTION No. 40

Mr. GOODLING. Mr. Speaker, I call up House Resolution No. 40, Printer's No. 342, on page 35 of today's calendar.

The resolution was read by the Clerk as follows:

In the House of Representatives, March 14, 1945.

Since the organization of this General Assembly, the Game Commission and the Fish Commission have been the objects of adverse criticism and various resolutions have been introduced requesting investigations of the conduct of their work.

In his address to the General Assembly at the time of the convening of this session, his Excellency the Governor stated that the idea of "combining the two commissions had been suggested" which leads to the conclusion that others think that the game and fish situation in Pennsylvania could be improved.

The criticism of, and the abuse directed at these two commissions must have some basis, and even though the facts upon which that basis is constructed may be er-

roneous, it is still sufficient to raise a doubt as to the efficiency of these two very important parts of the State Government.

If the criticisms are justifiable, a change should be made. If they are not, then both commissions are entitled to the support of the General Assembly and to its stamp of approval.

For their protection and for a renewal of the faith of the people in the efficiency of the administration of these important commissions, a full investigation should be made; therefore be it

Resolved, That the General Assembly of the Commonwealth of Pennsylvania hereby requests the Joint State Government Commission to make a thorough investigation of the Game Commission and the Fish Commission of the Commonwealth, and of their manner of administering the laws of the Commonwealth relating to game and fish, of the manner of re-stocking the game and fish life, and of the establishing of closed seasons, and to study and make a comparison of the work and conduct of similar commissions or departments in other states, and to make a full and complete report of their study and investigation to the General Assembly not later than March 1, 1947, accompanied by such recommendations concerning any change in the administration of the matters now under the supervision and control of the Game Commission and the Fish Commission that they decide should be made.

On the question,

Will the House adopt the resolution?

Mr. ANDREWS. Mr. Speaker, this resolution to investigate unfortunately carries with it statements which seem to indicate that there is a foregone conclusion. On page 2 they urge for protection and for a renewal of the faith of the people in the efficience of the administration of these important commissions, a full investigation should be made.

You have there a direct charge that the people have lost faith in these commissions. If you have reached a conclusion, what is the use of an investigation? If you are going to have an investigation why do you declare to the people of the Commonwealth that the public has lost faith in these two bodies? This resolution is unfair to the commission; it should be rephrased, it should be an impartial statement and it should not condemn these two commissions in advance of the investigation, which this resolution does.

On the question recurring,

Will the House adopt the resolution?

A division being called for, ninety-one Members having voted in the affirmative and sixty-seven in the negative, the question was determined in the affirmative and the resolution was adopted.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGES

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 102.

An Act to amend section one of an act approved the twenty-sixth day of April, one thousand nine hundred and twenty-one (P. L. 278), entitled "An act providing that in computing the indebtedness of cities of the first class, the word 'indebtedness' shall include all manner of debt, and the net amount thereof shall be ascertained, as in the case of other municipal corporations, by deducting, from the gross amount thereof, the moneys in the treasury, all outstanding solvent debts, and all revenues applicable within one year to the payment of the same," by extending and describing the amounts deductible in determining the net debt of such cities, and providing a method for computing self-sustaining public improvement and public utility debt and non-electoral debt.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, next to the last line by inserting after the word "self-sustaining" the word "public"; also in last line, by inserting after the word "improvement" the words "and public utility."

Amend Section 1, page 3, line 14, by inserting after the word "improvement" the words "or public utility"; also in line 24, by inserting after the word "improvement" the words "or public utility"; also on page 4, line 2, by inserting after the word "self-sustaining" the word "public"; also in same line by inserting after the word "improvement" the words "or public utility."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Andrews,	Fullerton,	Lovett,	Reilly,
Baker,	Gaffney,	Lyons,	Reynolds,
Barrett,	Gallagher,	Madden,	Riley,
Barton,	Gardner,	Madigan,	Robertson,
Baumunk,	Getchey,	Mahany,	Root,
Bentley,	Gibson,	Matthews,	Rose,
Bentzel,	Goodling,	McAtee,	Royer,
Boies,	Gore,	McClester,	Rudisill,
Bonawitz,	Grant,	McCormack,	Salus,
Boney,	Green,	McDowell,	Scanlon,
Boorse,	Greenwood,	McKinney,	Schuster,
Boory,	Greer,	McLanahan,	Serrill,
Bower,	Guthrie,	McMillen,	Shaffer,
Brancato,	Gyger,	McNair,	Shoemaker,
Breisch,	Haberlen,	McNally,	Skale,
Brice,	Hall,	Mihm,	Sloan,
Brothers,	Hamilton,	Mikula,	Smith,
Brown,	Hare,	Miller,	Snider,
Brunner, C. H.,	Haudenshield,	Milliken,	Snyder,
Brunner, P. A.,	Heatherington,	Mills,	Sollenberger,
Burns,	Helm,	Modell,	Sorg,
Cadwalader,	Hennihan,	Mooney,	Stank,
Chervenak,	Hering,	Moore, C. E.,	Stockham,
Chudoff,	Herman,	Moore, W. J.,	Stonier,
Cohen,	Hersch,	Moran,	Stuart,
Coleman,	Hewitt,	Moser,	Swope,
Cook,	Hoffman,	Munley,	Tahl,
Cooper,	Hoggard,	Murray, M. L.,	Tate,
Corrigan,	Hoopes,	Murray, P. G.,	Tittle,
Costa,	Howells,	Myhan,	Trachtman,
Coulson,	Hunter,	Nagel,	Trent,
Coyle,	Huntley,	Nelson,	Trout,
Cullen,	James,	O'Brien,	Turbett,
Dague,	Jones,	O'Connor,	Turner,
Dalrymple,	Kennedy,	O'Donnell,	Varallo,
Dennison,	Kirley,	O'Neill,	Verona,
Depuy,	Kline,	Owens,	Wachhaus,
Dillon,	Kolankiewicz,	Pentrack,	Wagner,
Dix,	Komorofski,	Petrosky,	Waterhouse
Dougherty,	Krise,	Pettigrew,	Watkins,
Duffy,	Kurtz,	Pickens,	Weiss,
Dye,	Lane,	Polaski,	Welsh,
Elder,	Laughner,	Polen,	Wescott,
Elish,	Lee,	Powers,	White,
Erb,			

Ewing,	Leisey,	Propert,	Wood, N.,
Finnerty,	Leonard,	Readinger,	Worley,
Flack,	Levy,	Reagan,	Wright,
Fleming,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Foor,	Loftus,	Reese, R. E.,	Yester,
Fox	Longo,	Regan,	Fiss,
Freed,	Lopez,	Reidenbach,	Speaker.
Frost			

NAYS—0

NOT VOTING—1

Wood, L. H.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, March 26, 1945.

Resolved (if the House of Representatives concur) That when the Senate adjourns this week, it reconvene on Monday, April 2, 1945, at four o'clock p. m., and when the House of Representatives adjourns this week, it reconvene on Monday, April 2, 1945, at nine o'clock p. m.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair welcomes to the House this evening a former Member, the gentleman from Philadelphia, Mr. Joseph Ominsky.

PERMISSION TO ADDRESS HOUSE

Mr. MARTIN L. MARTIN asked and obtained unanimous consent to address the house.

Mr. Speaker, I would like to speak briefly on the bills, now in the Mines and Mining Committee where they have remained securely buried since practically the first few days of this session. We have been in session here for over two months and there has not been one bit of action which would bring these bills to the floor so the residents of the hard coal regions could be given some protection from the ruthless mine operators who have been destroying property for years.

These bills are not a political measure. They were introduced by two members from Luzerne County—one Democrat and one Republican. They have the backing of all groups of people in the hard coal fields except possibly those whose benefit from this ruthless destruction of property and even life.

Only last Friday a school building in the solid Republican town of Forty Fort was damaged by a mine cave. Schools and homes and streets in West Pittston, Forty Fort and Wyoming, all solidly Republican communities, have been damaged. The same thing has happened in other municipalities which lean to the Democratic side or which swing from side to side in elections. What I want to emphasize that these mine operators don't care who they hurt, just so they make their profits in a ruthless manner.

As a resident of Ashley I would like to give a personal experience. My home has been damaged. The school where I learned my lessons as a boy has been damaged. The street on which I live has been torn apart. The house of God that I attend each Sunday has been desecrated. There seems to be no limit to what these men will do to make a dollar.

There is not one reason—not a single one—why these bills shouldn't be reported to the floor and acted upon. The only people who oppose such bills are the ruthless coal operators and their representatives. Any others who side with them in the matter are against the best interests of the common people.

In other words, those who are not with us are against us. There is no middle ground in this matter. I have said that churches, homes, schools, streets, and sewers have been destroyed. Further than that, even human life is not safe. All of you read in the newspapers not so long ago about the little two year old girl, whose father was fighting for his country in the Pacific, was swallowed up by the earth as she was toddling along with her aunt.

Is there any man in this room who would arise and say there is nothing that can be done about this? Is there any man who dares to say that the places of worship in the hard coal regions should not be safe from the desecrations of these people who have no conscience?

Is there any man who would remember his oath of office and then say that such things are inconsequential and that in the state of Pennsylvania human rights are less important than property rights?

In conclusion, I want to say that this is not a political speech. It is a plea that this great body show that it is not controlled by any group of men; that entrenched wealth cannot dictate the actions of this group.

Gentlemen, the choice is yours.

INTERROGATION

Mr. GRANT asked and obtained unanimous consent to interrogate the vice chairman of the Liquor Control Committee.

The SPEAKER. Will the gentleman from Pike permit himself to be interrogated?

Mr. DEPUY. I shall, Mr. Speaker.

Mr. GRANT. I understand, Mr. Speaker, that Mr. Lyons, the chairman of your committee, is not present in the hall of the House this evening, and I would like to ask you whether or not the chairman, Mr. Lyons, handed over to you House Bill 626, House Bill 275 and House Bill 236 for you to bring before the Liquor Control Board for its consideration?

Mr. DEPUY. He did not, Mr. Speaker.

Mr. GRANT. That is all.

Mr. Speaker, I spoke at length on these three bills last Tuesday night, and I want to say that this is further evidence of the arbitrary high-hatedness on the part of Mr. Lyons, the chairman of the Liquor Control Committee. I told him that unless something was done in

regard to these three bills I would be constrained to offer a resolution to discharge the committee. I am going to wait until the chairman comes back next week to see what consideration he gives to the bills, and in all fairness to the members of the Liquor Control Committee before I offer such a resolution.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 264.

An Act to amend section three and to further amend section twelve of the act approved the twentieth day of July one thousand nine hundred seventeen (P. L. 1143) entitled "An act relating to free public nonsectarian libraries and branch libraries within this Commonwealth providing for their establishment maintenance and regulation and for the maintenance and regulation of such free public nonsectarian libraries as may have been already established by the several counties cities boroughs towns and townships and providing that all library property and all gifts devises grants or endowments for library purposes shall be exempt from taxation and providing that the several counties cities boroughs towns and townships may levy taxes condemn private property and borrow money for library purposes and imposing penalties for injuring library property and for violations of library regulations and repealing existing laws in relation to the above subjects" making more specific the power of the municipal authorities of counties cities boroughs towns and townships to appropriate moneys out of current revenues for library purposes without the levy of a special tax therefor and validating such appropriations heretofore made

HOUSE BILL No. 278.

An Act to further amend the title and section one of the act approved the twenty-eighth day of June one thousand nine hundred and thirty-five (P. L. 477) entitled "An act providing for the payment of the salary medical and hospital expenses of policemen and firemen by cities (except of the second class A) boroughs towns and townships who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period" extending the provisions of said act to cities of the second class A

HOUSE BILL No. 335.

A Joint Resolution proposing an amendment to section fourteen, article eight, of the Constitution of the Commonwealth of Pennsylvania.

HOUSE BILL No. 552.

An Act to further amend section two hundred twenty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth"' authorizing the use of eel chutes in the Delaware River above Easton

HOUSE BILL No. 631.

An Act approving ratifying and enacting into law the Ohio River Valley Sanitation Compact for the prevention abatement and control of pollution of the rivers streams and waters in the Ohio River drainage basin and making the State of Pennsylvania a party thereto creating the "Ohio River Valley Water Sanitation Commission" providing for the members of such commission from the State of Pennsylvania and providing for the carrying out of said compact after the conclusion of hostilities of the present war

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

COMMITTEE MEETINGS

There will be meetings of the committees on:

City and County—First Class on Tuesday, March 27 at 12:45 p. m. in Room 521.

Cities and Counties—Second Class on Tuesday, March 27 at 12:30 p. m. in Room 521.

Counties on Tuesday, March 27 at 9:30 a. m. in the New House Caucus Room.

Education on Tuesday, March 27 at 10:30 a. m. in Room 327.

Elections on Wednesday, March 28 at 9:30 a. m. in Room 329.

Judiciary General on Tuesday, March 27 at 10 a. m. in Room 325.

Judiciary Special on Wednesday, March 28 at 10:30 a. m. in Room 325.

Municipal Corporations on Tuesday, March 27 at 11 a. m. in Room 521.

Public Utilities on Wednesday, March 28 at 10 a. m. in Room 323.

The Pennsylvania Legislative Correspondents' Association announces that tomorrow, Tuesday, March 27, is the last day to buy tickets for their 50th anniversary dinner on Tuesday, April 3 at the Penn-Harris Hotel. Tickets may be obtained from any of the newspaper men or women.

ADJOURNMENT

Mr. BAUMUNK. Mr. Speaker, I move that this House do now adjourn until Tuesday, March 27, 1945, at 2 p. m.

The motion was agreed to, and (at 11:52 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1945. 136th of the General Assembly.

Vol. 29. HARRISBURG, PA., TUESDAY, MARCH 27, 1945. No. 34.

SENATE

TUESDAY, March 27, 1945.

The Senate met at 3:00 o'clock, p. m., Eastern War Time.

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the Chair.

PRAYER

The Chaplain, Rev. EDWIN S. WALLACE, D. D., offered the following prayer;

O Thou whose life is the light of men enlighten us as to the strength and beauty of Thy nature and character, and persuade us to take seriously Thy direction for the conduct of our lives: "While ye have the light, believe in the light, that ye may be the children of light." "Thy word is light," and they who walk in it will not stumble, for they have the light of life and the darkness can not put it out.

As we go on in life help us to hold the faith that however dark the clouds the light will break through and the road be so plainly marked that no wayfarer need lose it.

This is our prayer for our nation and our state, for our President, our Governor and our Lieutenant-Governor, and for all authorities civil and military who have been commissioned for great service during these testing times. May each be conscious that he bears a higher commission than man can give, for all authority and power is of God.

We thank Thee for our great country and our good government. Help us to keep both great and good by our fidelity to God's eternal law of righteousness.

And to Thy name, O God, be all praise, world without end. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HEYBURN and Mr. THOMAS, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. Wade asked and obtained leave of absence of Mr. EDMONDS.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

JUDGE OF THE SUPERIOR COURT OF PENNSYLVANIA

Commonwealth of Pennsylvania.
Governor's Office, Harrisburg, March 27, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John C. Arnold, Clearfield, Clearfield County, for appointment as Judge of the Superior Court of Pennsylvania, to serve until the first Monday of January, 1946, to fill the vacancy caused by the death of Honorable William H. Keller, President Judge, and the subsequent elevation of Honorable Thomas J. Baldrige as President Judge.

EDWARD MARTIN.

MEMBERS OF THE ADVISORY HEALTH BOARD

Commonwealth of Pennsylvania.
Governor's Office, Harrisburg, March 27, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Advisory Health Board, to serve until the third Tuesday of January, 1947, and until their successors shall have been appointed and qualified.

Arch W. Nance, 440 South Atlantic Avenue, Pittsburgh, Allegheny County. (Reappointment)

David W. Thomas, Lock Haven, Clinton County, (Reappointment)

T. Palmer Tredway, 233 West 8th Street, Erie, Erie County, vice George Morris Piersol, Philadelphia, whose term expired.

F. D. Patterson, 1617 Pennsylvania Boulevard, Philadelphia, Philadelphia County, vice William Gray Turnbull, Philadelphia, deceased.

James D. Lewis, 204 West Market Street, Scranton, Lackawanna County, vice Donald Guthrie, Sayre, whose term expired.

Joseph Scattergood, 115 South High Street, West Chester County, vice Ivor Griffith, Philadelphia, whose term expired.

EDWARD MARTIN.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE RESOLUTION

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurred in resolution from the Senate as follows:

TIME OF NEXT MEETING

In the Senate, March 26, 1945.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week, it reconvene on Monday, April 2, 1945, at four o'clock p. m., and when the House of Representatives adjourns this week, it reconvene on Monday, April 2, 1945, at nine o'clock, p. m.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 102

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 102, entitled:

An Act to amend section one of an act approved the twenty-sixth day of April, one thousand nine hundred and twenty-one (P. L. 278), entitled "An act providing that in computing the indebtedness of cities of the first class, the word 'indebtedness' shall include all manner of debt, and the net amount thereof shall be ascertained, as in the case of other municipal corporations, by deducting, from the gross amount thereof, the moneys in the treasury, all outstanding solvent debts, and all revenues applicable within one year to the payment of the same" by extending and describing the amounts deductible in determining the net debt of such cities, and providing a method for computing self-sustaining public improvement and public utility debt and non-electorial debt.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 295, entitled:

An Act to repeal certain obsolete and supplied penal laws.

Which was committed to the Committee on Judiciary Special.

House Bill No. 359, entitled:

An Act to further amend sections three, four and five of the act, approved the nineteenth day of June, one thousand nine hundred thirty-one (P. L. 589), entitled "Barbers License Law," by further regulating the examination and licensing of those who desire to engage in the occupation of barbering.

Which was committed to the Committee on Education.

House Bill No. 404, entitled:

An Act to amend section one thousand four hundred one of the act approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law," further regulating the establishment and maintenance of sidewalks.

Which was committed to the Committee on County Government.

House Bill No. 754, entitled:

An Act to reamend section two of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1513), as amended the fifth day of June, one thousand nine hundred thirty-seven, entitled "Boiler Regulation Law," by further regulating the construction and maintenance of boilers, and extending the provisions of the act to certain boilers heretofore exempt therefrom; and repealing existing laws.

Which was committed to the Committee on Labor and Industry.

House Bill No. 792, entitled:

An Act prescribing the question to be determined in certain cases where a new trial is granted.

Which was committed to the Committee on Judiciary General.

House Bill No. 901, entitled:

An Act to further amend the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by transferring the State Board of Undertakers from the Department of Health to the Department of Public Instruction.

Which was committed to the Committee on State Government.

HOUSE RESOLUTION REFERRED TO COMMITTEE

He also presented an extract from the Journal of the House of Representatives which was twice read as follows and referred to the Committee on Forests and Waters, Game and Fish:

INVESTIGATION OF THE GAME AND FISH COMMISSION

In the House of Representatives, March 19, 1945.

Since the organization of this General Assembly, the Game Commission and the Fish Commission have been the objects of adverse criticism and various resolutions have been introduced requesting investigations of the conduct of their work.

In his address to the General Assembly at the time of the convening of this session, His Excellency, The Governor, stated that the idea of "combining the two commissions had been suggested" which leads to the conclusion that others think that the game and fish situation in Pennsylvania could be improved.

The criticism of, and the abuse directed at these two commissions must have some basis, and even though the facts upon which that basis is constructed may be erroneous, it is still sufficient to raise a doubt as to the efficiency of those two very important parts of the State Government.

If the criticisms are justifiable, a change should be made. If they are not, then both commissions are entitled to the support of the General Assembly and to its stamp of approval.

For their protection and for a renewal of the faith of the people in the efficiency of the administration of these important commissions, a full investigation should be made; thereofore be it

Resolved, That the General Assembly of the Commonwealth of Pennsylvania hereby requests the Joint State Government Commission to make a thorough investigation of the Game Commission and the Fish Commission of the Commonwealth, and of their manner of administering the laws of the Commonwealth relating to game and fish, of the manner of restocking the game and fish life,

and of the establishing of closed seasons, and to study and make a comparison of the work and conduct of similar commissions or departments in other states, and to make a full and complete report of their study and investigation to the General Assembly not later than March 1, 1947, accompanied by such recommendations concerning any change in the administration of the matters now under the supervision and control of the Game Commission and the Fish Commission that they decide should be made.

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 123

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, March 26, 1945.

Resolved, (if the House of Representatives concur), That Senate Bill No. 123, entitled:

An Act to repeal section one thousand thirty-three (1033) of the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An Act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds;" as last amended by the Act approved May twenty-first, one thousand nine hundred forty-three, (P. L. 559)

be recalled from the Governor for the purpose of amendment.

He also informed the Senate that the House has concurred in resolution from the Senate as follows:

ADVOCATING ESTABLISHMENT OF WORLD CAPITAL OF THE UNITED NATIONS IN PHILADELPHIA

In the Senate, March 12, 1945.

Whereas, Philadelphia is the birthplace of the Declaration of Independence, "that title-deed of the human race," and

Whereas, the loftiest ideology of Democracy was born on the soil of Pennsylvania and in the City of Brotherly Love, setting into motion dynamic forces that became the torchbreaers of mankind and shapers of its destiny, and

Whereas, the eternal principles enunciated in the Declaration of Independence permeate and cement the United Nations in their sacred quest for a lasting peace, and

Whereas, the coming victory of the United Nations in the present global struggle and the ensuing peace will make the Declaration of Independence not only the heritage of America but that of the entire world, and

Whereas, on April 25, 1945 there will be held in San Francisco, California a conference of 39 nations to create a pact to make secure the future peace of the world, and

Whereas, Philadelphia, once the capital of the United States, is thus ideologically and historically eminently suited to become the World Capital of Peace, the permanent home of the United Nations and the nerve-center of the world-machinery of peace, and

Whereas, proposals have been put forth advocating Philadelphia as the World Capital of the United Nations and the Independence Hall as the theme-center of a beautifully landscaped mall leading to the Delaware River Bridge Plaza, the latter proposal in complete harmony with the elaborate plans of Independence Hall Association, and

Whereas, aforesaid proposals have received the fervent approvel of Pennsylvania's citizenry with such eminent Pennsylvanians in its vanguard as Governor Martin, U. S. Senator Joseph F. Guffey and Francis J. Myers, Congressmen Michael J. Bradley and many other members of the Pennsylvania Congressional Delegation, Mayor Bernard Samuel, outstanding civic leaders and representatives of historic, patriotic, fraternal, business and labor organizations, and

Whereas, it is urgent that the aforesaid proposals receive local, national and international attention as a prerequisite to their favorable consideration, now therefore be it

Resolved (if the House of Representatives concur), that the General Assembly of Pennsylvania join forces with all advocates of the aforementioned proposals by

1. Memorializing the President of the United States, U. S. Secretary of State and the members of the United States Delegation to the forthcoming San Francisco Conference of the United Nations to advocate the establishment of the World Capital of the United Nations on the soil of Pennsylvania and in the City of Brotherly Love

2. Viewing with favor the proposal for the construction of a landscaped mall leading from Independence Hall to Delaware River Bridge Plaza and the suggested grouping of the buildings of the United Nations Council around our Shrine of Liberty

3. Memorializing the United States Senators from Pennsylvania and the Congressional Delegation from Pennsylvania to initiate and support all Federal Legislation that may be required for the accomplishment of the aforementioned proposals

4. Expressing its readiness to enact measures, if any may be required, that will be conducive to the execution of the plans embodied in the aforementioned proposals.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) announced that the Acting Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 264, entitled:

An Act to amend section three and to further amend section twelve of the act, approved the twentieth day of July, one thousand nine hundred seventeen (P. L. 1143), entitled "Free Non-Sectarian Library Law," making more specific the power of the municipal authorities of counties, cities, boroughs, towns and townships to appropriate moneys out of current revenues for library purposes without the levy of a special tax therefor; and validating such appropriations heretofore made.

House Bill No. 278, entitled:

An Act to further amend the title and section one of the act approved the twenty-eighth day of June, one thousand nine hundred and thirty-five (P. L. 477), entitled "An act providing for the payment of the salary,

medical and hospital expenses of policemen and firemen by cities (except of the second class A), boroughs, towns, and townships who are injured in the performance of their duty; and providing that absence during such injury shall not reduce any usual sick leave period," extending the provisions of said act to cities of the second class A.

House Bill No. 335, entitled:

APPOINTMENT OF JUDGES AND INSPECTORS OF ELECTION BOARDS

A Joint Resolution proposing an amendment to section fourteen article eight of the Constitution of the Commonwealth of Pennsylvania

House Bill No. 552, entitled:

An Act to further amend section two hundred twenty of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "Fish Laws of 1925," authorizing the use of eel chutes in the Delaware River above Easton.

House Bill No. 631, entitled:

An Act approving, ratifying and enacting into law, the Ohio River Valley Sanitation Compact for the prevention, abatement and control of pollution of the rivers, streams, and waters in the Ohio River drainage basin, and making the State of Pennsylvania a party thereto; creating the "Ohio River Valley Water Sanitation Commission;" providing for the members of such commission from the State of Pennsylvania; and providing for the carrying out of said compact after the conclusion of hostilities of the present war.

Whereupon,

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the presence of the Senate signed the same.

HOUSE MESSAGE

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 336

The Clerk of the House of Representatives being introduced presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, March 26, 1943.

Resolved (if the Senate concurs), That House Bill No. 336, Printer's No. 191, entitled:

An Act to amend clause IV, section seven hundred and two of the act, approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "The Second Class Township Law," designating the purposes for which appropriations may be made to fire companies; and requiring annual report by such fire companies of expenditures of appropriated moneys

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORTS FROM COMMITTEES

Mr. DiSILVESTRO, from the Committee on Judiciary General, reported as committed, House Bill No. 602, entitled:

An Act to further amend section one of an act approved the eleventh day of June one thousand nine hundred and fifteen (P. L. 938) entitled "An act to regulate and establish the fees to be charged and collected by the several clerks of courts of oyer and terminer general jail delivery and quarter sessions of the peace in counties of this Commonwealth having a population of over eight hundred thousand and less than one million five hundred thousand inhabitants as computed by the last preceding United States census" as amended changing and fixing the fees to be charged by said clerks

which was re-referred to the Committee on County Government.

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 607, entitled:

An Act to amend section seven of the act, approved the second day of April, one thousand eight hundred sixty-eight (P. L. 3) entitled "An act to ascertain and appoint the fees to be received by the several officers of this Commonwealth," by changing the fees of Register of Wills

which was re-referred to the Committee on County Government.

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 856, entitled:

An Act to amend section one of the act, approved the twenty-sixth day of March, one thousand nine hundred thirty-one (P. L. 8), entitled "An act to fix the fees to be allowed the district attorney in counties of the second class," by changing the fees to be allowed the said district attorney

which was re-referred to the Committee on County Government.

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 608, entitled:

An Act to further amend section six of the act, approved the second day of April, one thousand eight hundred sixty-eight (P. L. 3), entitled "An act to ascertain and appoint the fees to be received by the several officers of this Commonwealth," by changing the fees of Clerks of Orphans' Court

which was re-referred to the Committee on County Government.

He also, from the Committee on Military Affairs, reported as committed, House Bill No. 727, entitled:

An Act providing for the issuance of certified copies of birth death and marriage certificates by the proper city and county officers in cities of the first class to disabled war veterans and their dependents in death and compensation cases free of charge.

He also, from the Committee on Military Affairs, reported as committed, House Bill No. 207, entitled:

An Act to provide for the receiving as evidence in any court office or other place in this State official findings records reports or certified copies thereof of death presumed death missing or other status issued by the Secretaries of War and Navy and other Federal officers and employees.

He also, from the Committee on Military Affairs, reported as committed, House Bill No. 270, entitled:

An Act to amend section three hundred two of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals, and

amending, revising, consolidating and changing the law relating thereto," by exempting for the duration of the present war any resident of the Commonwealth who is in service with the Armed Forces of the United States, or any of its Allies, from the payment of a fee to the Commonwealth for a Resident Hunter's License.

Mr. RUTH, from the Committee on Judiciary General, to which was referred on March 21, 1945, the following resolution from the House of Representatives reported the same with amendments as follows, viz:

JOINT COMMITTEE CREATED TO INVESTIGATE, SURVEY AND CONSIDER ALL OF THE PENAL LAWS OF THE COMMONWEALTH

In the House of Representatives, January 31, 1945.

Whereas, The Penal Code approved June 24, 1939 contains numerous inconsistencies and considerable language which is open to construction and should be carefully studied and revised in order to make it effective for its intended purposes; therefore be it

Resolved (if the Senate concurs), That a committee of three members of the House of Representatives to be appointed by the Speaker of the House, three Senators to be appointed by the President Pro Tem of the Senate, is hereby created, whose duty it shall be to survey, investigate, and consider all of the penal laws of the Commonwealth and to completely revise and restate such penal laws into codified form, and to report its findings and conclusions to the next regular session of the General Assembly, with a bill embodying a codification of the penal laws of the Commonwealth to be introduced at the next regular session of the General Assembly.

The committee shall organize immediately after its appointment, and elect a chairman and a secretary from its membership, and appoint any clerks, stenographers or other employes necessary to carry out the purposes of this resolution.

The members of the committee shall receive no compensation but shall be reimbursed for any necessary traveling and living expenses actually incurred in the performance of the duties hereby imposed.

An item shall be inserted in the general appropriation bill for the purpose of paying such expenses and the salaries of such clerks, stenographers or other employes, appointed by the committee.

Laid over for one day under the Rules.

Mr. STIEFEL, from the Committee on Judiciary General, reported as committed, House Bill No. 771, entitled:

An Act to further amend clause (b) section six of the act approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" by conferring the authority to issue writs of habeas corpus in desertion and nonsupport cases.

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 780, entitled:

An Act to further amend section six of the act approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" by extending jurisdiction to cases for support of illegitimate children where the putative father admits parentage.

He also, from the Committee on Military Affairs, reported as committed, House Bill No. 38, entitled:

An Act to further amend section four hundred twenty-one of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" broadening the definition of the term "deceased service persons" to include members of any women's organization officially connected with any of the armed forces of the United States and requiring county commissioners of each county to contribute to the funeral expenses of such persons.

He also, from the Committee on Military Affairs, reported as committed, Senate Bill No. 284, entitled:

An Act to amend section one of the act, approved the twenty-sixth day of May, one thousand nine hundred forty-three (P. L. 270), entitled "An act appropriating moneys received from the Federal Government for housing and maintaining naval, military, or other personnel, at the Soldiers' and Sailors' Home at Erie, to the Department of Military Affairs for the maintenance and operation of said home," by including moneys received for the housing and maintaining of certain discharged service men.

Mr. McGINNIS, from the Committee on Judiciary General, reported as committed, Senate Bill No. 341, entitled:

An Act to repeal, except as to counties of the first class, clause (b) 1 of section one of the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 415), entled "An act relating to the qualification, jurisdiction, powers, and duties of registers of wills, and regulating proceedings before said registers, and the costs thereof, the effects of their acts, and appeals therefrom"

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 342, entitled:

An Act to amend section two hundred thirty-two of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," requiring each register of wills to give a joint and several bond, approved by the judges of the orphans' court and by the Governor.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 418, entitled:

An Act authorizing the common pleas judges and the county commissioners jointly to create medical clinics for the examination of certain persons convicted of the commission of a crime prior to the sentencing thereof as a means of decreasing the number of habitual offenders; providing for the creation of joint medical clinics among the several counties; and imposing the costs of maintaining and operating such clinics upon the county or counties creating the same.

Mr. CARR, from the Committee on Education, reported as committed, Senate Bill No. 524, entitled:

An Act to amend the act, approved the twenty-sixth day of May, one thousand nine hundred forty-three (P. L. 635), entitled "An act creating a commission to study the methods of maintaining and supporting public schools, and the method of participation by the Commonwealth, and local school districts in the maintenance of a thorough and efficient public school system; prescribing its powers and duties; and making an appropriation," continuing such commission; changing its purpose; and making an appropriation.

Mr. WAGNER, from the Committee on Education, reported as amended, Senate Bill No. 375, entitled:

An Act to amend sections one thousand one hundred five, one thousand one hundred twenty-one, one thousand one hundred twenty-seven, one thousand one hundred thirty-four and one thousand one hundred thirty-seven of the act approved the eighteenth day of May, one thousand nine hundred eleven (Pamphlet Laws 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof, providing revenue to establish and maintain the same and the method of collecting such revenue, and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith" by further providing for the term of office and the election of county superintendents, assistant county superintendents, district superintendents and assistant district superintendents in all second, third and fourth class school districts of the Commonwealth.

Mr. WADE, from the Committee on Military Affairs, reported as committed, Senate Bill No. 571, entitled:

An Act providing for the naming of state bridges and parks in honor of American heroes of World War II by the Governor, Adjutant General and the county commissioners of the county where such site is located.

He also, from the Committee on Military Affairs, reported as committed, House Bill No. 72, entitled:

An Act to prohibit the unlawful wearing of uniforms of the armed forces or branches thereof and imposing penalties for violation thereof.

Mr. EALY, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor, which were laid over for one day under the rules.

ALDERMAN, EIGHTH WARD, JOHNSTOWN, CAMBRIA COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 21, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James B. Hanson, 1117 Franklin Street, Johnstown, Cambria County, for appointment as Alderman in and for the Eighth Ward of the City of Johnstown, Cambria County, until the first Monday in January, 1945, vice Warren S. Krise, deceased.

EDWARD MARTIN.

MEMBERS OF THE BOARD OF TRUSTEES OF LOCUST MOUNTAIN STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 26, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Board of Trustees of Locust Mountain State Hospital, for terms of four years, and until their successors are qualified:

Evan Williams, Frackville, Schuylkill County. (Reappointment)

Joseph Nevadomski, Shenandoah, Schuylkill County. (Reappointment)

Mrs. Hawthorne L. Ball, Mahanoy City, Schuylkill County. (Reappointment)

Edward Strolis, Shenandoah Heights, Shenandoah, Schuylkill County. (Reappointment)

John Ritz, Palo Alto, Pottsville, Schuylkill County. (Reappointment)

Robert Davidson, Brockton, Schuylkill County. (Reappointment)

Orville Breich, Ringtown, Schuylkill County, vice Herbert Ratzburg, Ringtown, whose term expired.

EDWARD MARTIN.

MEMBER OF THE BOARD OF TRUSTEES OF LAURELTON STATE VILLAGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg March 21, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Roy D. Wittes, New Berlin, Union County, for appointment as a Member of the Board of Trustees of Laurelton State Village, for the term of four years and until his successor is qualified, to fill a vacancy.

EDWARD MARTIN.

MEMBERS OF THE WASHINGTON CROSSING PARK COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 28, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Members of the Washington Crossing Park Commission:

H. W. Turner, New Hope, Bucks County, until the third Tuesday of January, 1947, and until his successor shall have been appointed and qualified.

Mrs. Anna Hawkes Hutton, R. D. No. 1, Bristol, Bucks County, until the third Tuesday of January, 1947, and until her successor shall have been appointed and qualified.

Emil Menkle, 6912 Cedar Park Avenue, Philadelphia, Philadelphia County, until the third Tuesday of January, 1947, and until his successor shall have been appointed and qualified

Mrs. Linda R. Cassard, Chestnut Hill Apartments, Philadelphia, Philadelphia County, until the third Tuesday of January, 1947, and until her successor shall have been appointed and qualified.

Edward W. Pangborn, 4126 Decatur Street, Philadelphia, Philadelphia County, until the third Tuesday of January, 1947, and until his successor shall have been appointed and qualified.

Mrs. Helen Stubbs Smith, Keith Valley and Prospect Roads, R. D. No. 2, Hatboro, Montgomery County, until the third Tuesday of January, 1947, and until her successor shall have been appointed and qualified.

EDWARD MARTIN.

MEMBERS OF THE WASHINGTON CROSSING PARK COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 21, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate B. Palmer Tomlinson, R. D., New Hope, Bucks County, for appointment as a Member of the Washington Crossing

Park Commission, until the third Tuesday of January, 1947, and until his successor shall have been appointed and qualified, vice Elmer E. Althouse, Sellersville, whose term expired.

EDWARD MARTIN.

MEMBERS OF THE WAYNE COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 26, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Wayne County Board of Assistance:

Miss Catherine Hippensteel (Republican), Park Street, Honesdale, Wayne County, to serve until December 31, 1945, and until her successor is duly appointed and qualified, vice Miss Edith K. Swift, Honesdale, resigned.

H. P. Medland (Republican), Waymart, Wayne County, to serve until December 31, 1947, and until his successor is duly appointed and qualified, vice Roy N. Howe, Lake Ariel, whose term expired.

John E. Bigart (Reupblican), Lake Ariel, Wayne County, to serve until December 31, 1946, and until his successor is duly appointed and qualified, vice Dr. Kenneth A. Gillespie, Honesdale, resigned.

EDWARD MARTIN.

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 26, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

Harvey E. Trump, R. D. No. 3, Lehighton, Carbon County, for appointment as Justice of the Peace in and for the Township of Towamensing, Carbon County, until the first Monday in January, 1946, to fill a vacancy.

William F. Rapp, 757 Euclid Street, Temple, Berks County, for appointment as Justice of the Peace in and for the Borough of Temple, Berks County, until the first Monday in January, 1946, vice James E. Stoudt, resigned.

EDWARD MARTIN.

JUDGE OF THE SUPERIOR COURT OF PENNSYLVANIA

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 27, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John C. Arnold, Clearfield, Clearfield County, for appointment as Judge of the Superior Court of Pennsylvania, to serve until the first Monday of January, 1946, to fill the vacancy caused by the death of Honorable William H. Keller, President Judge, and the subsequent elevation of Honorable Thomas J. Baldrige as President Judge.

EDWARD MARTIN.

BILLS INTRODUCED AND REFERRED

Mr. FARRELL read in his place and presented to the Chair Senate Bill No. 601, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of two certain tracts of land containing approximately twenty-eight acres, in the Fortieth Ward of the City of Philadelphia, Commonwealth of Pennsylvania, known as the Naval Ammunition Depot of Fort Mifflin, Pennsylvania, and ceding jurisdiction to the United States.

Which was committed to the Committee on State Government.

Mr. MALLERY read in his place and presented to the Chair Senate Bill No. 602, entitled:

An Act making an appropriation to the Phoenix Volunteer Fire Company of Hollidaysburg for the protection of State property.

Which was committed to the Committee on Appropriations.

Mr. TROUTMAN (by request) read in his place and presented to the Chair Senate Bill No. 603, entitled:

An Act to amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789) entitled "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; providing penalties; and repealing existing laws," as amended, by defining and providing for the licensing and regulation of insurance consultants; and imposing penalties.

Which was committed to the Committee on Insurance.

Mr. WAGNER read in his place and presented to the Chair Senate Bill No. 604, entitled:

An Act providing for and regulating the contractural powers of school districts during the period of the present wars in which the United States is engaged and until six months after proclamation by the President of the United States that hostilities in such wars have ceased.

Which was committed to the Committee on Education.

Mr. LETZLER read in his place and presented to the Chair Senate Bill No. 605, entitled:

An Act to further amend the act approved the ninth day of June, one thousand nine hundred eleven (P. L. 756) entitled "An act to provide for the health and safety of persons employed in and about bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by further providing for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania.

Which was committed to the Committee on Mines and Mining.

Mr. JAMES read in his place and presented to the Chair Senate Bill No. 606, entitled:

An Act to amend the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status; authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected, and regulating such benefits and collections; providing for the organization and incorporation of such societies and for their supervision, regulation and examination by the Insurance Commissioner, and for the admission of foreign societies; designating tables of mortality as a basis for rates of

contribution; requiring all societies to make annual and other reports; and appointing the Insurance Commissioner as attorney for service of process; providing penalties for any violations of the act; exempting such societies from taxation and certain other societies from its provisions; and requiring beneficial associations, other than fraternal benefit societies, to report to and be supervised by the Insurance Commissioner; and repealing existing laws," by authorizing suits to be brought against domestic fraternal benefit societies in counties in which they maintain subordinate lodges; and providing for the service of process on the Insurance Commissioner as attorney therefor.

Which was committed to the Committee on Judiciary Special.

Mr. SNOWDEN read in his place and presented to the Chair Senate Bill No. 607, entitled:

An Act to amend the act, approved the twenty-sixth day of May, one thousand nine hundred forty-three (P. L. 637) entitled "An act providing that the terms of constables hereafter elected in cities of the second, second class A and third classes, boroughs and townships, shall be for six years," by extending the terms of constables hereafter elected in incorporated towns to six years.

Which was committed to the Committee on Municipal Government.

Mr. WOODWARD read in his place and presented to the Chair Senate Bill No. 608, entitled:

A Joint Resolution proposing an amendment to article nine, section eight, of the Constitution of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Constitutional Changes.

Mr. JASPAN read in his place and presented to the Chair Senate Bill No. 609, entitled:

An Act providing for the investigation of public utility companies in Pennsylvania and the Pennsylvania Public Utility Commission; and making an appropriation.

Which was committed to the Committee on Public Utilities.

Mr. STIEFEL read in his place and presented to the Chair Senate Bill No. 610, entitled:

An Act requiring counties and cities of the first class to pay the premiums on all surety bonds required of county and city officers and employes in their official capacity.

Which was committed to the Committee on Municipal Government.

He also read in his place and presented to the Chair Senate Bill No. 611, entitled:

An Act authorizing all public offices and departments of cities and counties of the first class to remain closed on Saturdays from the third Saturday of July to the last Saturday of August, inclusive, in each year.

Which was committed to the Committee on Municipal Government.

Mr. BECKER read in his place and presented to the Chair Senate Bill No. 612, entitled:

An Act to repeal the act, approved the first day of December, one thousand nine hundred thirty-eight (P. L. 109), entitled "A supplement to the act, approved the eighteenth day of March, one thousand eight hundred and seventy-five (P. L. 30), entitled 'An act to authorize changes of venue in criminal cases,' forbidding changes of venue in criminal prosecutions by any court on application of the Commonwealth or prosecutor."

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 613, entitled:

An Act to amend the act, approved the eighth day of April, one thousand nine hundred thirty-seven (P. L. 262), entitled "An act relating to consumer credit in amount of one thousand dollars ($1,000) or less; requiring licenses from the Secretary of Banking; restricting licenses to domestic business corporations; fixing minimum capital requirements; conferring certain powers on the Secretary of Banking; limiting interest and other charges; providing certain exemptions; and imposing penalties," by changing the short title of the act redefining the term "charges"; changing the form of the application; restricting the conduct of business by a licensee; enlarging the authority of the Secretary of Banking and altering the form of certain statements.

Which was committed to the Committee on Banking.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President and members of the Senate, I intend to present to the Senate two original resolutions. The one is a resolution calling upon the General Assembly of Pennsylvania to rescind the action taken in 1943, when, through hasty action upon the part of the House and the Senate, we passed a resolution calling upon the Congress of the United States to adopt a constitutional amendment limiting federal taxes to twenty-five per cent. In conjunction with fifteen other states, that resolution passed in Pennsylvania, was sent over to the Governor's desk and the Governor, in his wisdom, refused to place his stamp of approval upon this obnoxious piece of legislative scullduggery. The fifteen other states have before them resolutions rescinding the action taken. The state of Arkansas has already passed a rescinding resolution. The State of New York, last week, under a Republican House and Senate and a Republican Governor, refused to pass this resolution, not the rescinding but the original resolution.

Before I present these resolutions I would like to say to the members of the Senate that some of you must have at some time during the last couple of years read a little concerning the results that might attain if this particular resolution would be put through the Congress of the United States.

I have here before me some statements contained in the Congressional record under the right of Extension of Remarks, by the Honorable Wright Patman, of Texas. I would like to read just a little from them. I have here the remarks of Stanley Dixon, the able commentator of the Mutual Broadcasting System, and he says, and I quote only in part:

"There is something State legislatures must not do, and that is to adopt a resolution favoring a proposed amend-

ment to the Constitution which would limit the income tax to 25 percent. The Committee for Constitutional Government is promoting the plan, one of the most dangerous ever conceived. It would mean that millionaires who now pay about $800,000 on a $1,000,000 income would only pay $250,000, while people with small incomes would pay at least one-quarter of their income; a man with a $2,000 income who now pays about $175 would have to pay $500 with no exemptions. Remember that this would be a glorious windfall for the war profiteers who have made incredible billions of profits out of this war."

"The loss in revenue due to this amendment would be so tremendous that the Government would have to follow one of two courses: either impose a large sales tax on everything, including food" and clothing or "perhaps a twenty per cent tax" overall "to cover the cost of government"—all pensions to veterans would be stopped and all rights included in the G. I. Bill would necessarily be stopped. All social security must be abolished. All veterans' hospitals would have to be closed. "The Committee for Constitutional Government is trying to get thirty-two states to pass this resolution. It is being done very quietly."

I can testify as to how quietly it was done, when it passed unanimously, and those of us who ought to have known better sat idly by and allowed this resolution to go through. I feel ashamed of the part I played in that, and I feel that I owe an apology to the people of the Commonwealth, as well as the people of this great nation of ours, that I would sit in the Senate of Pennsylvania and allow such a devastating attack to be made upon the constitutional rights of the people of this great nation.

I have also some remarks here from the Honorable Wright Patman, and I only quote in part:

"The searchlight must be kept upon this group. These Fascist-minded lobbyists who seek to throw the main tax burden upon the low-income group must be ferreted out and their efforts exposed in every State capitol in which they set up their lobbying shop. I have named the leaders of this group many times before, but I will name them once again, just to keep the record clear. They are Frank Gannett, pious publisher from New York State, who seeks to reduce his millionaire's taxes to a minimum of 25 percent; Samuel B. Pettingill, able orator and former Member of this body, who uses the cloak of the Constitution as a shield for his real schemes; Edward A. Rumely, convicted German agent in World War No. 1, whom many think is the real brain behind the activities of this group who seek to lead us into the ways of fascism; and, lastly, the aging S. S. McClure, once reputable author and publisher, who, after studying fascism 2 years in Italy, let himself become the tool and "front" man for the spiderlike activities of Rumely and his group of unknown associates."

I say that even if you intend to oppose immediate consideration of this resolution, I am going to ask for a roll call so that a record may be made of the men who know the problems before our government today and are willing to stand up and be counted.

Mr. President, I present to the Chair the following resolutions and ask their adoption.

RESOLUTIONS

URGING THAT HOUSE CONCURRENT RESOLUTION No. 50, ADOPTED BY THE GENERAL ASSEMBLY OF THE REGULAR SESSION OF 1943, BE RESCINDED BY THE GENERAL ASSEMBLY

Mr. DENT offered the following resolution which was twice read as follows:

In the Senate, March 27, 1945.

Whereas, Concurrent Resolution No. 50 was adopted by the General Assembly at the Regular Session of 1943, and

Whereas, The purport of this Resolution was misunderstood by various members of the House of Representatives and the Senate, therefore be it

Resolved, That the adoption of House Concurrent Resolution No. 50 by the General Assembly of the Regular Session of 1943 be hereby rescinded by the General Assembly at the Regular Session of 1945.

REQUEST THAT RULE 39 BE SUSPENDED

Mr. DENT. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

The PRESIDENT. Is there objection.

Mr. HEYBURN. I object to immediate consideration, for one reason only—no member on this side has seen the resolution, and it seems to me, Mr. President, that certainly the resolution should be read by a member of the Senate voting on it; therefore I object to immediate consideration.

The PRESIDENT. The resolution is referred to the Committee on Rules.

Mr. DENT. Mr. President, I ask for a roll call.

Mr. HEYBURN. I refer to the Chair Rule 39 of the Senate on page 26, which provides, concerning a resolution of this type, when immediate consideration is objected to, that the resolution be referred without debate to a proper committee.

MEMORIALIZING CONGRESS OF THE UNITED STATES NOT TO AMEND THE CONSTITUTION RELATIVE TO TAXES ON INCOME, GIFTS AND INHERITANCES

Mr. DENT offered the following resolution which was twice read as follows:

In the Senate, March 27, 1945.

A resolution memorializing the Congress of the United States not to amend the Constitution of the United States relative to taxes on incomes, gifts, and inheritances

Whereas, There is now pending in the Congress of the United States proposed legislation to repeal the sixteenth amendment of the Constitution of the United States and to amend said Constitution relative to taxes on incomes, gifts, and inheritances by providing for a limitation of taxes thereon to twenty-five percent; and

Whereas, The people of the Commonwealth of Pennsylvania are opposed to such amendment to the Constitution of the United States being passed at this time, therefore be it

Resolved (if the House of Representatives concur), That the Congress of the United States be and is hereby memorialized and petitioned to defeat the efforts now being made to repeal the sixteenth amendment to the

Constitution of the United States and the effort to submit a proposed amendment which would limit the maximum rate of gift, income, and estate taxes to twenty-five percent, be it further

Resolved, That the Secretary of the Commonwealth of Pennsylvania be, and he is hereby, directed to forward a duly certified copy of this resolution to the Senate of the United States and to each Pennsylvania Member thereof.

REQUEST THAT RULE 39 BE SUSPENDED

Mr. DENT. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

The PRESIDENT. Is there objection.

Mr. HEYBURN. Mr. President, I object to immediate consideration of this resolution for the reasons I outlined a while ago.

The PRESIDENT. The resolution is referred to the Committee on Rules.

SENATE BILL No. 25, PRINTER'S No. 62 BE RECALLED FROM THE GOVERNOR

Mr. HEYBURN offered the following resolution which was twice read, considered and agreed to:

In the Senate, March 27, 1945.

Resolved (if the House of Representatives concur), That Senate Bill No. 25, Printer's No. 63, entitled:

An Act to amend the first paragraph, section one of the act approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521), entitled, as amended, "An act to further amend the title to reenact and further amend paragraph (e) of section one, and to further amend section thirty-nine of the act, approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521), entitled, as amended 'An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal,' by defining as a transfer and taxing the right of survivorship in property as to which such right exists; and providing for the extension of the Commonwealth's lien on real property for a further period of time," by exempting military pay due deceased service persons and veterans from the taxes herein imposed

be recalled from the Governor for further consideration and amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

SENATE BILL No. 230, PRINTER'S No. 102, BE RECALLED FROM THE GOVERNOR

Mr. COLEMAN offered the following resolution which was twice read, considered and agreed to:

In the Senate, March 27, 1945.

Resolved (if the House of Representatives concurs), that Senate Bill No. 230, Printer's No. 102, entitled "An act to amend the title and the act approved the thirtieth day of April one thousand nine hundred and forty-three (P. L. 145) entitled 'An act providing for and regulating the accumulation investment expenditure by counties cities boroughs incorporated towns and townships of funds for post war projects' extending the provisions of said act to school districts and defining the term 'post war period'," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

REPORTS FROM COMMITTEES

Mr. BOWERS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BOWERS, from the Committee on Miltary Affairs, reported as amended, Senate Bill No. 248, entitled:

An Act to authorize certain persons to take affidavits and acknowledgments in connection with the administration of the affairs of veterans and their dependents; making certain offenses punishable as perjury and imposing penalties.

He also, from the Committee on Military Affairs, reported as amended, Senate Bill No. 219, entitled:

An Act authorizing the Department of Militarv Affairs to collect and to preserve the selective service and war records of the Commonwealth of Pennsylvania, authorizing the storage of such records in available buildings or the construction of a new building to accommodate them if necessary, and making an appropriation therefor.

Mr. ROSENFELD. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ROSENFELD, from the Committee on Military Affairs, reported as committed, House Bill No. 46, entitled:

An Act to further amend section one of the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 676) entitled as amended "An act providing for the burial of certain persons who are have been or shall be soldiers sailors marines or members of the enlisted nurse corps designated as 'deceased service men' defining the term 'deceased service men' authorizing county commissioners to provide markers and burial plots for such deceased service men at the expense of such county in which they shall die or have a legal residence at the time of their death and providing for the burial of widows of soldiers sailors or marines" broadening the definition of the term "deceased service men" to include members of any women's organization officially connected with any of the armed forces of the United States and requiring county commissioners of each county to contribute to the funeral expenses of such persons.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

APPROVED AND SIGNED SENATE BILL No. 77, PRINTER'S No. 34

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 27, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 77, Printer's No. 34, entitled "An act regulating the issuance of execution on judgments confessed on written instruments and providing that when such judgments are entered in one county defenses may be made to the same by petition to open filed in any other county where execution thereon is issued or made."

EDWARD MARTIN.

APPROVED AND SIGNED SENATE BILL No. 169, PRINTER'S No. 36

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 27, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 169, Printer's No. 36, entitled "An Act to further amend subsection (f) of section forty-nine of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447), entitled as amended 'An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of non-resident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," by increasing the amount of wages due a deceased employe which may be paid to certain persons by the employer without the necessity for the issuance of letters testamentary or letters of administration.

EDWARD MARTIN.

APPROVED AND SIGNED SENATE BILL No. 333, PRINTER'S No. 87

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 27, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 333, Printer's No. 87, entitled "An act to further amend part of section four hundred thirty-nine of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled 'An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising, amending and consolidating the laws relating thereto," by changing the name of the veterans' grave registrar appointed by the county commissioners to the director of veterans affairs.

EDWARD MARTIN.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. EALY. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on March 27, 1945.

Mr. CHAPMAN. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 27, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

WASHINGTON COUNTY

John S. McCans, Donora, March 31, 1945.

PHILADELPHIA COUNTY

William P. Mason, Phila., 4528 Lancaster Ave. (31), April 5, 1945.

ARMSTRONG COUNTY

Mrs. Delfina M. Balla, Leechburg, April 7, 1945.

McKEAN COUNTY

Miss Alice M. Dolan, Kane, April 9, 1945.

YORK COUNTY

H. M. Findley, Delta, April 13, 1945.

PHILADELPHIA COUNTY

Mitchell J. Lichow, Phila., 4725 N. 5th St., April 21, 1945.

ERIE COUNTY

Mrs. Rita M. Katen, Erie, April 22, 1945.

ALLEGHENY COUNTY

William A. Schock, Pittsburgh, 1801 Forbes St., April 27, 1945.

LYCOMING COUNTY

Cloyd E. Ruffaner, Williamsport, April 27, 1945.

EDWARD MARTIN.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 27, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Mary E. Higgins, Pittsburgh, WCAE, Inc., William Penn Hotel.
John R. Mosko, Pittsburgh, 3400 Forbes St. (13).
J. Meryl Silk, Pittsburgh, 602 Commonwealth Bldg., 316 4th Ave.
Miss Myrta L. Thompson, Pittsburgh, Rosenbaum Co., 6th and Liberty Sts.

BERKS COUNTY

W. Earl Brenneban, Heidelberg Twp., c/o Bethany Orphans' Home, Womelsdorf

CHESTER COUNTY

Miss Elizabeth C. Ford, West Chester.

DAUPHIN COUNTY

Mrs. Mildred K. Hamilton, Harrisburg.

LANCASTER COUNTY

Henry B. Gibbel, Lititz.
Edwin E. Rutherford, Marietta

LUZERNE COUNTY

Miss Marian E. Dreitel, Wilkes-Barre

PHILADELPHIA COUNTY

Miss Esther E. Glazer, Phila., 613 S. 3d St.
V. J. Iovacchini, Phila., 6134 Chestnut St. (39).
Mrs. Valdreace Peterson, Phila., 1538 N. Broad St.
Miss Mary Weiner, Phila., 700 Bankers Securities Bldg.

WASHINGTON COUNTY

C. S. Bateman, Charleroi.

YORK COUNTY

Miss Geraldine F. Wagner, York.

EDWARD MARTIN.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. EALY and Mr. CHAPMAN,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Taliman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margle,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE NOMINATIONS

A motion was made by Mr. EALY and Mr. GELTZ,

That the Senate do now resolve itself into Executive Session, for the purpose of considering the nominations of His Excellency, the Governor of the Commonwealth of Pennsylvania, which were laid on the table yesterday.

The motion was agreed to.

The Clerk read the nominations as follows:

MEMBERS OF THE BOARD OF TRUSTEES OF LAURELTON STATE VILLAGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 19, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Board of Trustees of Laurelton State Village:

Harold T. Garad, Lewisburg, Union County, for the term of four years and until his successor is qualified. (Reappointment)

Fred W. Maue, Shamokin, Northumberland County, for the term of four years and until his successor is qualified. (Reappointment)

Relph Witmer, Selinsgrove, Snyder County, for the term of four years and until his successor is qualified. (Reappointment)

C. Vincent Michener, Allenwood, Union County, for the term of four years and until his successor is qualified. (Reappointment)

O. W. H. Glover, Laurelton, Union County, for the term of four years and until his successor is qualified, vice Roy R. Finkle, Mifflinburg, whose term expired.

Mrs. Charlotte L. Smith, Winfield, Union County, for the term of four years and until her successor is qualified, vice Mrs. Anna M. R. Horlacher, New Berlin, whose term expired.

Ira Smith, Beaver Springs, Snyder County, for the term of four years and until his successor is qualified, vice Harry C. Seebold, Sunbury, whose term expired.

E. A. Phillips, Milton, Northumberland County, for the term of four years and until his successor is qualified, vice Mrs. Martha Shuman, Northumberland, whose term expired.

EDWARD MARTIN.

MEMBERS OF THE BOARD OF TRUSTEES OF ASHLAND STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 20, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph Bowman, Frackville, Schuylkill County for appointment as a Member of the Board of Trustees of Ashland State Hospital, for the term of four years, and until his successor is qualified, vice Ray Delbridge, Girardville, resigned.

EDWARD MARTIN.

MEMBERS OF THE BOARD OF TRUSTEES OF STATE INDUSTRIAL HOME FOR WOMEN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 19, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Board of Trustees of State Industrial Home for Women:

Paul J. Abraham, Bank and Trust Building, Greensburg, Westmoreland County, for the term of four years and until his successor is qualified. (Reappointment)

Mrs. Florine Koegler, Court House, Pittsburgh, Allegheny County, for the term of four years and until her successor is qualified. (Reappointment)

Mrs. Margaret Hays Lamade, 423 Grampian Boulevard, Williamsport, Lycoming County, for the term of four years and until her successor is qualified. (Reappointment)

Mrs. Mabel F. Schooley, Watsontown, Northumberland County, for the term of four years and until her successor is qualified. (Reappointment)

George B. Wolf, 38 West Fourth Street, Williamsport, Lycoming County, for the term of four years and until his successor is qualified. (Reappointment)

Mrs. Martha P. Shuman, 254 Orange Street, Northumberland, Northumberland County, for the term of four years and until her successor is qualified, vice Mrs. Lucille Ward, Bellefonte, resigned.

Howard Opp, Muncy, Lycoming County, for the term of four years and until his successor is qualified, to fill a vacancy.

EDWARD MARTIN.

JUSTICE OF THE PEACE, WARWICK TOWNSHIP, LANCASTER COUNTY, ALDERMAN, SIXTH WARD JOHNSTOWN, CAMBRIA COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 19, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

Mrs. Anna Mae Hess, Rothsville, Lancaster County, for appointment as Justice of the Peace in and for the Township of Warwick, Lancaster County, until the first Monday in January, 1946, vice Charles S. Hess, deceased.

Charles W. Wilson, 749 Grant Street, Johnstown, Cambria County, for appointment as Alderman in and for the Sixth Ward of the City of Johnstown, Cambria County, until the first Monday in January, 1946, vice William J. Cole, deceased.

EDWARD MARTIN.

MEMBER OF THE BOARD OF TRUSTEES OF LOCUST MOUNTAIN STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 20, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Richard A. Lewis, 207 West Columbus Street, Shenandoah, Schuylkill County, for appointment as a Member of the Board of Trustees of Locust Mountain State Hospital, for the term of four years, and until his successor is qualified, vice Donald Boyd, whose term expired.

EDWARD MARTIN.

MEMBERS OF THE PENNSYLVANIA GAME COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 19, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Members of the Pennsylvania Game Commission:

Nicholas Biddle, Springhead, Jenkintown, Montgomery County, until the third Tuesday of January, 1953, and until his successor shall have been appointed and qualified.

Harold Moltz, 931 West 4th Street, Williamsport, Lycoming County, until the third Tuesday of January, 1953, and until his successor shall have been appointed and qualified.

EDWARD MARTIN.

Whereupon,

A motion was made by Mr. EALY and Mr. GELTZ,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. EALY. Mr. President, I move that the Executive Session do now rise.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 18, on concurrence in House amendments, entitled:

An Act to amend sections one and two of the act approved the eighteenth day of July, one thousand nine hundred thirty-five (P. L. 1303) entitled "An act to regulate the sale of certain hypnotic, analgesic, and body-weight reduction drugs, in the interest of public health," by redefining the meaning of "other hypnotic drug, or analgesic drug or body-weight reducing drug" and adding "inhalers" to the remedies permitted to be sold at retail

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 3, as follows:

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum Philadelphia

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of thirty-three thousand dollars ($33,000) is hereby specifically appropriated to the Board of Trustees of the Philadelphia Museum Philadelphia for the two fiscal years beginning June first one thousand nine hundred and forty-five for the purpose of maintenance to be paid according to law.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 16, as follows:

An Act making an appropriation from the State Stores Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Stores Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of four hundred thirty-nine thousand nine hundred dollars ($439,900) or as much thereof as may be necessary is hereby specifically appropriated out of the State Stores Fund to the State Employes' Retirement Board for the two fiscal years commencing the first day of June one thousand nine hundred forty-five for payment from time to time into the State Employes' Retirement Fund to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Stores Fund

Section 2 Of the sum appropriated by this act there shall be paid into the State Employes' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of two hundred nine thousand one hundred dollars ($209,100) and to the credit of the Contingent Reserve Account the sum of two hundred thirty thousand eight hundred dollars ($230,800).

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 17, as follows:

An Act making appropriations to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented and to adjust errors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following sums of moneys are hereby appropriated to the Treasury Department for the payment of replacement checks issued by that department in accordance with the provisions of the act approved the twelfth day of July one thousand nine hundred and thirty-five (P. L. 996)

Out of the General Fund	$10,000.00
Out of the Motor License Fund	10,000.00
Out of the Administration Fund	200.00
Out of the Federal Social Security Fund	50.00
Out of the Liquor License Fund	1,000.00
Out of the Fire Insurance Tax Fund	1,000.00
Out of Fish Fund	90.00
Out of the Game Fund	210.00
Out of the School Employes Retirement Fund	1,200.00
Out of the State Workmen's Insurance Fund	2,500.00
Out of the Milk Control Fund	140.00
Out of the State Stores Fund	1,000.00
Out of the State School Fund	35.00
Out of the State Farm Show Fund	35.00
Out of the State Employes' Retirement Fund	1,700.00

Section 2 The sum of one thousand six hundred and forty-one dollars ($1,641) is hereby specifically appropriated to the Treasury Department from the General Fund for the purpose of balancing the accounts of said department to May thirty-first one thousand nine hundred forty-one to enable the Department to adjust its books for duplicate payments or other errors.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 29, as follows:

An Act making an appropriation from the Banking Department Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes Retirement System with respect to State Employes receiving compensation from the Banking Department Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of thirty-one thousand three hundred dollars ($31,300) or as much thereof as may be necessary is hereby specifically appropriated out of the Banking Department Fund to the State Employes' Retirement Board for the two fiscal years commencing the first day of June one thousand nine hundred and forty-five for payment from time to time into the State Employes' Retirement Fund to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Banking Department Fund

Section 2 Of the sum appropriated by this act there shall be paid into the State Employes' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of fourteen thousand nine hundred dollars ($14,900) and to the credit of the Contingent Reserve Account the sum of sixteen thousand four hundred dollars ($16,400).

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 36, on third reading, entitled:

An Act to add section seven hundred thirty-four to the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" making wilful abandonment or non-support of an aged or indigent person a misdemeanor and prescribing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 42, as follows:

An Act making an appropriation from the Game Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Game Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of twenty-seven thousand seven hundred dollars ($27,700) or as much thereof as may be necessary is hereby specifically appropriated out of the Game Fund to the State Employes' Retirement Board for the two fiscal years commencing the first day of June one thousand nine hundred forty-five for payment from time to time into the State Employes' Retirement Fund to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Game Fund

Section 2 Of the sum appropriated by this act there shall be paid into the State Employes' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of thirteen thousand two hundred dollars ($13,200) and to the credit of the Contingent Reserve Account the sum of fourteen thousand five hundred dollars ($14,500)

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

SENATE BILL No. 36 CALLED UP

Mr. MALLERY. I call up for consideration at this time Senate Bill No. 36.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 36, entitled:

An Act to add section seven hundred thirty-four to the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of this Commonwealth" making wilful abandonment or nonsupport of an aged or indigent person a misdemeanor and prescribing penalties.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. MALLERY. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 1, (Sec. 734), page 2, line 2, by inserting after the word "person" where it appears for the first time on said line: "for whose support he is legally responsible"; Amend Sec. 1, (Sec. 734), page 2, lines 9, 10 and 11, by striking out the word "Such fine if any may" in line 9, and all of lines 10 and 11, both inclusive.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing on final passage.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 43, as follows:

An Act making an appropriation from the Motor License Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Motor License Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of nine hundred seven thousand one hundred dollars ($907,100) or as much thereof as may be necessary is hereby specifically appropriated out of the Motor License Fund to the State Employes' Retirement Board for the two fiscal years commencing the first day of June one thousand nine hundred forty-five for payment from time to time into the State Employes' Retirement Fund to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State Employes receiving compensation from the Motor License Fund

Section 2 Of the sum appropriated by this act there shall be paid into the State Employes' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of four hundred seven thousand two hundred dollars ($407,200) to the credit of the Contingent Reserve Account the sum of four hundred forty-nine thousand nine hundred dollars ($449,900) and to the credit of the Pennsylvania State Police Retirement Account the sum of fifty thousand dollars ($50,000)

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 49, as follows:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of thirty thousand dollars ($30,000) or as much thereof as may be necessary is hereby specifically appropriated out of the Motor License Fund to the Board of Finance and Revenue for the two fiscal years commencing June first one thousand nine hundred and forty-five for the payment of the compensation to the Commonwealth's Loan and Transfer Agent for services rendered in connection with the registration transfer and payment of interest on highway bonds and for other services required to be performed by the said Loan and Transfer Agent payments from such appropriation shall be made at such times and in such amounts and upon such basis as may be provided by law or agreed upon between the Board of Finance and Revenue and the said Loan and Transfer Agent

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 51, as follows:

An Act making an appropriation from the Manufacturing Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Manufacturing Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of eleven thousand four hundred dollars ($11,400) or as much thereof as may be necessary is hereby specifically appropriated out of the Manufacturing Fund to the State Employes' Retirement Board for the two fiscal years commencing the first day of June one thousand nine hundred forty-five for payment from time to time into the State Employes' Retirement Fund to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Manufacturing Fund

Section 2 Of the sum appropriated by this act there shall be paid into the State Employes' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of five thousand four hundred dollars ($5,400) and to the credit of the Contingent Reserve Account the sum of six thousand dollars ($6,000)

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 61, as follows:

An Act making appropriations from the Motor License Fund to the Board of Finance and Revenue to meet interest sinking fund and service requirements on the State debt

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of ten million five hundred thirteen thousand seventy-nine dollars and fifty-five cents ($10,513,079.55) is hereby specifically appropriated from the Motor License Fund to the Board of Finance and Revenue for payment into the Sinking Fund to meet interest and sinking fund requirements on the State debt for the two fiscal years commencing June first one thousand nine hundred and forty-five. The amount hereinbefore appropriated shall be transferred by the Auditor General and the State Treasurer upon requisition of the Board of Finance and Revenue from the Motor License Fund to the Sinking Fund on or before the dates and in the manner set forth in the following schedule

Dates	Principal	Interest	Total
July 1, 1945 ..	$ 683,972.69	$ 417,500.00	$ 1,101,472.69
Aug. 2, 1945 ..	214,736.61	292,200.00	506,936.61
Sept. 1, 1945 ..	660,138.29	160,000.00	820,138.29
Oct. 1, 1945 ..	313,818.29	80,000.00	393,818.29
Dec. 1, 1945 .	384,958.90	120,000.00	504,958.90
Jan. 3, 1946 ..	20,440.00	417,500.00	437,940.00
Feb. 1, 1946 .	.....	292,200.00	292,200.00
Mar. 1, 1946 ..	10,150.00	160,000.00	170,150.00
Apr. 1, 1946 ..	687,591.66	80,000.00	767,591.66
June 1, 1946 .	168,000.00	120,000.00	288,000.00
July 1, 1946 .	683,972.69	417,500.00	1,101,472.69
Aug. 1, 1946 .	214,736.61	292,200.00	506,936.61
Sept. 1, 1946 .	660,138.29	160,000.00	820,138.29
Oct. 2, 1946 ..	313,818.29	80,000.00	393,818.29
Dec. 1, 1946 .	384,958.90	120,000.00	504,958.90
Jan. 2, 1947 .	20,440.00	417,500.00	437,940.00
Feb. 1, 1947 .	.....	292,200.00	292,200.00
Mar. 1, 1947 .	10,150.00	120,000.00	130,150.00
Apr. 2, 1947 ..	687,591.66	80,000.00	767,591.66
June 1, 1947 .	168,000.00	106,666.67	294,666.67
Total	$6,287,612.88	$4,225,466.67	$10,513,079.55

Section 2 The sum of one thousand dollars ($1,000) or as much thereof as may be necessary is hereby appriated to the Board of Finance and Revenue from the Motor License Fund to pay the cost of printing or engraving denominations of bonds acquired by the Loan and Transfer Agent in making exchanges for bond holders

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,

Crowe,	Jones.	Snowden,	Woodring.
Dent,	Kephart,	Stevenson,	Woodward.
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 64, as follows:

An Act making an appropriation to the Moore Institute of Art Science and Industry formerly Philadelphia School of Design for Women at Philadelphia Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of fifty thousand dollars ($50,000) is hereby specifically appropriated to the Moore Institute of Art Science and Industry formerly Philadelphia School of Design for Women at Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and forty-five Provided That in such school there shall be maintained a free scholarship for one pupil of each county in the State to be filled by appointment of the Senator of each such county except that for counties having more than one Senator as many scholarships shall be provided as there are senatorial districts in such counties and in case of the failure of any county to be properly represented by an appointee or appointees at the opening of any school year October first then any Senator of any senatorial district shall have the power to fill such vacancy or vacancies by the appointment of additional applicants from his own district or any other senatorial district of the State.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 66, as follows:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred seventy thousand dollars ($170,000) is hereby specifically appropriated to the Pennsylvania Museum and School of Industrial Art Philadelphia for the two fiscal years beginning June first one thousand nine hundred and forty-five for maintenance and the purchase of apparatus supplies and equipment.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 90, as follows:

An Act making an appropriation to the Department of Health for the purpose of conducting cancer research

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred thousand dollars ($100,000.00) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Health for the purpose of conducting cancer research to determine the cause mortality rate methods of treatment prevention and cure of cancer and allied diseases including the nature and extent of the facilities available in the several counties and cities of the state for the diagnosis and treatment of these diseases

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,

Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 115, as follows:

An Act to exempt from taxation for all local purposes certain property of hospitals universities colleges seminaries academies associations and institutions of learning benevolence or charity and declaring the public policy of the Commonwealth with respect to the exemption of said property from such taxation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following property shall be exempt from all county city borough town township institution district road poor and school tax to wit

All hospitals universities colleges seminaries academies associations and institutions of learning benevolence or charity with the grounds thereto annexed and necessary for the occupancy and enjoyment of the same founded endowed and maintained by public or private charity Provided That the entire revenue derived by the same be applied to the support and to increase the efficiency and facilities thereof the repair and the necessary increase of grounds and buildings thereof and for no other purpose Provided further That this act shall be construed to exempt from said taxes any such property or part thereof owned by any such hospital university college seminary academy association or institution of learning benevolence or charity with the ground thereto annexed and necessary for the occupancy and enjoyment of the same founded endowed and maintained by public or private charity and which it uses or employes as or in which it maintains or provides dormitories places of lodging dining rooms or other places where meals or food are served or board provided for the use benefit or advantage of the members or other persons coming within the scope of the charitable activities objects or purposes regardless of whether or not any gain or profit is derived from such use or employment of such property or part thereof provided any such gain or profit is applied or used in the furtherance of such charitable objects or purposes it being hereby declared to be the public policy of this Commonwealth that any property or part thereof used or employed as aforesaid or substantially as aforesaid by any such hospital university college seminary academy association or institution of learning benevolence or charity with the grounds thereto annexed and necessary for the occupancy and enjoyment of the same founded endowed and maintained by public or private charity shall be deemed and regarded as property devoted to a purely charitable use and that such property shall not be subject or liable to taxation

Section 2 Except as otherwise provided in this act all such property real or personal other than that which is in actual use and occupation for the purposes specified in this act and all such property from which any income or revenue is derived other than from recipients of the bounty of the institution or charity shall be subject to taxation except where exempted by law for State purposes and nothing herein contained shall exempt same therefrom all such property real and personal in actual use and occupation for the purposes specified in this act shall be subject to taxation unless the person or persons association or corporation so using and occupying the same shall be seized of the legal or equitable title in the realty and possessor of the personal property absolutely

Section 3 The provisions of this act shall become effective immediately upon the final enactment hereof but the said provisions shall not apply to or affect any assessment of taxes upon or against the property of any institution of learning benevolence or charity made prior to the final enactment hereof

On the question,

Will the Senate agree to the bill on third reading?

Mr. HOLLAND. Mr. President, I desire to interrogate the gentleman from Lehigh.

The PRESIDENT. Will the gentleman from Lehigh permit himself to be interrogated?

Mr. TALLMAN. I will, Mr. President.

Mr. HOLLAND. I ask the gentleman from Lehigh, did he not get requests from the Pennsylvania Real Estate Board, the Pittsburgh Real Estate Board and the Harrisburg Real Estate Board, that a public hearing be held on this bill?

Mr. TALLMAN. Mr. President, I can not answer that question accurately at this time. I do not know whether I received such a request from any or all of the groups that the Senator from Allegheny inquires about.

I should like also to add that if I did receive such requests, they came to my attention after the bill had been reported from the committee on State Government.

Mr. HOLLAND. Mr. President, the president of the Pennsylvania Real Estate Board has just informed me that he has written asking for a public hearing on this bill. I believe that we owe that courtesy, at least, to an organization of its standing in the community and in the state, and Mr. Kane, of the Pittsburgh Real Estate Board, informed me he joined in the request.

MOTION THAT BILL BE RECOMMITTED

Mr. HOLLAND. Mr. President, I move that House Bill No. 115, be recommitted to the Committee on State Government, for the purpose of a public hearing.

Mr. STIEFEL. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. TALLMAN. I should like to clear up one matter relative to the motion that has just been made, Mr. President, and that is that for several weeks this bill has been on the Calendar and has been regularly put over Shortly after the bill appeared on the Calendar the gentleman from Allegheny, and one or two other members of the Senate, made remarks on the floor concerning the matter of having a public hearing. There was no effort made during all of that time to have the bill recommitted and put back in the possession of the committee for that purpose, and it seems a little bit strange that at this late moment, when the bill has now been on the Calendar all this time, when the matter has been so frequently discussed on the floor, that this should be the first occasion that a motion of this nature should be made relative to the recommitment of this bill for the purpose of a public hearing.

I should also like to draw to the attention of the Senate, relative to this motion, the fact that at the time the bill was discussed in the Committee on State Government, all of these matters which it is now proposed

shall be brought to the attention of the committee and of the Senate, through a public hearing, were fully considered and the membership of the committee was appraised of the feeling and the thought of these people who are opposing House Bill No. 115.

I merely point these things out, to suggest that I think it can serve no useful purpose to have this bill recommitted to any committee for the purpose of a public hearing, because not only the members of the committee, I think, have been fully cognizant of all of these matters of objection, but I believe too that in this long period in which the bill has been on the Calendar, there is not one man on the floor of this Senate who does not know full well and quite completely all of the things that would be said and drawn to the attention of the committee at such a hearing.

Mr. HOLLAND. I want to inform the Chairman of the Committee on State Government that there was a motion made when this bill first appeared on the Calendar to recommit it, by the gentleman from Allegheny county, Senator Barr.

One of the reasons why I did not move to recommit this bill, Mr. President, was that I thought I was extending courtesy to the Chairman of the Committee who had received the direct communications from these organizations for a public hearing. I do not think any of us here like to see a request from such a good organization in the state of Pennsylvania, of this type, turned down. They have a lot at stake and I do believe that they want a public hearing because just as late as fifteen minutes ago the president of the Pennsylvania Real Estate Association advised me that they still insisted on a public hearing.

Therefore I am going to ask that the members of the Senate extend this courtesy. I think it is due them. I think that is one place where we as Senators should always oblige a legitimate organization, the right to have a public hearing.

And the question recurring,

Will the Senate agree to the motion?

Mr. HOLLAND. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. HOLLAND and were as follows, viz:

YEAS—14

Barr,	DiSilvestro,	Jaspan,	McGinnis,
Cox,	Gourley,	Klein,	Rosenfeld,
Crider,	Haluska,	McCreesh,	Stiefel,
Dent,	Holland,		

NAYS—33

Becker,	Geltz,	Mallery,	Thomas,
Berger,	Heyburn,	Margie,	Troutman,
Blass,	Homsher,	Ruth,	Tyler,
Carr,	James,	Scarlett,	Wade,
Chapman,	Jones,	Snowden,	Wagner,
Coleman,	Kephart,	Stevenson,	Wilson,
Crowe,	Leader,	Tallman,	Woodring,
Ealy,	Letzler,	Taylor,	Woodward,
Farrell,			

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. BARR. Mr. President, I intend to make my remarks on this bill as brief as possible. I do believe in being consistent in the type of legislation that we vote on, both in the Senate and the House here in Harrisburg.

You probably are all aware, from reading the newspapers, of the financial situation of the city of Pittsburgh, which is due entirely to a reduction in the assessments in the last ten years, from $1,200,000,000 down to $985,000,000 at present. We are here asking the General Assembly to allow us further taxing powers in the city of Pittsburgh, in order to be able to balance the budget and not keep in force a trick law which is now some 82 per cent on the real estate owner and small home owner in the city of Pittsburgh.

For the information of the members of the Senate, I have just found over the past week-end that if we pass this bill, also included for tax exemption under it will be the fraternity houses at the University of Pittsburgh, which are located in probably the finest part, the highest real estate and land assessed value part of the city of Pittsburgh.

Then again, if you pass this bill, you are assessing the interests of private home owners, while those people are paying their taxes, and again I think that is unfair.

At the present time in the city of Pittsburgh, in institutions such as the Y.M.C.A., the Y.M.H.A., the K. of C., and so on, they are exempt from taxation by the city, other than the part they use for commercial enterprise—I am speaking of cafeterias and restaurants, which are in direct competition with other business houses in the neighborhood.

To cite you an example, on Wood Street in Pittsburgh there is located the Keystone Hotel, and right across the street is the Y.M.C.A. They both are in the same type of business. The Keystone Hotel is one of our largest taxpayers.

If we pass this bill the whole Y.M.C.A., not the part that is exempted now, which is the part used for the functioning of the Y.M.C.A. in providing character-building, and so forth, which I think should be free from taxation, but the restaurants and lodging quarters which are in direct competition with the hotel across the street, that too would be free from taxation.

Several weeks ago the Governor of the Commonwealth, Governor Martin, made a speech at York, Pennsylvania, in which he said he was somewhat tired of municipalities coming to Harrisburg with tin cups in their hands, looking for relief. I would like to say to the members on the majority side that it is legislation such as this which causes municipalities to come to Harrisburg with, as the Governor puts it, tin cups in their hands, for relief.

We in the city of Pittsburgh are faced with a movement from the urban centers out into the boroughs and townships and we in the city are having to provide all the services to the boroughs and townships and get nothing in return in the way of taxation.

I ask the Members on my side to vote against this bill for those reasons.

Mr. COX. Mr. President, I find it very difficult to vote against this bill. During the days of my youth I spent many happy days in a Y.M.C.A. I think they serve a fine purpose in many of the communities of this Commonwealth.

A rule of law from the inception of our Commonwealth has been that when a charity engages in private industry, in direct competition with private industry, it must bear the same burdens which private industry bears. I think that is a wise rule of law.

It is true that in Pittsburgh at this particular time the use of the dormitory facilities of the Y.M.C.A. and the use of the Y.M.C.A. cafteria would be an asset at this time, rather than a deficit. That situation, however, is not true except during this period of emergency.

I regret that I feel that I must vote against this bill for the reasons that I have given to you. Once we open the doors by changing a rule of law, it will be much easier in the future. I can envision situations at this time perhaps that seem far-fetched, and yet we know many instances where people of wealth have left bequests to institutions such as the Y.M.C.A. and if they were permitted, without the burden of taxation, to engage in direct competition with industries of the same nature, a great injustice would be done.

Mr. DENT. I might say, members of the Senate, that there is nothing in this bill that restricts activities of these charitable organizations to their membership. Only recently, to make a test call, a group of Senators, sitting in a hotel room in Harrisburg, called the local Y.M.C.A. and, as I understand it, they were told there were rooms available and the price was $1.25 if you were a member and $1.50 if you were not a member.

I submit, members of the Senate, that type of activity should not be tax free. It is a direct commercial business and one that is in direct competition with that particular business in the same line that pays taxes.

None of us want to place any burdens on any charitable institution. Our laws are broad enough at present to allow them to escape unnecessary, burdensome taxes. When they indulge in charitable work only, those institutions are tax free; but there is no limit placed within this bill. The extent of the activities that they may indulge in may astound the gentleman of the Senate in a few years, if you pass this type of legislation, particularly in the large centers of population.

Personally, much as I regret to do so, I must, because I am trying to use my better judgment in the interest of the local taxpayers, I can see nothing else to do but to vote "no".

I think the greatest charitable institution in the world is the home—if there ever was a benevolent and charitable organization that is it, and we have not done anything to exempt the man who has a home with ten children, and I think he is entitled to it.

And the question recurring,

Shall the bill pass finally?

(During the calling of the roll the following occurred:)

Mr. WOODWARD. Mr. President, I feel it encumbent upon me to make a confession—this is Holy Week, a good time to make a confession. I thought I should explain my vote.

I know confessions generally are made in private and this is in public, I know that. I am opposed to tax exemption of any kind; I am opposed to tax free bonds and all the rest of it, and if I were following entirely my own principles I would vote against this bill.

The confession is that my life-long friendship with Senator Edmonds impels me to vote "aye", because I know his heart is wrapped up in this bill and he treasures it above all things, and therefore I am sacrificing perhaps principle to friendship.

I thought I ought to make that confession.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34

Becker,	Farrell,	Mallery,	Thomas,
Berger,	Haluska,	Margie,	Troutman,
Blass,	Heyburn,	Ruth,	Tyler,
Bowers,	Homsher,	Scarlett,	Wade,
Carr,	James,	Snowden,	Wagner,
Chapman,	Jones,	Stevenson,	Wilson,
Coleman,	Kephart,	Tallman,	Woodring,
Crider,	Leader,	Taylor,	Woodward,
Ealy,	Letzler,		

NAYS—13

Barr,	Geltz,	Jaspan,	McGinnis,
Cox,	Gourley,	Klein,	Rosenfeld,
Dent	Holland,	McCreesh,	Stiefel,
DiSilvestro,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 180, as follows:

An Act making an appropriation to the Pennsylvania School for the Deaf at Philadelphia Pennsylvania for the purpose of replacing and renewing certain equipment and machinery

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of seventy-five thousand dollars ($75,000) or so much thereof as may be necessary is hereby specifically appropriated to the trustees of the Pennsylvania School for the Deaf at Philadelphia Pennsylvania for the purpose of replacing and renewing the heating hot water laundry and other equipment and machinery necessary for the proper conduct of the school

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 222, as follows:

An Act abating certain tax penalties interest and costs on unpaid county city borough town township school district poor district and county institution district taxes with certain exceptions prohibiting the sale of real property for the nonpayment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All unpaid penalties and interest and all costs imposed but not actually paid out on paid or unpaid delinquent county city borough town township school district poor district and county institution district taxes for the tax year one thousand nine hundred and forty-four and for all previous tax years assessed and levied against any parcel or parcels of real estate are hereby abated if the unpaid delinquent taxes are paid as hereinafter provided if the authority levying the tax shall notify the county or city treasurer within thirty days after this act becomes effective that the taxing authority has accepted by majority vote the provisions of this act

(a) That all of the unpaid deliquent taxes are paid in three equal installments as follows one-third on or before the thirty-first day of December one thousand nine hundred and forty-fire one-third on or before the thirty-first day of December one thousand nine hundred and forty-six and the final one-third on or before the thirty-first day of December one thousand nine hundred and forty-seven

(b) The taxes for the year one thousand nine hundred and forty-five shall be paid on or before the thirty-first day of December one thousand nine hundred and forty-five and the current taxes for all subsequent years during such installment period shall be paid before they become deliquent

(c) In case any taxpayer shall default in the payment of any installment of taxes or in the payment of current taxes as required by this act the penalties interest and costs on the installments of such delinquent taxes remaining unpaid shall not be abated but shall remain due and payable as provided by existing law

Section 2 Any taxpayer may on or before December thirty-first one thousand nine hundred and forty-five pay the entire amount of the unpaid delinquent taxes for the year one thousand nine hundred and forty-four and all previous years whereupon the unpaid penalties and interest and all costs imposed but not actually paid out on such paid or unpaid delinquent taxes shall be abated and all liens filed for such delinquent taxes interest penalties or costs or any portion thereof shall be satisfied of record

Section 3 Any taxpayer may at any time during the installment period pay the balance due on said unpaid delinquent taxes provided for in this act Provided That at the time such payment is made the conditions of section one (a) have been complied with And further provided That the taxes for the then current year have been paid

Section 4 The benefits of this act shall extend and accrue to any successful bidder or purchaser at a sheriff's or other judicial sale grantee transferee mortgagee or other party in interest in the parcel or parcels of real estate against which the above-mentioned taxes have been assessed and levied

Section 5 Any taxpayer shall have the right to pay delinquent taxes assessed and levied against any parcel of real estate and receive the benefits of this act without being required to pay the delinquent taxes assessed and levied against any other parcel or parcels of real estate

Section 6 The abatement herein provided for shall be made whether or not liens for such taxes interest penalties or costs have been filed in the office of the prothonotary or proceedings for the collection of such taxes interest penalties or costs shall have been instituted in any court of such county and the taxpayer and the real estate shall not be liable for the payment of any costs incurred in filing such liens or in prosecuting such proceedings

Section 7 Any taxpayer who on the effective date of this act is making payments on delinquent taxes under the provisions of the act of May first one thousand nine hundred forty-one (P. L. 31) or the act of May twenty-first one thousand nine hundred forty-three (P. L. 323) may secure the benefits of this act by making payments on the balance due on such delinquent taxes at the times and in the fractional parts prescribed herein

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barr,	Ealy,	Kephart,	Scarlett,
Becker,	Farrell,	Klein,	Snowden,
Berger,	Geltz,	Leader,	Stiefel,
Blass,	Gourley,	Letzler,	Tallman,
Bowers,	Haluska,	Mallery,	Troutman,
Chapman,	Holland,	Margie,	Tyler,
Coleman,	Homsher,	McCreesh,	Wagner,
Crowe,	James,	McGinnis,	Woodring,
Dent,	Jaspan,	Rosenfeld,	Woodward,
DiSilvestro,	Jones,	Ruth,	

NAYS—8

Carr,	Crider,	Stevenson,	Wade,
Cox,	Heyburn,	Thomas,	Wilson,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives for concurrence,

BILLS OVER IN ORDER

Mr. COLEMAN. Mr. President, I ask unanimous consent that Senate Bill No. 238, on third reading, entitled:

An Act to amend section nine hundred ten and subsection (e) of section nine hundred fifty-one of the act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" dispensing with affidavits by candidates for reelection who are in the armed forces of the United States and whose whereabouts is unknown or who is out of the country

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 281, on third reading, entitled:

An Act to amend section two thousand twenty-two of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," authorizing township commissioners to record certificates denying responsibility for certain roads, streets, lanes, alleys or drainage facilities in connection therewith

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 334, as follows:

An Act to provide for the appointment of election officers to fill vacancies caused by the expiration of terms of election officers imposing duties on County Boards of Elections and conferring powers on courts of quarter sessions

Whereas section 14 of Article VIII of the Constitution of the Commonwealth provides that judges and inspectors of election shall be chosen annually and under the election system of the State such officers should be elected at the municipal election conducted only every second year in the odd-numbered year and

Whereas the Court of Quarter Sessions of the County of Dauphin has decided that the provisions of said section 14 are still effective and that the legal term of election officers is one year and was not lengthened to two years by the schedule to the Constitution adopted by the electors in 1909 when the system of elections was changed and

Whereas election officers are elected in odd-numbered years and their legal terms of office commence on the first Monday of January in each even-numbered year and expire on the first Monday of January of the succeeding odd-numbered year and the Court of Quarter Sessions of Dauphin County has held such officers serve during the second year only as de facto officers and

Whereas pending the adoption of a suitable amendment to the Constitution to provide for the lengthening of the terms of election officers it is important that legal terms of office be provided for election officers during odd-numbered years therefore

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Until such time as the Constitution of the Commonwealth has been amended to provide for the lengthening of the term of election officers it shall be the duty of the County Board of Elections of each county on the first Monday of December of each even-numbered year to petition the Court of Quarter Sessions to appoint election officers for the various election districts in the county to fill the vacancies which will be caused by the expiration of the legal terms of the duly elected election officers on the first Monday of January next ensuing such appointees to hold office for one year

Section 2 The County Board of Elections may file only one such petition covering all election districts in the county or may file separate petitions for the election districts of particular municipalities townships and wards

In such petition or petitions the County Board of Elections shall petition the court to appoint the election officers who served as such during the year in which the petition is presented except in the case of election officers who have died resigned or become disqualified or who refuse to serve in which cases the County Board of Elections shall suggest the name of some other person or persons for appointment who shall be members of the same political party as the election officer or officers who has died resigned become disqualified or refuse to serve copies of such petitions shall be furnished by the County Board of Elections to the county chairmen of the political parties of the persons named in the petition for appointment not later than the day on which such petitions are presented to the court

Section 3 It shall be the duty of the Court of Quarter Sessions on a day fixed by it to fill the vacancies caused by the expiration of the terms of office of election officers in all election districts of the county by appointing the persons named in said petition or petitions or in its discretion such other person or persons as it deems proper after consideration of all matters presented to it to hold office until the first Monday of January of the next even-numbered year but in all cases those appointed in each district shall be members of the same political party as the election officers whose terms have expired

Section 4 This act shall expire when and if the Constitution has been amended to authorize the election of election officers for a longer term than one year and legislation shall have been enacted to carry said constitutional amendment into effect

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 344, on third reading, entitled:

An Act to further amend section five hundred and forty of the act, approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," further defining the duties of the secretary to the board of supervisors; and providing for the preservation and turning over to the successor in office of township records and for the destruction of certain records

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 349, as follows:

An Act making an appropriation to the Department of Property and Supplies for payment to Somerset County Institution District to reimburse said district on account of certain property damages under agreement between the Commonwealth and the institution district

Whereas The Commonwealth of Pennsylvania by an Act of Assembly approved the twenty-ninth day of September one thousand nine hundred thirty-eight was authorized to take over without consideration the property of all mental institutions conducted by the various county institution districts with a provision for the division of any lands used both for mental patients and indigent persons and

Whereas The Somerset County Institution District owned a large area of land upon which were erected valuable buildings for the care of indigents and mental patients and for farm purposes and the district was conducting a farm and other industries and was maintaining its own patients and others under contract from other counties and

Whereas Prior to the assumption of control by the Commonwealth of the mental institution the Pennsylvania Turnpike Commission condemned a portion of the premises and constructed its highway over the land to the great injury of the Somerset County Institution District in its ownership management and control of the same and

Whereas Viewers duly appointed upon evidence furnished by the Commission and the Somerset County Institution District found that the property had been damaged by the construction of the highway and awarded damages in the sum of fourteen thousand three hundred twenty-five dollars ($14,325.00) to be paid to the parties entitled thereto (to which sum the addition of an amount of six hundred fifty dollars ($650.00) should be added for land taken for a restaurant and service station being the value agreed upon for same) and

Whereas It was understood and agreed between the Department of Welfare and the Somerset County Institution District that said amount of fourteen thousand nine hundred seventy-five dollars ($14,975.00) should belong to the Someset County Institution District in the settlement and division of the property but the viewers' report was not confirmed as it was determined that the Commonwealth and not the Institution District could enforce payment of the damages therefore

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of fourteen thousand nine hundred seventy-five dollars ($14,975.00) is hereby appropriated to the Department of Property and Supplies for payment and return to the Somerset County Institution District of the amount awarded as damages for the taking by the Pennsylvania Turnpike Commission of the lands of the Somerset County Institution District before the partial taking over by the Commonwealth of the property of said district and which it had been agreed between the Commonwealth and the Institution District should belong and be returned to the district Payment of this appropriation shall be made on requisition of the Secretary of Property and Supplies with the approval of the Department of Justice

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. DENT. Mr. President, I would like to interrogate the sponsor of this bill in a friendly interrogation.

The PRESIDENT. Will the gentleman from Somerset permit himself to me interrogated?

Mr. EALY. I will, Mr. President.

Mr. DENT. Mr. President, is it not true that the property damages that the gentleman seeks to collect for were caused by the building of the turnpike.

Mr. EALY. That is right. These damages were caused by construction of the turnpike.

Mr. DENT. Is it not true that the gentleman from Somerset seeks to get the money for the damages by recovering from the state of Pennsylvania?

Mr. EALY. The state of Pennsylvania, Mr. President, is the only one that can get the damages from the Turnpike Commission and it is proposed that the Department of Property and Supplies collect them from the Turnpike Commission and turn them over. The Department of Property and Supplies has already made demand for the money.

Mr. DENT. Then will it be the understanding that Somerset county will not receive any moneys unless the Department of Property and Supplies does collect from the turnpike?

Mr. EALY. The Senator from Westmoreland will note from the last part of this that requisition is to be made with the approval of the Department of Justice. I am not sure we are going to get the money, even though this bill is passed. It will depend on the Department of Property and Supplies making requisition with the approval of the Department of Justice.

Mr. DENT. I am just trying to make it a matter of record that the intention of the bill is that the moneys will be reimbursed to the county or institution district of Somerset County only if the state recovers the money from the Turnpike Commission. I do not believe we ought to be asked to vote for this bill, much as we want to help Somerset County be reimbursed unless the Turnpike Commission is going to be charged with the damages they have incurred.

Mr. EALY. Mr. President, I could go into a long discussion about this business, but the Commonwealth of Pennsylvania came in and took from the county of Somerset $750,000 worth of property. This is a mere drop in the bucket. We sought to collect from the Turnpike Commission and the Supreme Court of Pennsylvania determined that because an act of 1938 was passed ten days before the Turnpike Commission had located a road, that the only one who could collect from the Turnpike Commission was the Commonwealth of Pennsylvania. An agreement had been made between the Welfare Department and the turnpike authorities that we were to have this money, and a check had actually been drawn, but it was drawn to the order of the Commonwealth and the Somerset institution district and county commissioners, and it could not be used in that form. We attempted to collect as a county, but the Supreme Court said the only one that could get this money was the Commonwealth because the Court said—wrongly I think—that title was in the Commonwealth at the time the turnpike was located.

I do not expect to get this money unless the Commonwealth gets it from the Turnpike Commission. If the Commonwealth will pay it, I will take it, but I do not

expect to get it except from the Turnpike Commission, and I think the Turnpike Commissioners are willing to pay it over because it is a very small thing. The Welfare Department took not only our land but they took all our cattle, they took a large dairy herd, they took hogs, machinery, turkeys and chickens and everything else and we did not get a cent, we have not got it yet, and even as to a part of the property tentatively set aside for the county, up to this time they have not given us a deed for it, and we are paying the Commonwealth of Pennsylvania for the maintenance of indigents and are not getting rental for land that was taken from us.

Mr. DENT. I am satisfied, Mr. President, that this is just a vehicle to be used to allow the Commonwealth of Pennsylvania, through the proper department, to reimburse Somerset county institution district if it receives the money from the Turnpike Commission.

With that understanding I would ask my colleagues to vote for this bill.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 382, on third reading, entitled:

An Act to amend section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by authorizing such townships to regulate parking

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 414, on third reading, entitled:

An Act to provide protection in all cases secured or to be secured by individual surety or sureties in courts of record or proceedings therein by specifying the requirements of such suretyship and the qualifications of such surety

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 421, as follows:

An Act to further amend section fifty-four of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" requiring that counties shall pay the premiums on bonds of parole or probation officers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section fifty-four of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended by the act approved the twenty-third day of May one thousand nine hundred thirty-three (P. L. 946) is hereby further amended to read as follows

Section 54 Official Bonds The sureties to be furnished on the bonds of all county officers and of all deputies clerks and assistants required by this or any other act of Assembly to give bond to the county and of probation or parole officers required by order of court to give bond to the county shall be one or more surety companies authorized to do business in the Commonwealth of Pennsylvania and which have been approved by the Insurance Commissioner of the Commonwealth the premiums for which bonds shall be paid out of the county treasury and in counties of the sixth seventh and eighth classes also individual sureties All bonds shall be approved by the court of common pleas In counties of the sixth seventh and eighth classes where individual surety is offered for approval no one person may qualify for more than one-fourth of the total amount of the bond required such persons who shall be offered as sureties shall qualify in an aggregate over and above their individual liabilities to an amount equal to three times the amount stipulated in the bond Each of said bonds shall be conditioned for the faithful discharge by such officer his deputies and appointees of all trusts confided in him and of all duties required of him by law for the faithful accounting and payment according to law of all money received by him and shall be taken in the name of the proper county and shall be for the use of the county and of the Commonwealth and for the use of such other party or parties for whom he shall collect or receive money as the interest of each shall appear in case of a breach of the conditions thereof The custody of each of said bonds shall belong to the county controller except the bond of the county controller the custody of which shall belong to the county commissioners In counties where the office of controller has not been established the custody of all bonds shall belong to the county commissioners except the bond of the commissioners and their chief clerk the custody of which shall belong to the prothonotary A copy of any of said bonds certified by the county controller or the chief clerk to the county commissioners or by the prothonotary as the case may be shall be competent evidence thereof in any judicial proceeding Nothing herein contained shall effect the bonds required by law to be given by any county officer to the Commonwealth

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 425, on third reading, entitled:

An Act authorizing individual co-fiduciaries, in certain cases to consent to holding of investments in the name of their corporate co-fiduciaries' nominee, and validating such consents heretofore given

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 434 entitled

An Act to further amend sections twenty-one and thirty-one of and to add section twenty-one and one tenth to the act approved the sixth day of August one thousand nine hundred forty-one (P. L. 861) entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth; establishing the 'Pennsylvania Board of Parole' conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases providing for the method of appointment of its members regulating the appointment removal and discharge of its officers clerks and employes dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the board and of certain other officers and employes thereof making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation" by further defining the jurisdiction duties powers and functions of the Pennsylvania Board of Parole

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. COX. Mr. President, I thought I should explain, at least to the members of our side in the Senate, the significance of the vote on this bill.

In 1941 we created a Parole Board and gave it certain powers over the question of parole. This bill is an invasion of those powers. Under certain circumstances it gives the right of veto to the trustees of Muncy. I understand that Muncy is a fine institution and that the Board of Trustees are on the job and doing a fine piece of work. I believe the question of parole is a question where the direct responsibility is with the Board of Parole and certainly in no way should their powers be diminished.

And the question recurring,

Shall the bill pass finally?

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, in the absence of the sponsor I ask unanimous consent that Senate Bill No. 434 on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, in the absence of the sponsor I ask unanimous consent that Senate Bill No. 435, on third reading, entitled:

An Act to repeal certain sections of the act approved the nineteenth day of June one thousand nine hundred eleven (P. L. 1055) entitled "An act authorizing the release on probation of certain convicts instead of imposing sentences the appointment of probation and parole officers and the payment of their salaries and expenses regulating the manner of sentencing convicts in certain cases and providing for their release on parole their conviction of crime during parole and their rearrest and reconviction for breach of parole and extending the powers and duties of boards of prison inspectors of penitentiaries" as amended and supplied

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 462, on third reading, entitled:

An Act establishing a mode of selecting and drawing jurors for counties of the first class, and imposing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 469, as follows:

An Act to repeal the act approved the twenty-first day of March one thousand nine hundred twenty-nine (P. L. 34) entitled "An act authorizing the judges of the courts of common pleas and orphans' courts in counties of the third class to employ stenographers typists and clerks to facilitate the business of the courts and to provide for the payment of their compensation by the county and validating former employments and payments therefor"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twenty-first day of March one thousand nine hundred twenty-nine (P. L. 34) entitled "An act authorizing the judges of the courts of common pleas and orphans' courts in counties of the

third class to employ stenographers typists and clerks to facilitate the business of the courts and to provide for the payment of their compensation by the county and validating former employments and payments therefor' is hereby repealed

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 476, as follows:

An Act to amend section five hundred ninety of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by extending provisions of act to include memorials erected to commemorate services of women who have been members of organizations officially connected with the armed forces of the United States

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred ninety of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended to read as follows

Section 590 Monuments and Memorials to War Veterans The board of commissioners may appropriate money for and provide for the erection of monuments or merorials commemorating the services of [soldiers sailors and marines] any person who has served in the armed forces of the United States or in any women's organization officially connected therewith during any part of the war in which the United States is now engaged or in any war in which the United States has been or may hereafter be engaged The style and character of such monuments or memorials shall be approved by the State Art Commission

Section 2 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

BILL OVER IN ORDER

Mr. STEVENSON. Mr. President, I ask unanimous consent that Senate Bill No. 523, on third reading, entitled:

An Act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts, and vocational school districts; conferring powers and imposing duties on tax collectors, courts and various officers and said political subdivisions; and prescribing penalties

go over in its order, for the reason that tomorrow morning at nine o'clock we will have a hearing upon this bill in Room 300, at which the members of the Senate are invited.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 526, as follows:

A Supplement to the act approved the fourth day of June one thousand nine hundred forty-three (Appropriation Acts page 59) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-three" providing a deficiency for indexing the Legislative Journal

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of five hundred dollars ($500.00) or as much thereof as may be necessary is hereby appropriated for the payment of the deficiency in the appropriation for the fiscal biennium ending the thirty-first day of May one thousand nine hundred forty-five made by the act to which this is a supplement for the payment of the person or persons appointed to index the

Legislative Journals session of one thousand nine hundred forty-five in accordance with law

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 569, as follows:

An Act to further amend section nine hundred one of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by further regulating the filling of vacancies in elective borough offices

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section nine hundred one of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" as last amended by the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1208) is hereby further amended to read as follows

Section 901 Filling Vacancies in Elective Borough Offices If any vacancy shall occur in the office of burgess member of council auditor controller high constable or tax collector by death resignation removal from the borough or from a ward in the case of a ward office or by failure or neglect to give bond as provided by law or in any other manner whatsoever the borough council shall fill such vacancy by appointing by resolution a qualified [resident] elector of the borough to such office for the unexpired term of the office

Where a vacancy in the office of tax collector exists or where a tax collector shall fail to file bond as required by law and in either case no resident of the borough can in the opinion of the council qualify as required by law the borough council shall appoint the county treasurer as tax collector for the unexpired term Where the county treasurer is so appointed he shall have authority to appoint a deputy to assist in the collection of the taxes set forth in the duplicates delivered to him The county treasurer shall be entitled to retain for his own use so much of the commissions payable for the collection of said taxes as may be required for the payment of his deputy and the premium on his bond and shall not be required to pay the same over to the county but any commissions over and above such costs shall belong to the county to reimburse the county for office rent light heat telephone service compensation insurance supplies postage and equipment The salary board of the county or where there is no salary board then the county commissioners shall fix the compensation of any deputy appointed If the county treasurer so appointed shall fail to file bond the borough council shall appoint any suitable resident of the county to perform the duties of tax collector for the unexpired term

If no person can be found within the borough to accept appointment as tax collector for the borough the council of the borough may proceed to collect its taxes through its treasurer or secretary as tax collector who shall not be required to give additional bond but shall otherwise have the powers and perform all the duties of the tax collector or the borough may notify the county commissioners that the borough is without a tax collector and that it desires the county commissioners to collect such taxes Thereupon the county commissioners shall proceed to collect the taxes for the county and the borough and also the school district unless the school district has appointed a tax collector or desires to collect its taxes directly through its own treasurer or secretary which it shall have the power to do without requiring additional bond from such treasurer in the same manner as above provided for the borough

The county commissioners shall in any such case have power to collect the taxes for the county and for any borough and school district and shall perform all the duties and have all the powers herein conferred on tax collectors and shall have power to appoint a deputy as herein provided where the county treasurer is appointed and to fix his compensation The county commissioners shall pay the amounts received over to the county treasurer who shall pay to the borough and school district taxes received for their use less such amount as is allowed as a commission for the collection of such taxes which shall be retained for the use of the county to reimburse the county for the costs incurred by the county commissioners in collecting such taxes The county commissioners shall not be required to give any bond for the duties herein imposed nor shall they receive any compensation for collecting such taxes The county commissioners shall where they collect taxes as herein provided have all the powers and perform all the duties vested in collectors of county borough and school taxes

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy	Klein,	Stiefel,
Becker,	Farrell,	Leader,	Tallman,
Berger,	Geltz,	Letzler,	Taylor,
Blass,	Gourley,	Mallery,	Thomas
Bowers,	Haluska,	Margie,	Troutman,
Carr,	Heyburn,	McCreesh,	Tyler,
Chapman,	Holland,	McGinnis,	Wade,
Coleman,	Homsher,	Rosenfeld,	Wagner,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Mr. COX. Mr. President, I ask unanimous consent that Senate Bill No. 170 on second reading, entitled:

An Act to amend section seven hundred one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" abolishing capital punishment in the case of murder of the first degree

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 296, on second reading, entitled:

An Act providing that taxes levied by political subdivisions of the Commonwealth on real estate of service persons shall not bear interest or be subject to penalties and providing for abatement of certain accrued interest and penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 333, entitled:

An Act to reenact sections five hundred one five hundred two five hundred three five hundred four five hundred five and five hundred six of the act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 410, entitled:

An Act relating to and regulating the care and maintenance of children away from their parents providing for the certification and licensing of child welfare organizations and foster homes imposing duties and conferring powers upon the Department of Welfare imposing duties upon juvenile courts prohibiting certain advertising and prescribing penalties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 410, the bill just read, be recommitted to the Committee on Appropriations.

Mr. JAMES. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 456, entitled:

An Act authorizing and empowering minors seventeen years of age or older to contract for and to make loans in accordance with the provisions of the act of Congress known as the "Servicemen's Readjustment Act of 1944" and saving and relieving the parents guardians and trustees of such minors from any liability therefor unless joining therein

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. GOURLEY offered the following amendment:

Amend Section 1, page 1, line 8, by inserting after the word "thereto" and before the word "and" the following: "or any agency of the Commonwealth hereinafter created"

It was agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. GOURLEY offered the following amendment:

Amend title, page 1, line 5, by inserting after the numbers "1944" and before the word "and" the following: "or any agency of the Commonwealth hereinafter created"

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 457, entitled:

An Act to further amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," further revising and changing the penal laws of the Commonwealth

The first, second, third, fourth and fifth sections were read and agreed to.

The sixth section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendments:

Amend section 6, page 20, line 10, by striking out the

word "the" and inserting the word "an"; amend section 6, page 20, line 18, by striking out the word amendment and insert the word "amendments".

They were agreed to.

The section was agreed to as amended.

The seventh, eighth, ninth, tenth, eleventh, twelfth and thirteenth sections and title were read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 459, entitled:

An Act to amend section six of the act approved the twelfth day of June one thousand eight hundred seventy-eight (P. L. 196) entitled "An act to consolidate revise and amend the penal laws of this Commonwealth" by fixing the time for the commencement and prosecution of indictments for certain felonies committed by certain persons

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. BERGER. Mr. President, I move that Senate Bill No. 475 on second reading, entitled:

An Act to further amend section two of the act, approved the thirteenth day of June one thousand eight hundred eighty-three (P. L. 119) entitled "An act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose and to prevent unauthorized uses and traffic in human bodies" authorizing administrative officers of county institution districts at their discretion to bury unclaimed bodies

be recommitted to the Committee on County Government.

Mr. BECKER. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 475 on second reading, entitled:

An Act requiring cities, boroughs, towns and townships to notify adjacent political subdivisions of proposed streets, roads and highways leading into them

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 525 on second reading, entitled:

An Act to further amend subsection (a) of section four of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045) entitled "An act relating to the support of indigent persons publicly cared for or assisted providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure" by providing that no security shall be required for assistance furnished in certain cases

be recommitted to the Committee on Welfare, Public Assistance and Pensions.

Mr. TYLER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. DENT. Mr. President, as I understand, this bill removes the necessity for a person receiving relief to sign a bond which becomes a lien upon his property. It is a bill that we have been trying to pass, according to my recollection, since 1939.

I wondered what had happened when this bill appeared upon the Calendar, and I am very much afraid I will have to believe it was just something to fool the people with. I am very much disappointed in this motion to send this bill back to committee, because some of the members on this side whom I know would like to be recorded as voting against this motion have left the room, and out of common decency I would ask that this motion be withdrawn at this time, to be made tomorrow, if it is the intention to send the bill back to committee, in order that gentlemen like the gentleman from Philadelphia, Senator McCreesh, who has always voted to remove this bond from the poor people, be given the privilege of voting one way or another upon this motion; he is not here at present; he was called away, and others too.

I do not see what harm can be done by letting this bill remain on the Calendar until tomorrow and then at least have a record vote upon it tomorrow, and I therefore ask the Republican Floor Leader to withdraw his motion and permit this bill to remain on the Calendar until tomorrow and then, of course, he can make the motion again when we have a full attendance.

Mr. HEYBURN. Mr. President, I regret very much if any members have left the floor of the Senate, because we are on the second reading Calendar, but the business of the Senate must go on.

The information I get in connection with this bill is that it puts tremendous hardship on the Department of Public Assistance, and there is absolutely no estimate of the cost or anything else, there is no knowledge now that I know of concerning that in connection with this bill, and that is the reason for recommitting it, in order that some study could be made of it and some information gotten from the Department of Public Assistance.

Mr WOODWARD. Mr. President, we have so many Sergeants-at-Arms that this seems a good chance to use them, to gather in the delinquent Democrats, and I therefore suggest that a Sergeant-at-Arms be sent out to gather in the Democrats.

Mr. DENT. Mr. President, I suggest that the matter go to vote. I am here announcing that the vote of the Democratic side is unanimous, that is, the members elected as Democrats are against sending this bill back to committee, whether the men are here or not—you

do not need to send the Sergeant-at-Arms out to get them.

The PRESIDENT. If the gentleman wants those remarks on the record he will have to repeat them, because the Senate was at ease.

Mr. HEYBURN. I do not think the gentleman wants his speech on the record, if he takes time to think about it, as he announced the vote of the Democratic Senators before the roll was even called. Even in its balmiest days the Republicans would not have done that.

Mr. DENT. Mr. President, I suggest that just very recently we voted on some tax bills—we will not go into that matter further unless the gentleman wants us to do so—but I repeat, Mr. President, that the vote of the Democratic Caucus is unanimously against sending this bill back to committee and entirely in favor of passage of this particular piece of legislation.

And the question recurring,

Will the Senate agree to the motion?

(A voice vote having been taken the question was determined in the affirmative.)

Mr. HALUSKA. Mr. President, I have been trying to get the floor to speak on this motion, but it has already passed, so I will forego that, but I would like to have a roll call to make it a matter of record. In the meantime, I did ask the Republican Floor Leader to hold the bill over until tomorrow because I have a bad cold and I would have liked to talk on this bill, but for some unknown reason they will not even show me the courtesy of keeping this bill on the Calendar for one additional day.

We have in the past shown many courtesies in this Chamber. When men were called away or back to their homes, we carried bills over on the Calendar, and I would like to keep this bill on the Calendar for a day or so, until I gather some data to give to this Assembly.

For many years I have worked in favor of this bill and I have been very much interested in it, as has been my colleague from Luzerne, who is interested in this measure, and many others, and certainly out of courtesy you could keep the bill on the Calendar one additional day, for those of us who are interested, to prove to you that it should be passed at this session, but if the Majority Party takes the stand it can not and will not extend that courtesy all that I can say is that sometime we may repay it.

The PRESIDENT. There are two requests before the Senate, that the bill be permitted to remain on the Calendar for another day, and if that is objected to, that the roll be called.

Mr. HALUSKA. As a matter of record, Mr. President, once again I ask that the bill go over in its order.

The PRESIDENT. There is a request that the bill go over in order.

Mr. HEYBURN. Mr. President, a motion was presented to recommit this bill, and passed, and then a roll call was asked for. If I remember the procedure of the Senate, the bill is not in possession of the Senate and there is nothing on which to call the roll.

The PRESIDENT. Is there an objection to the roll being called?

Mr. HEYBURN. The motion was passed and carried, as I understand.

The PRESIDENT. The Chair did not hear the Senator requesting a roll call before the motion was passed.

Mr. HEYBURN. Mr. President, then no roll call is necessary, because if the motion is passed and carried it is finished business and the bill goes back back to committee. I am sorry there is no way I can accede to the request of the gentleman, but the bill is back in committee.

Mr. HALUSKA. Mr. President, if the gentleman from Delaware is sincere, and I think he is—he said he is sorry that he can not do anything about it to clarify the issue—

MOTION TO RECONSIDER VOTE BY WHICH SENATE BILL No. 525 PASSED SECOND READING

Mr. HALUSKA. Mr. President, I move that the vote by which Senate Bill No. 525 passed second reading be reconsidered.

POINT OF ORDER

Mr. HEYBURN. Mr. President, I rise on a point of order.

The PRESIDENT. The gentleman from Delaware will state his point of order.

Mr. HEYBURN. Mr. President, the gentleman from Cambria is out of order for the reason that the Senate is not in possession of the bill.

The PRESIDENT. The bill has been recommitted.

MOTION THAT VOTE BY WHICH SENATE BILL No. 525 WAS RECOMMITTED BE RECONSIDERED

Mr. DENT. Mr. President, I move that the vote by which Senate Bill No. 525, Printer's Number 235, was recommitted, be reconsidered.

Mr. COX. I second the motion.

The PRESIDENT. How did the gentleman from Westmoreland vote?

Mr. DENT. The record of the clerk will show. It was a voice vote and you can not record a voice vote.

The PRESIDENT. In order to have the motion of the gentleman from Westmoreland prevail he must say he voted "aye."

Mr. DENT. Will the President tell the Senate how I am recorded as voting?

The PRESIDENT. The Chair does not keep that record, as the Senator knows. According to the recollection of the Chair, the gentleman from Westmoreland is recorded as voting against recommitting the bill.

Mr. DENT. Am I so recorded, Mr. President.

The PRESIDENT. The gentleman is not; it was a voice vote, as the gentleman from Westmoreland will remember.

Mr. DENT. Then, Mr. President, if it was a voice vote, I must be recorded as voting "aye" and I am entitled to make a motion to reconsider the vote by which Senate Bill No. 525 passed second reading.

The PRESIDENT. The Chair is sorry but unless the gentleman from Westmoreland states he voted in favor of the motion to recommit, under the rules of the Senate the gentleman has no right to make his present motion.

POINT OF INFORMATION

Mr. DENT. Mr. President, I rise on a point of information.

The PRESIDENT. The gentleman from Westmoreland will proceed.

Mr. DENT. Mr. President, will the Clerk read the record and state to the Senate how I am recorded as voting?

The PRESIDENT. If the Clerk can answer that question—there is no record, is there, as to how the Senator from Westmoreland voted? The Chair gave the gentleman from Westmoreland the opportunity of saying how he voted.

Mr. DENT. Mr. President, will the Clerk show from the record how Senator Barr is recorded as voting?

The PRESIDENT. There is no record.

Mr. DENT. Will the Clerk state from his record how Senator Heyburn is recorded as voting?

The PRESIDENT. For the information of the gentleman from Westmoreland, there is no record showing how any Senator voted.

Mr. DENT. Mr. President, under the rules there must be a recorded vote on a motion made before the Senate and if there is no record, then a vote was not taken. I take that parliamentary stand.

The PRESIDENT. The Chair is sorry to disagree with the gentleman from Westmoreland and declares the position of the gentleman from Westmoreland is not well taken.

Mr. DENT. Mr. President, upon what record does the Chair overrule me when I ask from the floor how any man is recorded as voting; the Chair has advised there is no recorded vote, and if there is no recorded vote, how did the motion pass?

The PRESIDENT. The gentleman from Westmoreland knows the answer to that. We have had voice votes over five hundred times in this Senate.

Mr. DENT. That is all I want, Mr. President, to have the voice vote recorded.

The PRESIDENT. Does the gentleman from Westmoreland mean individually?

Mr. DENT. No, Mr. President. If it is recorded, am I to understand that every man in the Senate is recorded as voting "aye?"

The PRESIDENT. No, the record shows a majority of the Senators voted "aye."

Mr. DENT. What did the minority do?

The PRESIDENT. They voted "no."

Mr. DENT. Then upon the record it shows that the minority party voted "no"; is that correct?

The PRESIDENT. No; it shows that a minority of the Senators present voted "no."

Mr. DENT. I do not want to carry this thing any further, but if we are not recorded as voting, how can we take a position of asking for reconsideration of the vote?

The PRESIDENT. If the gentleman voted "aye" he may take that position.

Mr. DENT. If I am one of the ones included in the majority as voting "aye", I ask that the vote be reconsidered.

Mr. HEYBURN. Mr. President, I think that this is just a bunch of foolishness. I think the Minority Floor Leader must know, but I would like to refer him to rule 16, at the top of page 12, covering reconsideration, which states: "Provided however, no motion for the reconsideration of any vote shall be in order after a bill, resolution, report, amendment or motion upon which the vote was taken shall have gone out of the possession of the Senate."

POINT OF ORDER

Mr. HEYBURN. Mr. President, I rise on a point of order.

The PRESIDENT. The gentleman from Delaware will proceed.

Mr. HEYBURN. Mr. President, the bill is out of possession of the Senate and therefore the gentleman from Westmoreland is out of order when he makes a motion that the vote be reconsidered.

Mr. DENT. Mr. President, will the Clerk read where it has been recorded that a vote was taken and it specifically says a vote was taken.

Mr. HEYBURN. The record will show it was a voice vote.

The PRESIDENT. If the gentleman from Delaware presses his objection the Chair will sustain him on two grounds, first, as the Chair previously has ruled, under rule 16 of the Senate, only a Senator who has voted with the majority may move for reconsideration of the vote and, secondly, the same rule also provides that no motion for reconsideration of any vote shall be in order after the bill shall have gone out of possession of the Senate.

The Chair further makes the suggestion, having ruled, is it not possible that the matter could be solved practically instead of raising all these parliamentary questions.

Mr. DENT. I agree, Mr. President; all I want is that our names be recorded as voting "no". We do not want anything else. We do not want any rule set aside or anything other than we want a record of the vote. There is only one recourse, and that is that there will be no more voice votes, we will have to ask to have the roll called, and we do not like to do that as it would delay action of the Senate, and we do not intend to do it, but you leave us no other alternative. We are entitled to be recorded on important legislation as voting either "yes" or "no."

Mr. HEYBURN. Mr. President, I think the confusion here arises from the fact that when the gentleman first took the floor, and when he was asked whether he voted with the majority or not, apparently he thought he had voted to recommit the bill, and then he indicated he had voted not to recommit the bill, which created some confusion.

I have no objection to a record vote, Mr. President, if it is in order, but under the rules of the Senate it is not in order, we are not in possession of the bill, and therefore we can not reconsider the vote.

How did the gentleman from Westmoreland intend to vote? Did he intend to vote to recommit the bill?

Mr. DENT. Is the gentleman from Delaware asking me? I merely stated that every man here wanted to be recorded as voting "no" before the vote was taken and we were not given the opportunity to be so recorded. That is the only thing I am objecting to. I do not care what you do.

Mr. HEYBURN. I might make the suggestion that the

gentleman rise individually and say if they had the opportunity they would have voted "no", which will get them on the record.

Mr. DENT. I can think of another way to do that Mr. President, that is set aside the rule of the Senate requiring that a bill be in possession of a committee ten days before reconsideration, and then reconsider the bill and have it immediately come back on the floor of the Senate and then you fellows can send it back again and we will be recorded.

Mr. HEYBURN. We all know there are several parliamentarian ways of doing it.

MOTION THAT THE SENATE ADJOURN

Mr. WILSON. Mr. President, it is with deep regret that I make this motion, but it is provided by the rules that a motion to adjourn is always in order and I now move that the Senate do now adjourn until tomorrow.

The PRESIDENT. At what time?

Mr. WILSON. At three o'clock.

Mr. DENT. That is no way out of this particular dilemma. You can do anything you want when you are in a majority—they tried it in Germany and it did not work.

The PRESIDENT. Is there any second to the motion of the gentleman from Jefferson.

Mr. BARR. I can not do anything while that motion is before the Senate.

Mr. DENT. The motion has not been seconded.

The PRESIDENT. The motion has not been seconded. Is there any seconder to the motion of the gentleman from Jefferson.

Mr. CROWE. I second the motion.

On the question,

Will the Senate agree to the motion.

Mr. HEYBURN. Mr. President, there is some unfinished business before the Senate and I therefore oppose this motion that we adjourn. It seems to me this is a very trivial matter and that is no reason to shut up shop and go home while there is still work to be done. Just bear with us for about fifteen minutes or half an hour and we can complete our work.

And the question recurring,

Will the Senate agree to the motion?

Mr. DENT. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. DENT and were as follows, viz:

YEAS—2

Crowe,	Wilson,

NAYS—43

Barr,	DiSilvestro,	Jones,	Stevenson,
Becker,	Ealy,	Kephart,	Stiefel,
Berger,	Farrell,	Klein,	Tallman,
Blass,	Geltz,	Leader,	Thomas,
Bowers,	Gourley,	Letzler,	Troutman,
Carr,	Haluska,	Mallery,	Tyler,
Chapman,	Heyburn,	Margie,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	James,	Scarlett,	Woodward,
Dent,	Jaspan,	Snowden,	

So the question was determined in the negative.

MOTION THAT SENATE PROCEED WITH CONSIDERATION OF THE CALENDAR

Mr. HEYBURN. Mr. President, I move the Senate do now proceed with the consideration of the Calendar.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

It was agreed to.

Mr. DENT. In pursuance to the motion just made, that we proceed with the consideration of the Calendar, I ask that each individual Democratic Senator be recorded as voting "no" on the motion to recommit Senate Bill No. 525, Printer's No. 235, appearing on page 10 of today's Calendar.

The PRESIDENT. Is there objection.

Mr. HEYBURN. It is very irregular and out of order and unconstitutional and un-everything-else in my judgment, but if they want to do it I have no objection.

Mr. DENT. Mr. President, one thing it is not un-American.

The PRESIDENT. Is there objection to the request? The Chair hears none. It will be so noted in the Legislative Journal.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 530, entitled:

An Act authorizing the Department of Justice to prescribe rules of practice for administrative departments, departmental administrative boards and commissions, independent administrative boards and commissions, officers and other agencies of the Commonwealth; authorizing such agencies to adopt rules; providing for the appointment of an Administrative Rules Committee and fixing its powers and duties; and imposing certain duties upon State officers and agencies.

And said bill having been read at length the second time,

On the question,

Will the Senate agree to the bill on second reading?

Mr. DENT. I ask for a roll call and I ask the Democratic members to vote "no."

And the question recurring,

Will the Senate agree to the bill on second reading?

Mr. DENT. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. DENT and were as follows, viz:

YEAS—29

Becker,	Ealy,	Kephart,	Thomas,
Berger,	Farrell,	Letzler,	Troutman,
Blass,	Geltz,	Mallery,	Tyler,
Bowers,	Heyburn,	Scarlett,	Wade,
Carr,	Homsher,	Stevenson,	Wagner,
Chapman,	James,	Tallman,	Wilson,
Crider,	Jones,	Taylor,	Woodward,
Crowe,			

NAYS—16

Barr,	DiSilvestro	Jaspan,	Rosenfeld,
Coleman,	Gourley,	Klein,	Ruth,
Cox,	Haluska,	Leader,	Stiefel,
Dent,	Holland,	McGinnis,	Walker,

So the question was determined in the affirmative.

Ordered, To be transcribed for a third reading.

SENATE BILL No. 238 CALLED UP

Mr. COLEMAN. Mr. President, on page 4 of today's Calendar, I call up for consideration at this time Senate Bill No. 238.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 238, entitled:

An Act to amend section nine hundred ten and subsection (e) of section nine hundred fifty-one of the act approved the third day of June on thousand nine hundred and thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" dispensing with affidavits by candidates for reelection who are in the armed forces of the United States and whose whereabouts is unknown or who is out of the country

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. COLEMAN. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend the title, page 2, fourth from the last line of title, by striking out all of said line, and inserting in lieu thereof: "changing the requirements for affidavits of candidates for judge of a court of record"; amend Sec. 1, (Sec. 910), page 3, line 29, by striking out the words "reelection to any office then held by him", and inserting in lieu thereof: "judge of a court of record"; amend Sec. 1, (Sec. 910), page 4, line 5, by inserting after the word "filed" "if an affidavit is filed by the person filing the nomination petition in his behalf stating (a) the candidate's exact residence and his post office address (b) his election district including the political subdivision (c) the name of the office for which he is a candidate and (d) the fact that the candidate is in the armed forces of the United States and that his whereabouts is unknown or that the candidate is out of the country"; amend Sec. 1, (Sec. 951)," page 5, lines 9 and 10, by striking out the words "reelection to any office then held by him", and inserting in lieu thereof: "judge of a court of record"; amend Sec. 1, (Sec. 951), page 5, line 15, by inserting after the word "filed" "if an affidavit is filed by the person filing the nomination paper in his behalf stating (a) the candidate's exact residence and his post office address (b) his election district including the political subdivision (c) the name of the office for which he is a candidate and (d) the fact that the candidate is in the armed forces of the United States and that his whereabouts is unknown or that the candidate is out of the country."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing on final passage.

REPORTS FROM COMMITTEES

Mr. WALKER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER, from the Committee on Judiciary General, reported as committed, Senate Bill No. 548, entitled:

An Act relating to chattel mortgages on any chattel or chattels of any kind or description, including among other things livestock, poultry, farm machinery, farm equipment and crops grown, growing or to be grown; designating the operation and effect of the lien of such mortgage; providing for the filing, indexing and docketing of such mortgages and related instruments in prothonotaries' offices, and prescribing prothonotaries' fees; providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states; regulating the assignment, release, satisfaction and extension of the lien of such mortages; prescribing methods of foreclosure; defining defaults and violations; and fixing penalties.

He also from the Committee on Judiciary General, reported as committed, House Bill No. 548, entitled:

An Act providing that when the contract of a fiduciary is made by him or approved by court inadequacy of price or an offer to deal on other terms, shall not relieve the fiduciary of his obligation or constitute ground for any court to set aside the contract or to refuse to enforce it.

Mr. STIEFEL. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STIEFEL, from the Committee on Judiciary General, reported as committed, House Bill No. 317, entitled:

An Act to amend Section one of an act approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 403) entitled "An act relating to the form execution revocation and interpretation of wills to nuncupative wills to the appointment of testamentary guardians to spendthrift trusts to forfeiture of devise or legacy in case of murder of testator to elections to take under or against wills and to the recording and registering of such elections and of decrees relative thereto and to the fees therefor" by authorizing members of or persons called for induction into the armed forces of the United States or of any allied or associated power who have attained the age of seventeen years to dispose of real and personal estate by will.

BILLS ON FIRST READING

Mr. HEYBURN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 38, entitled:

An Act to further amend section four hundred twenty-one of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" broadening the definition of the term "deceased service persons" to include members of any women's organization officially connected with any of the armed forces of the United States and requiring county commissioners of each county to contribute to the funeral expenses of such persons.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 46, entitled:

An Act to further amend section one of the act approved the thirteenth day of May, one thousand nine hundred twenty-five (P. L. 676), entitled, as amended "An act providing for the burial of certain persons who are, have been, or shall be, soldiers, sailors, marines, or members of the enlisted nurse corps, designated as 'deceased servicemen'; defining the term 'deceased service men'; authorizing county commissioners to provide markers and burial plots for such deceased service men at the expense of such county in which they shall die or have a legal residence at the time of their death; and providing for the burial of widows of soldiers, sailors, or marines," broadening the definition of the term "deceased service men" to include members of any women's organization officially connected with any of the armed forces of the United States, and requiring county commissioners of each county to contribute to the funeral expenses of such persons.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 72, entitled:

An Act to prohibit the unlawful wearing of uniforms of the armed forces or branches thereof and imposing penalties for violation thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 207, entitled:

An Act to provide for the receiving as evidence in any court, office or other place in this State, official findings, records, reports, or certified copies thereof, of death, presumed death, missing or other status, issued by the Secretaries of War and Navy and other Federal officers and employees.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 219, entitled:

An Act authorizing the Department of Military Affairs to collect and to preserve the selective service and war records of the Commonwealth of Pennsylvania authorizing the storage of such records in available buildings or the construction of a new building to accommodate them if necessary and making an appropriation therefor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 248, entitled:

An Act to authorize certain persons to take affidavits and acknowledgments in connection with the administration of the affairs of veterans and their dependents making certain offenses punishable as perjury and imposing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 270, entitled:

An Act to amend section three hundred two of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by exempting for the duration of the present war any resident of the Commonwealth who is in service with the Armed Forces of the United States or any of its Allies, from the payment of a fee to the Commonwealth for a Resident Hunter's License.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 284, entitled:

An Act to amend section one of the act, approved the twenty-sixth day of May, one thousand nine hundred forty-three (P. L. 270), entitled "An act appropriating moneys received from the Federal Government for housing and maintaining naval, military, or other personnel, at the Soldiers" and Sailors' home at Erie, to the Department of Military Affairs for the maintenance and operation of said home," by including moneys received for the housing and maintaining of certain discharged service men.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 317, entitled:

An Act to amend Section One of an act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 403) entitled "An act relating to the form excution revocation and interpretation of will to nuncupative wills to the appointment of testamentary guardians to spendthrift trusts to forfeiture of devise or legacy in case of murder of testator to elections to take under or against wills and to the recording and registering of such elections and of decrees relative thereto and to the fees therefor" by authorizing members of or persons called for induction into the armed forces of the United States or of any allied or associated power who have attained the age of seventeen years to dispose of real and personal estate by will.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 341, entitled:

An Act to repeal, except as to counties of the first class, clause (b) 1 of section one of the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 415), entitled "An act relating to the qualification, jurisdiction, powers, and duties of registers of wills, and regulating proceedings before said registers, and the costs thereof, the effects of their acts, and appeals therefrom."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 342, entitled:

An Act to amend section two hundred thirty-two of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second, third, fourth, fifth sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," requiring each register of wills to give a joint and several bonds, approved by the judges of the orphans' court and by the Governor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 375, entitled:

An Act to amend sections one thousand one hundred five, one thousand one hundred twenty-one, one thousand one hundred twenty-seven one thousand one hundred thirty-four and one thousand one hundred thirty-seven of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof, providing revenue to establish and maintain the same and the method of collectiong such revenue, and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith" by further providing for the terms of office and the election of county superintendents, assistant county superintendents, district superintendents and assistant district superintendents in all second, third and fourth class school districts of the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 418, entitled:

An Act authorizing the common pleas judges and the county commissioners jointly to create medical clinics for the examination of certain persons convicted of the commission of a crime prior to the sentencing thereof as a means of decreasing the number of habitual offenders; providing for the creation of joint medical clinics among the several counties; and imposing the costs of maintaining and operating such clinics upon the county or counties creating the same.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 524, entitled:

An Act to amend the act, approved the twenty-sixth day of May, one thousand nine hundred forty-three (P. L. 635), entitled "An act creating a commission to study the methods of maintaining and supporting public schools, and the method of participation by the Commonwealth, and local school districts in the maintenance of a thorough and efficient public school system; prescribing its powers and duties; and making an appropriation," continuing such commission; changing its purpose; and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 548, entitled:

An Act relating to chattel mortgages on any chattel or chattels of any kind or description, including among other things livestock, poultry, farm machinery, farm equipment and crops grown, growing or to be grown; designating the operation and effect of the lien of such mortgages; providing for the filing, indexing and docketing of such mortgages and related instruments in prothonotaries' offices, and prescribing prothonotaries' fees; providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states; regulating the assignment, release,, satisfactcion and extension of the lien of such mortgages; prescribing methods of foreclosure; defining defaults and violations; and fixing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 548, entitled:

An Act providing that when the contract of a fiduciary is made by him or approved by court inadequacy of price or an offer to deal on other terms shall not relieve the fiduciary of his obligation or constitute ground for any court to set aside the contract or to refuse to enforce it.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 571, entitled:

An Act providing for the naming of state bridges and parks in honor of American heroes of World War II by the Governor, Adjutant General and the county commissioners of the county where such site is located.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 727, entitled:

An Act providing for the issuance of certified copies of birth death and marriage certificates by the proper city and county officers in cities of the first class to disabled war veterans and their dependents in death and compensation cases free of charge

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 771, entitled:

An Act to further amend clause (b), section six of the act, approved the fifth day of May, one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing is powers and duties; regulating the procedure therein, and providing for the expenses thereof," by conferring the authority to issue writs of habeas corpus in desertion and non-support cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 780, entitled:

An Act to further amend section six of the act, approved the fifth day of May, one thousand nine hundred eleven (P. L. 198), entitled "An act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof," by extending jurisdiction to cases for support of illegitimate children where the putative father admits parentage.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ANNOUNCEMENTS

Mr. HEYBURN. Tomorrow the Third Service Command is going to confer a citation on a distinguished son of Pennsylvania, at eleven-thirty a. m. in the Hall of the House.

I suggest, Mr. President, that the members of the Senate assemble here at eleven-fifteen, in order that we may march over to the House in a body. The exercises will be broadcast at eleven-thirty a. m. tomorrow from the Hall of the House. The proceedings will continue for about half an hour.

Mr. COLEMAN. For the information of the Minority, Mr. President, I wonder if the gentleman from Delaware would reveal the identity of the gentleman who is to be signally honored.

Mr. HEYBURN. I do not know, Mr. President; I believe it will come as a surprise to the gentleman. I am not able to divulge the name, and even if I did know the name I could not divulge it.

However, Mr. President, it is not the gentleman from Allegheny, Senator Walker.

MOTION THAT SENATE ADJOURN

Mr. HEYBURN. Mr. President, I move that the Senate do now adjourn until Wednesday, March 28, 1945, at three o'clock p. m. Eastern War Time.

POINT OF ORDER

Mr. HALUSKA. Mr. President, I rise on a point of order.

The PRESIDENT. The gentleman from Cambria will state his point of order.

Mr. HALUSKA. Mr. President, my point of order is once a motion is defeated, the same motion can not be adopted in the same legislative day, and a motion that the Senate adjourn until three o'clock tomorrow was once defeated today.

Mr. HEYBURN. Mr. President, rather than dispute the point raised by the gentleman from Cambria I will withdraw my motion and make another.

ADJOURNMENT

Mr. HEYBURN. Mr. President, I move that the Senate do now adjourn until Wednesday, March 28, 1945, at 3:01 o'clock p. m. Eastern War Time.

Mr. CRIDER. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:10 o'clock p. m., Eastern War Time until Wednesday, March 28, 1945, at 3:01 o'clock p. m., Eastern War Time.

HOUSE OF REPRESENTATIVES

TUESDAY, March 27, 1945

The House met at 2 p. m.

The SPEAKER (Ira T. Fiss) in the Chair.

PRAYER

Rev. Dennis W. Hoggard, a Member of the House from Philadelphia County, offered the following prayer:

Gracious Father of Heaven, Thou who hast brought us out of darkness in to the light of this glorious day, fill us with Thy spirit, we beseech Thee, with the forgiveness of all our sins.

Bless this House of Representatives and the Executive of our nation. Bless those who are now in the armed forces in this country and on foreign soil. Speed on the coming of the day, we pray Thee, when this awful conflict may be brought to a glorious determination of peace and good will for all mankind. In Jesus' name. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Monday, March 26, 1945.

The Clerk proceeded to read the Journal of Monday, March 26, 1945, when, on motion of Mr. MILLER unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. WATERHOUSE. HOUSE BILL No. 1243.

An Act to add section thirty-three to the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," prohibiting dredging or otherwise disturbing the bottoms of certain waters which are the spawning beds of fish; and imposing penalties.

Referred to the Committee on Forestry.

By Mr. DEPUY. HOUSE BILL No. 1244.

An Act prohibiting public service corporations from selling certain merchandise, appliances, utensils and chattels.

Referred to the Committee on Public Utilities.

By Mr. POLEN. HOUSE BILL No. 1245.

An Act creating an independent administrative commission to be known as the Pennslyvania Coal Commission, for the purpose of studying and developing new and more effiecient mining methods, mine safety and rescue techniques; new uses and markets for non-metallurgical and high sulphur bituminous coals; conferring powers upon said commission; requiring the cooperation of other State agencies; making the results of the commission's findings available to the public; creating a special fund, and making an appropriation.

Referred to the Committee on Mines and Mining.

By Mr. DENNISON. HOUSE BILL No. 1246.

An Act to further amend subsections (a) and (b) of section four hundred eleven, and section five hundred six of the act approved, the first day of May, one thousand nine hundred twenty-nine, (P. L. 905) entitled, "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the high ways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof; upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds"; by further providing for the transfer of motor vehicles, trailers and semi-trailers from a husband to his wife and from a wife to her husband.

Referred to the Committee on Motor Vehicles.

By Mr. COOPER. HOUSE BILL No. 1247.

An Act authorizing the court of quarter sessions, in certain cases, to make changes in the dividing lines between adjoining boroughs, adjoining townships, and adjoining boroughs and townships.

Referred to the Committee on Municipal Corporations.

By Messrs. FULLERTON and MADIGAN. HOUSE BILL No. 1248.

An Act providing temporary increases in the salaries of certain members of the teaching and supervisory staffs of school districts; authorizing additional appropriations and temporary loans therefor; requiring the Commonwealth to reimburse school districts for the full amount of such increases; authorizing the Superintendent of Public Instruction to withhold payments due from the Commonwealth, in certain cases; authorizing additional temporary increases and validating such increases heretofore made.

Referred to the Committee on Education.

By Mr. BOWER. HOUSE BILL No. 1249.

An Act to further amend section sixteen of the act, approved the twenty-ninth day of May, one thousand nine hundred thirty-one (P. L. 280) entitled, "An act relating to delinquent taxes on seated lands, and prescribing interest charges on nonpayment thereof; requiring the receivers and collectors of county, city, borough, town, township, school district and poor district taxes to make a return to the county commissioners of such unpaid taxes, and providing for the lien thereof; authorizing the county treasurers to collect such taxes, and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid; and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances"; by giving county commissioners the right to recover possession of real property purchased at tax sales, and to rent such lands; and providing for the disposition of moneys received from such rentals.

Referred to the Committee on Counties.

By Mr. DEPUY. HOUSE BILL No. 1250.

An Act providing a uniform method of taking samples of food or processed food for the purpose of analysis or examination by duly authorized representatives of any city, county, township, borough or other political subdivision, or governmental agency of the Commonwealth.

Referred to the Committee on Public Health and Sanitation.

By Mr. DEPUY. HOUSE BILL No. 1251.

An Act to amend section three of the act, approved the third day of May, one thousand eight hundred fifty (P. L. 654), entitled "An act providing for the election of district attorneys," empowering the Governor to appoint persons to the office of district attorney in case of vacancy.

Referred to the Committee on Counties.

By Mr. SCHUSTER. HOUSE BILL No. 1252.

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred seventeen (P. L. 208), entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs, and providing penalties for the violation thereof; defining the words "drug" and "poison;" and providing for the appointment of a board which shall have in charge the enforcement of said law, and the power to make rules and regulations for the enforcement of said law; and providing for the purchase of samples of drugs for determining their quality, strength, and purity," discontinuing the registration of assistant pharmacists; and providing that persons who have served as registered assistant pharmacists for ten years or longer shall be qualified for examination as pharmacists.

Referred to the Committee on Professional Licensure.

By Mr. GALLAGHER. HOUSE BILL No. 1253.

An Act providing for the guaranteeing of certain business loans to Veterans; imposing certain duties on the Adjutant General and making an appropriation.

Referred to the Committee on Military Affairs.

By Mr. BOWER. HOUSE BILL No. 1254.

An Act to amend section five hundred fifty-four of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the

violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by requiring distressed school districts, receiving certain moneys from the Commonwealth, to pay salaries to their tax collectors in lieu of fees or commissions.

Referred to the Committee on Education.

By Messrs. KOMOROFSKI and WILLIAM J. MOORE.
HOUSE BILL No. 1255.

An Act providing for compensation to be paid to certain persons who served in the armed forces of the United States during World War II; providing the method making payment to representatives of persons who, because of death or incapacity, cannot personally receive compensation; imposing certain duties on the Adjutant General; making an appropriation; and providing penalties.

Referred to the Committee on Military Affairs.

By Mr. STUART. HOUSE BILL No. 1256.

An Act to further amend section one of the act, approved the thirteenth day of April, one thousand eight hundred eighty-seven (P. L. 11), entitled "An act for the establishment of a uniform standard of time throughout the Commonwealth," making further provisions for such standard of time.

Referred to the Committee on State Government.

By Mr. SKALE. HOUSE BILL No. 1257.

An Act to add section three hundred two point one to the act, approved the twenty-ninth day of November, one thousand nine hundred thirty-three (1933-34 P. L. 15), entitled, as amended "An act to regulate and restrain the sale, manufacture, possesstion transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licenses and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," regulating the minimum salaries of employes of the said board.

Referred to the Committee on Liquor Control.

By Mr. MADDEN. HOUSE BILL No. 1258.

An Act to amend section three of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045) entitled "An act relating to the support of indigent persons publicly cared for or assisted providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure" by abolishing the liability of grandchildren and grandparents of indigent persons to care for maintain or financially assist such persons.

Referred to the Committee on Welfare.

By Mr. WATKINS. HOUSE BILL No. 1259.

An Act to add section four hundred three point one to the act, approved the twenty-ninth day of November, one thousand nine hundred thirty-three (P. L. 15—1933-34) entitled as amended, "An act to reenact and further amend the title and the act, approved the twenty-ninth day of November, one thousand nine hundred thirty-three (P. L. 15—1933-34), entitled, as amended 'An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; making disposition of the receipts from State stores and fees; and imposing penalties,' further regulating the manufacture, sale, importation, use, and traffic in liquors, alcohol, and malt and brewed beverages; conferring additional powers and imposing additional duties on the Pennsylvania Liquor Control Board; further regulating those licensed under this act; imposing additional filing fees; and increasing fees for certain permits; and providing for the disposition thereof; further regulating the establishment of State Liquor stores and the employment and use of personnel by the board; regulating and providing the procedure for the granting, transfer, revocation, and suspension of licenses, and for compromises in certain cases, and the disposition of moneys arising therefrom; providing for the forefeiture of certain property; regulating the jurisdiction of courts, and local option procedure; prohibiting certain interlocking business; and providing penalties," further providing for the licensing under this act, of applicants holding a retail dispenser's license under the Beverage License Law.

Referred to the Committee on Liquor Control.

By Mr. DENNISON. HOUSE BILL No. 1260.

An Act to repeal the act, approved the nineteenth day of March, one thousand nine hundred forty-one (P. L. 6) entitled , as amended, "An act relating to national and State defense, providing for the establishment of a State Council of Defense and of local and district councils of defense, prescribing the powers and duties thereof, and providing penalties."

Referred to the Committee on State Government.

By Mr. ROSE. HOUSE BILL No. 1261.

An Act to further amend the first paragraph of section one of the act, approved the twelfth day of May, one thousand nine hundred twenty-five (P. L. 603), entitled "An act concerning conditional sales; and to make uniform the law relating thereto," by requiring a certain percentage of the sale price to be paid.

Referred to the Committee on Judiciary General.

By Messrs. GRANT and READINGER.
HOUSE BILL No. 1262.

An Act to amend sections six and twelve of the act, approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of, and providing for, and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class, imposing certain charges on counties, and fixing penalties" by im-

posing a maximum limit on the retirement allowances, authorized by said act.

Referred to the Committee on Counties.

By Messrs. GRANT and READINGER.

HOUSE BILL No. 1263.

An Act to amend the act, approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298), entitled "An act authorizing the creation of, and providing for, and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class, imposing certain charges on counties, and fixing penalties," by further providing for the retirement of county employes upon completion of twenty years of service.

Referred to the Committee on Counties.

By Messrs. GRANT and READINGER.

HOUSE BILL No. 1264.

An Act to amend the act, approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298), entitled "An act authorizing the creation of, and providing for, and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class, imposing certain charges on counties, and fixing penalties by further providing for the retirement of county employes upon completion of thirty years of service.

Referred to the Committee on Counties.

By Mr. SKALE. HOUSE BILL No. 1265.

An Act to add section seven to the act approved the fourth day of June, one thousand nine hundred forty-three (P. L. 870), entitled "An act relating to appointments, reclassifications, and promotions made under any civil service system of this Commonwealth after the effective date of this act, until a period after the cessation of hostilities, making such appointments of war duration; providing for examinations at the end of such period; and providing for experience credit for men and women honorably discharged from the armed forces or the uniformed services of the United States; suspending inconsistent laws; saving the right to return to former position and status; suspending powers and duties of the Personnel Director of the State Civil Service Commission for a limited period; and conferring powers on the State Civil Service Commission," making mandatory the payment of annual salary increments to all employes who are subject to any civil service system of this Commonwealth.

Referred to the Committee on State Government.

By Mr. McATEE. HOUSE BILL No. 1266.

An Act authorizing the Pennsylvania Post-War Planning Commission, whenever funds are available, to allocate funds to the various counties or their agencies, for certain post-war projects, upon the matching of such allocations by the counties.

Referred to the Committee on State Government.

By Mr. ANDREWS. HOUSE BILL No. 1267.

An Act to further amend subsection (f) of section three, and the first paragraph of section four of the act, approved the thirty-first day of July, one thousand nine hundred forty-one (P. L. 644), entitled "An act to authorize housing authorities to undertake the development or administration of projects to provide safe and sanitary dwellings for persons engaged in national defense activities who would not other wise be able to secure such dwellings within the vicinity thereof; to limit the initiation of the development of such projects until December 31, 1943; to authorize housing authorities to cooperate with or act as agent of the Federal Government in the development and administration of such projects of the Federal Government, to acquire or lease such projects and to sell or lease certain projects to the Federal Government; to authorize public bodies to assist such projects of housing authorities and of the Federal Government to provide safe and sanitary dwellings for persons engaged in national defense activities," by extending the time in which the development of projects may be initiated thereunder.

Referred to the Committee on State Government.

By Mr. BAKER. HOUSE BILL No. 1268.

An Act prohibiting the offering and receiving in evidence in any Court of this Commonwealth, the sale price of any real estate sold by a taxing authority or authorities, for the purpose of attacking valuations or assessments for purposes of taxation.

Referred to the Committee on Judiciary General.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and enlisted as follows:

SENATE BILL No. 303.

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of the Allentown State Hospital, to acquire a certain tract of land for the use of said hospital, and making an appropriation therefor.

Referred to the Committee on Appropriations.

SENATE BILL No. 319.

An Act to further amend section thirty-two of the act, approved the thirtieth day of March, one thousand nine hundred thirty-seven (P. L. 115), entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, bodies of electors, registration commissions, commissioners registrars, inspectors of registration and other appointees of registration commission, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents, certain public service companies, persons, firms, and corporations operating vehicles for moving furniture and household goods, and boards of school directors; and imposing penalties," by further regulating the check-up of registered electors.

Referred to the Committee on Elections.

SENATE BILL No. 320.

An Act to further amend section thirty-one of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 814), entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing

certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," by further regulating the check-up of registered electors.

Referred to the Committee on Elections.

SENATE BILL No. 321.

An Act to further amend section thirty-one of the act, approved the seventh day of June, one thousand nine hundred thirty-seven (P. L. 1132), entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspector of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," by further regulating the check-up of registered electors.

Referred to the Committee on Elections.

SENATE BILL No. 322.

An Act to further amend section thirty-one of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849), entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legislation," by further regulating the check-up of registered electors.

Referred to the Committee on Elections.

SENATE BILL No. 323.

An Act to further amend section thirty of the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487), entitled "An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," by further regulating the check-up of registered electors.

Referred to the Committee on Elections.

SENATE BILL No. 343.

An Act to further amend section fifteen of the act, approved the sixteenth day of May, one thousand nine hundred twenty-three (P. L. 207), entitled "An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances, and for water rents or rates, sewer rates, and lighting rates; for the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; the distribution of the proceeds of such sales, and the redemption of the property therefrom; for the lien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed, within six months before the passage of this act; and for the procedure on tax and municipal claims filed under other and prior acts of Assembly," by further providing for and preserving the lien of tax and municipal claims against properties heretofore or hereafter purchased by political subdivisions at sales held for the collection of taxes on municipal claims, or other judicial or statutory sales.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 385.

An Act to amend paragraph two of subdivision and to add a new paragraph thirteen to subdivision (c) of section two hundred two of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund; providing penalties and repealing existing laws" by authorizing domestic stock and mutual fire and marine and casualty insurance companies to make insurance against all risk of loss of or damage to personal property

Referred to the Committee on Insurance.

SENATE BILL No. 423.

An Act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities counties and townships as herein defined prescribing the rights powers and duties of such Authorities authorizing such authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds

and prescribing the rights of the holders thereof conferring the right of eminent domain on such authorities authorizing such authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof conferring exclusive jurisdiction on certain courts over rates

Referred to the Committee on State Government.

SENATE BILL No. 483.

An Act to add clause fifty-five to section two thousand four hundred three of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," authorizing the acquisition and maintenance of parking lots and the exercise of the power of eminent domain therefor.

Referred to the Committee on Cities—Third Class.

SENATE BILL No. 484.

An Act to amend article six, section six hundred and two of the act approved May 18, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by making further provision relating to the acquisition of real estate for the construction of school buildings.

Referred to the Committee on Education.

SENATE BILL No. 510.

An Act to amend section four hundred eleven of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions: and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by providing for the appointment of two additional members of the Pennsylvania Historical Commission.

Referred to the Committee on State Government.

REPORTS FROM COMMITTEES

Mr. STONIER from the Committee on Municipal Corporations reported as committed House Bill No. 103, entitled:

An Act to permit the purchase by the cities, counties and other political subdivisions of this Commonwealth of surplus war materials, supplies and commodities from the Government of the United States or any of its agencies without advertisement or competitive bidding.

Mrs. COYLE from the Committee on Municipal Corporations reported as committed House Bill No. 255, entitled:

An Act abating certain tax penalties and interest on unpaid county, city, borough, town, township, school district, poor district and county institution district taxes, with certain exceptions; prohibiting the sale of real property for the nonpayment of any such taxes for a certain period; and preserving certain tax liens and providing for the extension thereof.

Mr. O'CONNOR from the Committee on Municipal Corporations reported as committed House Bill No. 306, entitled:

An Act to authorize cities, boroughs, incorporated towns, townships, and school districts to file suggestions of nonpayment and averments of default, or to sue out writs of scire facias on certain tax or municipal claims, and to revive judgments where the lien of such claims or the judgments thereon have been lost; and providing for the reinstatement of the liens of such claims and judgments.

Mr. MADDEN from the Committee on Counties reported as committed House Bill No. 418, entitled:

An Act to add section three hundred twenty-four and one-tenth to the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by providing for the refund of employe contributions after retirement, in certain cases.

Mr. SKALE from the Committee on Judiciary General reported as committed House Bill No. 649, entitled:

An Act to amend section seven of the act approved the sixteenth day of May, one thousand nine hundred twenty-nine (P. L. 1780), entitled "An act to fix the salaries and compensation of the judges of Supreme Court, the Judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia, and the judges of the County Court of Allegheny," by increasing the salaries of judges of the Municipal Court of Philadelphia.

Mr. RILEY from the Committee on Judiciary General reported as committed House Bill No. 675, entitled:

An Act to further amend section fifteen of the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 447), entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the

substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and libalities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," extending the lien of debts on decedent' real estate in certain cases.

Mr. DAGUE from the Committee on Judiciary General reported as committed House Bill No. 752, entitled:

An Act to amend section two of the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 415), entitled "An act relating to the qualification, jurisdiction, powers, and duties of registers of wills, and regulating proceedings before said registers, and the costs thereof, the effects of their acts, and appeals therefrom," by providing for the appointment of additional deputy registers.

Mr. HELM from the Committee on Counties reported as committed House Bill No. 784, entitled:

An Act to add section one point one to the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 322), entitled "An act providing for the issuance of certified copies of death, birth, and marriage certificates, and divorce decrees, by county officers, free of charge, to disabled war veterans and their dependents, in death and compensation cases; and prescribing penalties," requiring counties to pay the fees of officers compensated on a fee basis.

Mr. ROBERTSON from the Committee on Judiciary General reported as committed House Bill No. 849, entitled:

An Act to further amend section six of the act, approved the fifth day of May, one thousand nine hundred eleven (P. L. 198), entitled "An act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof," by providing for surety of the peace in certain cases.

Mr. ROBERTSON from the Committee on Judiciary General reported as committed House Bill No. 852, entitled:

An Act to further amend section six of the act, approved the fifth day of May, one thousand nine hundred eleven (P. L. 198), entitled "An act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the exepenses thereof," providing for the transfer of cases of support in fornication and bastardy cases from the court of quarter sessions to the county court of Allegheny County.

Mr. COOPER from the Committee on Cities and Counties—Second Class reported as committed House Bill No. 853, entitled:

An Act to further amend section four hundred two of the act approved the twenty-second day of May, one thousand nine hundred thirty-three (P. L .853), entitled "An act relating to taxation; designating the subjects, property and persons subject to and exempt from taxation for all local purposes; providing for and regulating the assessment and valuation of persons, property and subjects of taxation for county purposes, and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations; amending, revising and consolidating the law relating thereto; and repealing existing laws," by further providing for the assessment and valuation of buildings under construction, repair or reconstruction, in counties of the second class.

Mr. COSTA from the Committee on City and County—First Class reported as committed House Bill No. 915, entitled:

An Act relating to health and sanitary conditions of leased dwellings in cities of the first class; requiring such cities to establish landlord-tenant codes setting minimum standards for housing facilities relating to health and sanitation; requiring occupancy permits to be issued to landlords; requiring standard leases to be used in the rental of such dwellings; prohibiting landlords and tenants from waiving any provisions of such lease or of existing law, and providing penalties.

Mr. DEPUY from the Committee on Counties reported as committed House Bill No. 977, entitled:

An Act to amend the act approved the seventeenth day of April, one thousand eight hundred seventy-eight, (P. L. 26), entitled "A supplement to an act, entitled 'An act for the regulation and government of the Northampton county prison,' approved the tenth day of May, Anno Domini one thousand eight hundred and seventy-one," by fixing the compensation of prison inspectors.

Mr. READINGER from the Committee on Judiciary General reported as committed House Bill No. 1062, entitled:

An Act to further amend section nine of the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 363), entitled "An act relating to the organization, jurisdiction, and procedure of the orphans' courts; the powers and duties of the judges thereof and appeals therefrom", by giving trustees the right to hold certain real estate under certain conditions.

Mr. MOSER from the Committee on Judiciary General reported as committed House Bill No. 1071, entitled:

An Act to amend sections ten and fifty-five of the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1237), entitled "An act affecting marital relations; prescribing grounds and regulating proceedings for divorce and the annulment of bigmous marriages; and amending, revising, and consolidating the law relating thereto," by providing additional grounds for divorce and regulating the proceedings therefor.

Mr. COOPER from the Committee on Judiciary General reported as committed House Bill No. 1124, entitled:

An Act to further amend section four of the act approved the sixteenth day of May one thousand nine hundred and twenty-nine (P. L. 1780), entitled "An act to fix the salaries and compensation of the judges of the Supreme Court, the judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts the judges of the Municipal Court of Philadelphia, and the judges of the County Court of Allegheny County," by increasing the salaries of judges of the courts of common pleas of certain judicial districts.

Mr. TURNER from the Committed on Judiciary General reported as committed House Bill No. 1186, entitled:

An Act providing for the discharge of mortgages, judgments and other liens given in favor of the Commonwealth by persons receiving assistance by sheriff's sales, tax sales and other judicial sales.

Mr. STONIER from the Committee on Cities and Counties—Second Class reported as committed House Bill No. 1190, entitled:

An Act empowering cities of the second class to levy, assess and collect, or to provide for the levying, assessment and collection of, certain additional taxes for general revenue purposes; authorizing the establishment of bureaus, and the appointment and compensation of officers and employes to assess and collect such taxes; and permitting penalties to be imposed and enforced.

Mr. McKINNEY from the Committee on Judiciary General reported as committed Senate Bill No. 53, entitled:

An Act concerning the ascertainment of principal and income and the apportionment of receipts and expenses among tenants and remaindermen; and to make uniform the law with reference thereto

Mr. McKINNEY from the Committee on Municipal Corporations reported as committed Senate Bill No. 352, entitled:

An Act to amend section two hundred thirteen of the act, approved the twenty-fifth day of June, one thousand nine hundred forty-one (P. L. 159), entitled "An act amending, revising, consolidating and changing the law relating to the borrowing of money by certain political subdivisions, the authorization, issuance and sale of general obligation bonds as herein defined, of bonds imposing no general obligation of debt and of bonds not deemed to constitute a debt for certain purposes, and to the funding of debt and the refunding of bonds; regulating the keeping and use of sinking funds; imposing powers and duties upon the Department of Internal Affairs and upon corporate bodies and officers of political subdivisions; imposing penalties, and repealing existing laws," by authorizing temporary investments in certain obligations.

Mr. McKINNEY from the Committee on Municipal Corporations reported as amended House Bill No. 211, entitled:

An Act providing for and regulating the appointment, promotion, and reduction in rank, suspension and removal of paid operators of fire apparatus in boroughs, incorporated town and townships of the first class; creating a civil service commission in each borough, incorporated town and township of the first class; defining the duties of such civil service commission; imposing certain duties and expenses on boroughs, incorporated town and townships of the first class; imposing penalties; and repealing inconsistent laws.

Mr. SKALE from the Committee on Judiciary General reported as amended House Bill No. 648, entitled:

An Act to further amend section four of the act, approved the sixteenth day of May, one thousand nine hundred twenty-nine (P. L. 1780), entitled "An act to fix the salaries and compensation of the judges of Supreme Court, the judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia, and the judges of the County Court of Allegheny County," by increasing the salaries of judges of common pleas of the first and fifth judicial districts.

Mr. O'CONNOR from the Committee on Municipal Corporations reported as amended House Bill No. 827, entitled:

An Act realting to the liabilities of elected and appointed officers of the various political subdivisions; providing for the forfeiture of their office; and imposing penalties for certain actions and omissions.

Mr. McATEE from the Committee on Municipal Corporations reported as amended Senate Bill No. 221, entitled:

An Act authorizing political subdivisions to purchase surplus material, equipment, property and supplies from the Surplus Property Board or any other Federal agency without complying with any requirement of existing law as to specifications, advertising, award of contract and approval of purchases by a state agency.

Mr. GREER from the Committee on Judiciary General reported as committed House Resolution No. 34.

Mr. KIRLEY from the Committee on Cities and Counties—Second Class reported as committed House Bill No. 432, entitled:

An Act to amend section nine of the act, approved the twenty-fifth day of May, one thousand nine hundred and thirty-three (P. L. 1050), entitled, "An act creating and establishing a fund for the care, maintenance and relief of aged, retired and disabled employes of the bureau of fire in cities of the second class; creating a board for the management thereof; providing the mode and manner of payment to beneficiaries; and for the care and disposition of its funds; and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created," by changing the amount and method of contributions for, and payment of, death benefits.

Mr. ROOT from the Committee on Cities and Counties—First Class re-reported as amended House Bill No. 100, entitled:

An Act providing that in cities of the first class in all cases where taxes are due and unpaid upon a single tract of land and it is desired to divide such tract into separate parcels the Board of Revision of Taxes may apportion such taxes ratably between or among the parcels so divided provided that upon payment of the taxes and proper costs on any such parcel it shall be released from the lien.

Mr. ERB from the Committee on Counties reported as committed House Bill No. 632, entitled:

An Act authorizing the county commissioners of the respective counties to grant rights of way and licenses for rights of way for certain purposes on and across lands purchased by the county at tax sales and not redeemed.

Mr. PICKENS from the Committee on Cities and Counties—Second Class reported as committed House Bill No. 1193, entitled:

An Act to amend the title and section one of the act, approved the twentieth day of May, one thousand nine hundred thirty-seven (P. L. 755) entitled, "An act providing for the fixing of the salaries and compensation of officers, clerks, stenographers, and employes appointed by judges of the courts of this Commonwealth in counties of the second class where salary boards exist by law," by extending the provisions of the act to include court criers and tipstaves; and repealing certain inconsistent acts.

Mr. ROSE from the committee on Judiciary General reported as amended House Bill No. 918, entitled:

An Act to amend subsections one and two of section nine of the act approved the twenty-fourth day of July, one thousand nine hundred forty-one (P. L. 490), entitled "An act relating to acknowledgments of written instruments, and to make uniform the law with relation thereto," defining how certificates of certain acknowledgments taken without the State shall be authenticated.

BILL ON FIRST READING

Mr. KIRLEY asked and obtained unanimous consent for House Bill No. 432 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 432, entitled:

An Act to amend section nine of the act, approved the twenty-fifth day of May, one thousand nine hundred and thirty-three (P. L. 1050,), entitled, "An act creating and establishing a fund for the care, maintenance and relief of aged, retired and disabled employes of the bureau of fire in cities of the second class, creating a board for the management thereof; providing the mode and manner of payment to beneficiaries; and for the care and disposition of its funds; and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created," by changing the amount and method of contributions for, and payment of, death benefits.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

PRESENTATION OF CITATION CEREMONIES

The SPEAKER. At the request of His Excellency, Governor of the Commonwealth, the Speaker asks the consent of the House to conduct ceremonies in the Hall of the House, Wednesday, March 28, 1945 at 11:30 a. m. for the purpose of presenting a citation by Major General Philip Hayes, Commanding General of the Third Service Command to Major General Milton G. Baker, Commanding General of the Pennsylvania State Guard in the presence of the Members of the Senate and House of Representatives.

Will the House give its consent to conduct these ceremonies? The Chair hears no objection and consent is granted. The Governor will be so informed.

BETHEL HIGH SCHOOL WELCOMED

The SPEAKER. The Chair welcomes to the House this afternoon the Senior Class of Bethel High School, who are the guests of the gentleman from Berks, Mr. Swope.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair welcomes to the House this afternoon a former Member, the gentleman from Philadelphia, Hon. Louis Menna.

MEMBER CONGRATULATED

The SPEAKER. Hon. Ellwood J. Turner received a telegram yesterday from his son Fred (one of the twins) that he arrived at Camp Kilmer yesterday after two and one-half years service in the European and African Theatre of Operations.

Fred is one of three sons serving in military forces overseas. He has been overseas since Casablanca—two and one-half years ago.

Fred is a 1st Lieutenant in the Signal Corps. His twin Jack returned to this country a few months ago. His other brother is in the Navy in the South Pacific.

The Chair congratulates the gentleman from Delaware upon the receipt of such good news.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, I desire to make a proposal designed to conserve your time. If there is any objection upon the part of any member on either side of the House the proposal will be withdrawn.

The Democratic Members desire a caucus. There are many bills on the third reading calendar that the Democratic caucus has endorsed. I would suggest that it is quite all right, as far as we are concerned, unless some of the Members on my side or your side object, that while the Democrats are caucusing the House proceed to act upon the measures concerning which there has been agreement. You can pass a great many bills while we are caucusing.

That is a proposal, as I say, but if any of the Members on this side of the House object or any Member on the other side objects we will not do it that way, but that is my sugestion. If we do not do it that way, we will have to work just that much longer when we come back because we have got to caucus, we have important matters to consider.

Mr. LICHTENWALTER. Mr. Speaker, I am most happy to cooperate with the gentleman. I know that the men on this side feel confident that we can work out the calendar while the gentlemen on the other side are debating many of the issues, and it is perfectly agreeable to me unless there is objection from any of the members on this side.

Mr. ANDREWS. Then, Mr. Speaker, I would suggest that we get a sample roll call on a motion to suspend Rule 57, I think it is, so you can legally act on some of your appropriation bills. The motion to suspend that rule will give us a sample roll call to be used for the rest of the afternoon.

Mr. LICHTENWALTER. Mr. Speaker, I have no objection to the suspension of Rule 57 for the specific purpose, of acting upon the appropriation measures, upon which I understand we cannot act under Rule 57 on final passage without the suspension of this rule. However, I want it specifically understood that it is for the purpose of voting on the appropriation measures only.

The SPEAKER. Does the gentleman make that as a motion?

SUSPENSION OF RULE 57

Mr. LICHTENWALTER. Mr. Speaker, I move that Rule 57, which reads:

> No bill appropriating money for charitable or benevolent purposes will be considered further than second reading until after the General Appropriation bill shall have been reported from committee,

be suspended for the specific purpose of considering appropriation bills on the third reading calendar today.

On the question,

Will the House agree to the motion?

The yeas and nays were required by Mr. Lichtenwalter and Mr. Andrews and were as follows:

YEAS—188

Andrews,	Fox,	Lichtenwalter,	Reidenbach,
Baker,	Freed,	Loftus,	Reilly,
Barrett,	Frost,	Longo,	Reynolds,
Barton,	Fullerton,	Lovett,	Riley,
Baumunk,	Gaffney,	Madden,	Robertson,
Bentzel,	Gallagher,	Madigan,	Root,
Boies,	Gardner,	Mahany,	Rose,
Bonawitz,	Getchey,	McAtee,	Royer,
Boney,	Gibson,	McClester,	Rudisill,
Boorse,	Goodling,	McCormack,	Salus,
Boory,	Gore,	McDowell,	Scanlon,
Bower,	Grant,	McLanahan,	Schuster,
Brancato,	Green,	McMillen,	Serrill,
Breisch,	Greenwood,	McNair,	Shaffer,
Brice,	Greer,	McNally,	Shoemaker,
Brothers,	Guthrie,	Mihm,	Skale,
Brown,	Gyger,	Mikula,	Sloan,
Brunner, C. H.,	Haberlen,	Miller,	Smith,
Brunner, P. A.,	Hall,	Milliken,	Snider,
Burns,	Hamilton,	Mills,	Snyder,
Cadwalader,	Hare,	Modell,	Sollenberger,
Chervenak,	Haudenshield,	Mooney,	Sorg,
Chudoff,	Heatherington,	Moore, C. E.,	Stonier,
Cohen,	Helm,	Moore, W. J.,	Stuart,
Coleman,	Hennihan,	Moran,	Swope,
Cook	Herman,	Moser,	Tahl,
Cooper,	Hersch,	Murray, M. L.,	Tate,
Corrigan,	Hewitt,	Murray, P. G.,	Tittle,
Costa,	Hoffman,	Myhan,	Trout,
Coulson,	Hoggard,	Nagel,	Turbett,
Coyle,	Howells,	Nelson,	Turner,
Cullen,	Hunter,	O'Brien,	Varallo,
Dague,	Huntley,	O'Connor,	Verona,
Dalrymple,	James,	O'Donnell,	Wachhaus,
Dennison,	Jones,	O'Neill,	Wagner,
Depuy,	Kennedy,	Owens,	Waterhouse,
Dillon,	Kirley,	Pentrack,	Watkins,
Dix,	Kline,	Pettigrew,	Weiss,
Dougherty,	Komorofski,	Pickens,	Welsh,
Dye,	Krise,	Polaski,	Wescott,
Elder,	Kurtz,	Polen,	White,
Elish,	Lane,	Powers,	Wood, L. H.,
Erb,	Laughner,	Propert,	Worley,
Ewing,	Lee,	Readinger,	Wright,
Flack,	Leisey,	Reagan,	Yeakel,
Fleming,	Leonard,	Reese, D. P.,	Yester,
Foor,	Levy,	Reese, R. E.,	Fiss, Speaker.

NAYS—1

McKinney,

NOT VOTING—17

Bentley,	Kolankiewicz,	Munley,	Stockham,
Duffy,	Lopez,	Petrosky,	Trachtman,
Finnerty,	Lyons,	Regan,	Trent,
Hering,	Matthews,	Stank,	Wood, N.,
Hoopes,			

So the question was determined in the affirmative and the motion was agreed to.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. SOLLENBERGER asked and obtained permission for the Committee on Education to meet during the session of the House.

PERMISSION GRANTED DEMOCRATIC CAUCUS TO MEET DURING SESSION

The SPEAKER. The Chair has been asked to announce a meeting of the Democratic caucus, with the consent of the House. Will the House give its consent? The Chair hears no objection and consent is granted.

Mr. FREED. Mr. Speaker.

The SPEAKER. For what purpose does the gentleman rise?

Mr. FREED. To speak on the consent to their caucus.

The SPEAKER. Does the gentleman object?

Mr. FREED. Mr. Speaker, I have been trying to get recognition before the last two or three gentlemen who were on the microphone. I was trying to find out what third reading bills were agreed to before we granted them permission for this caucus.

The SPEAKER. The Chair would suggest that the gentleman confer with the Majority and Minority Leaders of this House, who I am sure will gladly give him that information.

Mr. FREED. I thank you, Mr. Speaker.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 102.

An Act to amend section one of an Act approved the twenty-sixth day of April one thousand nine hundred and twenty-one (P. L. 278) entitled "An act providing that in computing the indebtedness of cities of the first class the word 'indebtedness' shall include all manner of debt and the net amount thereof shall be ascertained as in the case of other municipal corporations by deducting from the gross amount thereof the Moneys in the treasury all outstanding solvent debts and all revenues applicable within one year to the payment of the same" by extending and describing the amounts deductible in determining the net debt of such cities and providing a method for computing self-sustaining public improvement and public utility debt and non-electoral debt

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

PETITIONS AND REMONSTRANCES

The SPEAKER laid before the House the following petitions and remonstrances which were read by the Clerk.

OLEOMARGARINE

Communications from citizens of Pennsylvania favoring passage of House Bill No. 694 reducing oleomargarine license fees.

Referred to the Committee on Dairy Industries.

SCHOOLS

Communication from Phi Delta Kappa, a professional educational organization of Pittsburgh, favoring legislation for the improvement of the public school system.

Communication from Charles L. Hunt, Philadelphia favoring passage of House Bill No. 1073, granting compensation for unemployed minors who enroll for further education.

Referred to the Committee on Education.

UNFAIR EMPLOYMENT PRACTICES

Numerous communications and telegrams from citizens and organization urging legislation prohibiting unfair employment practices, endorsing and requesting a public hearing on House Bill No. 354.

Referred to the Committee on Labor.

LITTLE STEEL FORMULA

Telegram from Coatesville Local 1165, CIO favoring passage of House Resolution No. 29, memorializing Congress to revise the Little Steel Formula.

Referred to the Committee on Labor.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 844, entitled:

An Act to amend section ten of the act approved the twenty-eighth day of May one thousand nine hundred fifteen (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" including the solicitor for delinquent real estate tax and water rate liens and the employes of his office under the provisions of said act

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 522, as follows:

An Act to further amend the title and sections one three eight eleven sixteen eighteen and nineteen of and to add section ten point one to the act approved the twenty-eighth day of May one thousand nine hundred fifteen (P. L. 587) entitled as amended "An act to protect the public health by regulating the manufacture preparation handling storage sale transportation and possession of meat and meat-food products prescribing the powers and duties of the Department of Agriculture incidental thereto" including poultry within the provisions of the act providing for the licensing of establishments making possession of unwholesome meat or meat-food products prima facie evidence of intention to sell and prescribing additional penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and section one of the act approved the twenty-eighth day of May one thousand nine hundred and fifteen (P. L. 587) entitled "An act to protect the public health by regulating the manufacture preparation handling storage sale transportation possession of meat and meat-food products prescribing the powers and duties of the Department of Agriculture incidental thereto" as last amended by the act approved the twenty-first day of June one thousand nine hundred thirty-nine P. L. 656) are hereby further amended to read as follows

An Act to protect the public health by regulating and licensing the manufacture preparation handling storage sale transportation and possession of meat [and] meat-food products and poultry and prescribing the powers and duties of the Department of Agriculture incidental thereto

Section 1 Be it enacted &c That the terms "meat" and "meat-food products" whenever used in this act shall include the carcasses or parts of carcasses of cattle sheep goats other ruminants swine horses mules and poultry and the meat of such animals and the meat-food products of such animals

The term "unfit for food" shall be construed to include the carcasses or parts of carcasses of horses mules and the meat of such animals and the meat-food products of such animals

Section 2 Sections three and eight of said act are hereby amended to read as follows

Section 3 The word "establishment" as used in this act shall include (1) any building or structure in which slaughtering butchering meat canning meat packing meat manufacturing or rendering is carried on and (2) the ground upon which such building or structure is erected and so much ground adjacent thereto as is used in carrying on the business of such establishment including drains gutters and cesspools used in connection with the establishment and (3) any place or any vehicle where meat or meat-food products are prepared manufactured stored sold offered for sale exposed for sale or transported by land or by water except vehicles used by any licensee for the distribution of meat or meat-food products

Section 8 It is unlawful to manufacture for food prepare for food sell offer for sale expose for sale or have in one's possession for the purpose of sale any unwholesome meat or unwholesome meat-food product The possession of any unwholesome meat or meat-food product for the purposes set forth above shall be prima facie evidence of an intention to sell such article of food

It is unlawful to slaughter boar hogs for sale for human consumption

Section 3 Said act is hereby amended by adding between sections ten and eleven thereof a new section to read as follows

Section 10.1 (a) It shall be the duty of every person except retail dealers restaurants or eating places operating an establishment as defined in section three of this act in this Commonwealth to apply to the Department for a license to do so before the first day of January one thousand nine hundred forty-six and annually thereafter before the first day of January of each succeeding year and pay to the department at the time of said application for registration and license is filed an annual fee of ten dollars ($10.00) for each establishment operated

(b) The application for a license shall be made on a form to be supplied by the department and shall show the location of each establishment and the name and address of the owner and the name and address of the lessor and lessee The application shall have attached thereto the affidavit of the person applying for the license that the facts set forth therein are true and correct

(c) Upon approval of application for license and payment of license fee and upon approval of sanitary conditions in the establishment and every place used in connection therewith the department shall issue to each applicant a license which shall expire at the end of each calendar year and which shall authorize the operation of said establishment for the calendar year or portion thereof for which a license is issued

(d) Such license shall be posted in a conspicuous place in or at the place of business of such licensee and exposed for inspection by any person or persons who may be properly authorized to make such examinations

(e) From and after the first day of January one thousand nine hundred forty-six it shall be unlawful for any person to operate an establishment unless said establishment is duly licensed in accordance with the provisions of this act

(f) A person who owns or operates a farm and who derives his support mainly from its cultivation shall not be required to apply for or to secure a license as provided under this section

Where an individual gives false or misleading statements to the effect that he derives his support mainly from the cultivation of a farm owned or operated by him the exemption provided for by subsection (f) of this section shall not apply and the license provided for by this section shall be required

Section 4 Sections eleven sixteen and eighteen of said act as amended by the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 656) is hereby further amended to read as follows

Section 11 The department in enforcing the provisions of this act may appoint employes of the United States Department of Agriculture engaged in the examination of animals meats or meatfood products and poultry as ap-

proved agents of the Commonwealth under the provisions of this section The department may also appoint duly qualified veterinarians licensed by this Commonwealth other than regular employes to act as approved agents of the Commonwealth in the examination of animals meats or meat-food products and poultry in any approved abattoir or community sale under the provisions of this section Such agents shall receive no compensation [as such agents] from the Commonwealth

In addition to the agents provided for above in this section the department may in enforcing this act assign any employe of the department to perform duties as agent under this act

Each employe assigned to serve as agent under this act shall have knowledge of the diseases of meat-producing animals and shall be versed in the conditions that affect the wholesomeness of animal food products An appropriate standard of fitness for such agents shall be maintained by the department

The appointment qualifications powers and duties of each such agent shall be governed by the provisions of this act and by such rules and regulations for the enforcement of this act as may be adopted and promulgated by the department Each such agent may be dismissed at any time by the department

Section 16 If upon examination it is found that any establishment or any part of an establishment or any equipment is in an unclean or insanitary condition or is being conducted or used in such a manner as to make it probable that the meat or meat-food products therein or produced therein may be rendered unwholesome or is being conducted or used in violation of this act the agent making such examination shall report the unlawful condition to the department and shall at the same time notify in writing the owner lessee or manager of the establishment

Upon receipt of such report the department by its executive officer or otherwise as it may direct shall notify the proper owner lessee or manager of the result of the examination and direct that the unlawful condition be remedied within the time specified in the notice Provided That the time so specified shall be not less than twenty-four hours unless the unlawful condition mentioned in said notice is of such character and nature as in the opinion of the department its executive officer or its agent can be removed immediately

If upon the expiration of the time specified in the notice the condition so reported to exist shall not have been remedied the department [by its executive officer] may order the license suspended or revoked and the establishment closed It is unlawful to operate an establishment or any part thereof which has been closed [by order of the executive officer of the department until the unlawful condition reported to exist has been remedied to the satisfaction of said officer of the department] and the license suspended or revoked by the department until the unlawful condition reported to exist has been remedied to the satisfaction of the department

The closing of an establishment or any part thereof or the suspension or revocation of the license shall not preclude prosecution for violation of this act

Section 18 It is unlawful to give or offer to give directly or indirectly to an agent or employe of the department or to [a special meat hygiene] an approved agent anything of value monetary or otherwise with intent to influence such agent or employe in the discharge of his duties under the provisions of this act

Section 5 Section nineteen of said act as amended by the act approved the tenth day of June one thousand nine hundred thirty-one (P. L. 496) is hereby further amended to read as follows

Section 19 It shall be unlawful and a violation of this act for any person without specific authority in writing from the Pennsylvania Department of Agriculture

(a) To make or duplicate or reproduce or use or possess any stamp mark tag certificate or emblem in imitation of an official State stamp mark tag certificate or emblem that is used or that is authorized to be used by the Pennsylvania Department of Agriculture for stamping marking or otherwise identifying meats [and] meat-food products and poultry as having been inspected and passed or otherwise approved as being wholesome and fit for food

(b) To affix or attach any stamp brand emblem tag or other marking to any meat [or] meat-food product or poultry or to any container or wrapping or covering of any meat [or] meat-food product or poultry indicating or suggesting that the meat [or] meat-food product or poultry was slaughtered manufactured or prepared under inspection unless the stamp brand emblem tag or other marking shall have been previously approved and the use thereof authorized by the United States Department of Agriculture or the Pennsylvania Department of Agriculture or an incorporated or chartered or established municipality of the Commonwealth of Pennsylvania

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—189

Andrews,	Freed,	Longo,	Reilly,
Baker,	Frost,	Lovett,	Reynolds,
Barrett,	Fullerton,	Madden,	Riley,
Barton,	Gaffney,	Madigan,	Robertson,
Baumunk,	Gallagher,	Mahany,	Root,
Bentzel,	Gardner,	McAtee,	Rose,
Boies,	Getchey,	McClester,	Royer,
Bonawitz,	Gibson,	McCormack,	Rudisill,
Boney,	Goodling,	McDowell,	Salus,
Boorse,	Gore,	McKinney,	Scanlon,
Boory,	Grant,	McLanahan,	Schuster,
Bower,	Green,	McMillen,	Serrill,
Brancato,	Greenwood,	McNair,	Shaffer,
Breisch,	Greer,	McNally,	Shoemaker,
Brice,	Guthrie,	Mihm,	Skale,
Brothers,	Gyger,	Mikula,	Sloan,
Brown,	Haberlen,	Miller,	Smith,
Brunner, C. H.,	Hall,	Milliken,	Snider,
Brunner, P. A.,	Hamilton,	Mills,	Snyder,
Burns,	Hare,	Modell,	Sollenberger,
Cadwalader,	Haudenshield,	Mooney,	Sorg,
Chervenak,	Heatherington,	Moore, C. E.,	Stonier,
Chudoff,	Helm,	Moore, W. J.,	Stuart,
Cohen,	Hennihan,	Moran,	Swope,
Coleman,	Herman,	Moser,	Tahl,
Cook,	Hersch,	Murray, M. L.,	Tate,
Cooper,	Hewitt,	Murray, P. G.,	Tittle,
Corrigan,	Hoffman,	Myhan,	Trout,
Costa,	Hoggard,	Nagel,	Turbett,
Coulson,	Howells,	Nelson,	Turner,
Coyle,	Huntley,	O'Brien,	Varallo,
Cullen,	Hunter,	O'Connor,	Verona,
Dague,	James,	O'Donnell,	Wachhaus,
Dalrymple,	Jones,	O'Neill,	Wagner,
Dennison,	Kennedy,	Owens,	Waterhouse,
Depuy,	Kirley,	Pentrack,	Watkins,
Dillon,	Kline,	Pettigrew,	Weiss,
Dix,	Komorofski,	Pickens,	Welsh,
Dougherty,	Krise,	Polaski,	Wescott,
Dye,	Kurtz,	Polen,	White,
Elder,	Lane,	Powers,	Wood, N.,
Elish,	Laughner,	Propert,	Worley,
Erb,	Lee,	Readinger,	Wright,
Ewing,	Leisey,	Reagan,	Yeakel,
Flack,	Leonard,	Reese, D. P.,	Yester,
Fleming,	Levy,	Reese, R. E.,	Fiss,
Foor,	Lichtenwalter,	Reidenbach,	Speaker.
Fox,	Loftus,		

NAYS—0

NOT VOTING—17

Bentley,	Kolankiewicz,	Munley,	Stockham,
Duffy,	Lopez,	Petrosky,	Trachtman,
Finnerty,	Lyons,	Regan,	Trent,
Hering,	Matthews,	Stank,	Wood, L. H.,
Hoopes,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection House Bill No. 581, Printer's No. 380, was passed over at the request of Mr. FLEMING.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection

House Bill No. 51, Printer's No. 166
House Bill No. 258, Printer's No. 232
Senate Bill No. 243, Printer's No. 113
House Bill No. 846, Printer's No. 265

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 284, entitled:

An Act to further amend sections four and five of the act approved the twentieth day of May one thousand nine hundred and fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" providing for optional increases in payments by employes and increasing the maximum monthly pension payments in such cases.

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED

Mr. TAHL. Mr. Speaker, I move that this bill be placed on the postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 86, as follows:

An Act making an appropriation to the several fire companies of the City of Harrisburg Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of five thousand dollars ($5,000) or as much thereof as may be necessary is hereby specifically appropriated for the several fire companies of the city of Harrisburg Pennsylvania as compensation for protection from and extinguishment of any fire or fires that may occur in or on the Capitol buildings or grounds for the two fiscal years beginning June first one thousand nine hundred and forty-five Said sum to be distributed among said companies in equal amounts

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—189

Andrews,	Freed,	Longo,	Reilly,
Baker,	Frost,	Lovett,	Reynolds,
Barrett,	Fullerton,	Madden,	Riley,
Barton,	Gaffney,	Madigan,	Robertson,
Baumunk,	Gallagher,	Mahany,	Root,
Bentzel,	Gardner,	McAtee,	Rose,
Boles,	Getchey,	McClester,	Royer,
Bonawitz,	Gibson,	McCormack,	Rudisill,
Boney,	Goodling,	McDowell,	Salus,
Boorse,	Gore,	McKinney,	Scanlon,
Boory,	Grant,	McLanahan,	Schuster,
Bower,	Green,	McMillen,	Serrill,
Brancato,	Greenwood,	McNair,	Shaffer,
Breisch,	Greer,	McNally,	Shoemaker,
Brice,	Guthrie,	Mihm,	Skale,
Brothers,	Gyger,	Mikula,	Sloan,
Brown,	Haberlen,	Miller,	Smith,
Brunner, C. H.,	Hall,	Milliken,	Snider,
Brunner, P. A.,	Hamilton,	Mills,	Snyder,
Burns,	Hare,	Modell,	Sollenberger,
Cadwalader,	Haudenshield,	Mooney,	Sorg,
Chervenak,	Heatherington,	Moore, C. E.,	Stonier,
Chudoff,	Helm,	Moore, W. J.,	Stuart,
Cohen,	Hennihan,	Moran,	Swope,
Coleman,	Herman,	Moser,	Tahl,
Cook	Hersch,	Murray, M. L.,	Tate,
Cooper,	Hewitt,	Murray, P. G.,	Tittle,
Corrigan,	Hoffman,	Myhan,	Trout,
Costa,	Hoggard,	Nagel,	Turbett,
Coulson,	Howells,	Nelson,	Turner,
Coyle,	Hunter,	O'Brien,	Varallo,
Cullen,	Huntley,	O'Connor,	Verona,
Dague,	James,	O'Donnell,	Wachhaus,
Dalrymple,	Jones,	O'Neill,	Wagner,
Dennison,	Kennedy,	Owens,	Waterhouse,
Depuy,	Kirley,	Pentrack,	Watkins,
Dillon,	Kline,	Pettigrew,	Weiss,
Dix,	Komorofski,	Pickens,	Welsh,
Dougherty,	Krise,	Polaski,	Wescott,
Dye,	Kurtz,	Polen,	White,
Elder,	Lane,	Powers,	Wood, N.,
Elish,	Laughner,	Propert,	Worley,
Erb,	Lee,	Readinger,	Wright,
Ewing,	Leisey,	Reagan,	Yeakel,
Flack	Leonard,	Reese, D. P.,	Yester,
Fleming,	Levy,	Reese, R. E.,	Fiss,
Foor,	Lichtenwalter,	Reidenbach,	Speaker.
Fox	Loftus,		

NAYS—0

NOT VOTING—17

Bentley,	Kolankiewicz,	Munley,	Stockham,
Duffy,	Lopez,	Petrosky,	Trachtman,
Finnerty,	Lyons,	Regan,	Trent,
Hering,	Matthews,	Stank,	Wood, L. H.,
Hoopes,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 87, as follows:

An Act making an appropriation to the Women's Medical College of Pennsylvania located at East Falls Philadelphia Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred thirty-two thousand dollars ($132,000) or as much thereof as may be necessary is hereby specifically appropriated to the Women's Medical College of Pennsylvania located at East Falls Philadelphia Pennsylvania for the support and promotion of medical education for the two fiscal years be-

ginning June first one thousand nine hundred forty-five payment to be made according to law

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—189

Andrews,	Freed,	Longo,	Reilly,
Baker,	Frost,	Lovett,	Reynolds,
Barrett,	Fullerton,	Madden,	Riley,
Barton,	Gaffney,	Madigan,	Robertson,
Baumunk,	Gallagher,	Mahany,	Root,
Bentzel,	Gardner,	McAtee,	Rose,
Boies,	Getchey,	McClester,	Royer,
Bonawitz,	Gibson,	McCormack,	Rudisill,
Boney,	Goodling,	McDowell,	Salus,
Boorse,	Gore,	McKinney,	Scanlon,
Boory,	Grant,	McLanahan,	Schuster,
Bower,	Green,	McMillen,	Serrill,
Brancato,	Greenwood,	McNair,	Shaffer,
Breisch,	Greer,	McNally,	Shoemaker,
Brice,	Guthrie,	Mihm,	Skale,
Brothers,	Gyger,	Mikula,	Sloan,
Brown,	Haberlen,	Miller,	Smith,
Brunner, C. H.,	Hall,	Milliken,	Snider,
Brunner, P. A.,	Hamilton,	Mills,	Snyder,
Burns,	Hare,	Modell,	Sollenberger,
Cadwalader,	Haudenshield,	Mooney,	Sorg,
Chervenak,	Heatherington,	Moore, C. E.,	Stonier,
Chudoff,	Helm,	Moore, W. J.,	Stuart,
Cohen,	Hennihan,	Moran,	Swope,
Coleman,	Herman,	Moser,	Tahl,
Cook,	Hersch,	Murray, M. L.,	Tate,
Cooper,	Hewitt,	Murray, P. G.,	Tittle,
Corrigan,	Hoffman,	Myhan,	Trout,
Costa,	Hoggard,	Nagel,	Turbett,
Coulson,	Howells,	Nelson,	Turner,
Coyle,	Hunter,	O'Brien,	Varallo,
Cullen,	Huntley,	O'Connor,	Verona,
Dague,	James,	O'Donnell,	Wachhaus,
Dalrymple,	Jones,	O'Neill,	Wagner,
Dennison,	Kennedy,	Owens,	Waterhouse,
Depuy,	Kirley,	Pentrack,	Watkins,
Dillon,	Kline,	Pettigrew,	Weiss,
Dix,	Komorofski,	Pickens,	Welsh,
Dougherty,	Krise,	Polaski,	Wescott,
Dye,	Kurtz,	Polen,	White,
Elder,	Lane,	Powers,	Wood, N.,
Elish,	Laughner,	Propert,	Worley,
Erb,	Lee,	Readinger,	Wright,
Ewing,	Leisey,	Reagan,	Yeakel,
Flack	Leonard,	Reese, D. P.,	Yester,
Fleming,	Levy,	Reese, R. E.,	Fiss,
Foor,	Lichtenwalter,	Reidenbach,	Speaker.
Fox	Loftus,		

NAYS—0

NOT VOTING—17

Bentley,	Kolankiewicz,	Munley,	Stockham,
Duffy,	Lopez,	Petrosky,	Trachtman,
Finnerty,	Lyons,	Regan,	Trent,
Hering,	Matthews,	Stank,	Wood, L. H.,
Hoopes,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 88, as follows:

An Act making an appropriation to the Cresson Volunteer Fire Company for the protection of State Property

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one thousand dollars ($1,000) is hereby specifically appropriated to the Cresson Volunteer Fire company for the two fiscal years beginning June first one thousand nine hundred and forty-five for the protection of State property at the Cresson Sanitorium

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—189

Andrews,	Freed,	Longo,	Reilly,
Baker,	Frost,	Lovett,	Reynolds,
Barrett,	Fullerton,	Madden,	Riley,
Barton,	Gaffney,	Madigan,	Robertson,
Baumunk,	Gallagher,	Mahany,	Root,
Bentzel,	Gardner,	McAtee,	Rose,
Boies,	Getchey,	McClester,	Royer,
Bonawitz,	Gibson,	McCormack,	Rudisill,
Boney,	Goodling,	McDowell,	Salus,
Boorse,	Gore,	McKinney,	Scanlon,
Boory,	Grant,	McLanahan,	Schuster,
Bower,	Green,	McMillen,	Serrill,
Brancato,	Greenwood,	McNair,	Shaffer,
Breisch,	Greer,	McNally,	Shoemaker,
Brice,	Guthrie,	Mihm,	Skale,
Brothers,	Gyger,	Mikula,	Sloan,
Brown,	Haberlen,	Miller,	Smith,
Brunner, C. H.,	Hall,	Milliken,	Snider,
Brunner, P. A.,	Hamilton,	Mills,	Snyder,
Burns,	Hare,	Modell,	Sollenberger,
Cadwalader,	Haudenshield,	Mooney,	Sorg,
Chervenak,	Heatherington,	Moore, C. E.,	Stonier,
Chudoff,	Helm,	Moore, W. J.,	Stuart,
Cohen,	Hennihan,	Moran,	Swope,
Coleman,	Herman,	Moser,	Tahl,
Cook,	Hersch,	Murray, M. L.,	Tate,
Cooper,	Hewitt,	Murray, P. G.,	Tittle,
Corrigan,	Hoffman,	Myhan,	Trout,
Costa,	Hoggard,	Nagel,	Turbett,
Coulson,	Howells,	Nelson,	Turner,
Coyle,	Hunter,	O'Brien,	Varallo,
Cullen,	Huntley,	O'Connor,	Verona,
Dague,	James,	O'Donnell,	Wachhaus,
Dalrymple,	Jones,	O'Neill,	Wagner,
Dennison,	Kennedy,	Owens,	Waterhouse,
Depuy,	Kirley,	Pentrack,	Watkins,
Dillon,	Kline,	Pettigrew,	Weiss,
Dix,	Komorofski,	Pickens,	Welsh,
Dougherty,	Krise,	Polaski,	Wescott,
Dye,	Kurtz,	Polen,	White,
Elder,	Lane,	Powers,	Wood, N.,
Elish,	Laughner,	Propert,	Worley,
Erb,	Lee,	Readinger,	Wright,
Ewing,	Leisey,	Reagan,	Yeakel,
Flack,	Leonard,	Reese, D. P.,	Yester,
Fleming,	Levy,	Reese, R. E.,	Fiss,
Foor,	Lichtenwalter,	Reidenbach,	Speaker.
Fox,	Loftus,		

NAYS—0

NOT VOTING—17

Bentley,	Kolankiewicz,	Munley,	Stockham,
Duffy,	Lopez,	Petrosky,	Trachtman,
Finnerty,	Lyons,	Regan,	Trent,
Hering,	Matthews,	Stank,	Wood, L. H.,
Hoopes,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 90, as follows:

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 An appropriation is hereby made to the Elwyn Training School of Elwyn in the County of Delaware Commonwealth of Pennsylvania for the maintenance of six hundred (600) wards of the State at four hundred and thirty ($430) per capita per annum and the sum of five hundred and sixteen thousand dollars ($516,000) or as much thereof as may be necessary is hereby specifically appropriated to the said institutions for the purpose stated to cover the two fiscal years beginning June first one thousand nine hundred and forty-five

Section 2 The appropriation made by section one of this act is made on the condition that every mental defective admitted to the Elwyn Training School after the effective date of this act as a ward of the Commonwealth

1 Shall be selected by the Department of Welfare from a list submitted from time to time to the department by the board of directors of the school

2 Shall have been previously investigated by the Department of Revenue for the purpose of determining the extent if any such mental defectives or those legally liable for his or her support may be financially able to pay the cost of the maintenance of such person in the school

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—189

Andrews,	Freed,	Longo,	Reilly,
Baker,	Frost,	Lovett,	Reynolds,
Barrett,	Fullerton,	Madden,	Riley,
Barton,	Gaffney,	Madigan,	Robertson,
Baumunk,	Gallagher,	Mahany,	Root,
Bentzel,	Gardner,	McAtee,	Rose,
Boies,	Getchey,	McClester,	Royer,
Bonawitz,	Gibson,	McCormack,	Rudisill,
Boney,	Goodling,	McDowell,	Salus,
Boorse,	Gore,	McKinney,	Scanlon,
Boory,	Grant,	McLanahan,	Schuster,
Bower,	Green,	McMillen,	Serrill,
Brancato,	Greenwood,	McNair,	Shaffer,
Breisch,	Greer,	McNally,	Shoemaker,
Brice,	Guthrie,	Mihm,	Skale,
Brothers,	Gyger,	Mikula,	Sloan,
Brown,	Haberlen,	Miller,	Smith,
Brunner, C. H.,	Hall,	Milliken,	Snider,
Brunner, P. A.,	Hamilton,	Mills,	Snyder,
Burns,	Hare,	Modell,	Sollenberger,
Cadwalader,	Haudenshield,	Mooney,	Sorg,
Chervenak,	Heatherington,	Moore, C. E.,	Stonier,
Chudoff,	Helm,	Moore, W. J.,	Stuart,
Cohen,	Hennihan,	Moran,	Swope,
Coleman,	Herman,	Moser,	Tahl,
Cook,	Hersch,	Murray, M. L.,	Tate,
Cooper,	Hewitt,	Murray, P. G.,	Tittle,
Corrigan,	Hoffman,	Myhan,	Trout,
Costa,	Hoggard,	Nagel,	Turbett,
Coulson,	Howells,	Nelson,	Turner,
Coyle,	Hunter,	O'Brien,	Varallo,
Cullen,	Huntley,	O'Connor,	Verona,
Dague,	James,	O'Donnell,	Wachhaus,
Dalrymple,	Jones,	O'Neill,	Wagner,
Dennison,	Kennedy,	Owens,	Waterhouse,
Depuy,	Kirley,	Pentrack,	Watkins,
Dillon,	Kline,	Pettigrew,	Weiss,
Dix,	Komorofski,	Pickens,	Welsh,
Dougherty,	Krise,	Polaski,	Wescott,
Dye,	Kurtz,	Polen,	White,
Elder,	Lane,	Powers,	Wood, N.,
Elish,	Laughner,	Propert,	Worley,
Erb,	Lee,	Readinger,	Wright,
Ewing,	Leisey,	Reagan,	Yeakel,
Flack,	Leonard,	Reese, D. P.,	Yester,
Fleming,	Levy,	Reese, R. E.,	Fiss,
Foor,	Lichtenwalter,	Reidenbach,	Speaker.
Fox,	Loftus,		

NAYS—0

NOT VOTING—17

Bentley,	Kolankiewicz,	Munley,	Stockham,
Duffy,	Lopez,	Petrosky,	Trachtman,
Finnerty,	Lyons,	Regan,	Trent,
Hering,	Matthews,	Stank,	Wood, L. H.,
Hoopes,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 91, as follows:

An Act making an appropriation to the National Farm School at Doylestown Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of thirty-eight thousand five hundred dollars ($38,500) or so much thereof as may be necessary is hereby specifically appropriated to the National Farm School at Doylestown Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and forty-five for the purpose of maintenance to be paid according to law

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—189

Andrews,	Freed,	Longo,	Reilly,
Baker,	Frost,	Lovett,	Reynolds,
Barrett,	Fullerton,	Madden,	Riley,
Barton,	Gaffney,	Madigan,	Robertson,
Baumunk,	Gallagher,	Mahany,	Root,
Bentzel,	Gardner,	McAtee,	Rose,
Boies,	Getchey,	McClester,	Royer,
Bonawitz,	Gibson,	McCormack,	Rudisill,
Boney,	Goodling,	McDowell,	Salus,
Boorse,	Gore,	McKinney,	Scanlon,
Boory,	Grant,	McLanahan,	Schuster,
Bower,	Green,	McMillen,	Serrill,
Brancato,	Greenwood,	McNair,	Shaffer,
Breisch,	Greer,	McNally,	Shoemaker,
Brice,	Guthrie,	Mihm,	Skale,
Brothers,	Gyger,	Mikula,	Sloan,
Brown,	Haberlen,	Miller,	Smith,
Brunner, C. H.,	Hall,	Milliken,	Snider,
Brunner, P. A.,	Hamilton,	Mills,	Snyder,
Burns,	Hare,	Modell,	Sollenberger,
Cadwalader,	Haudenshield,	Mooney,	Sorg,
Chervenak,	Heatherington,	Moore, C. E.,	Stonier,
Chudoff,	Helm,	Moore, W. J.,	Stuart,
Cohen,	Hennihan,	Moran,	Swope,
Coleman,	Herman,	Moser,	Tahl,
Cook,	Hersch,	Murray, M. L.,	Tate,
Cooper,	Hewitt,	Murray, P. G.,	Tittle,

Corrigan,	Hoffman,	Myhan,	Trout,
Costa,	Hoggard,	Nagel,	Turbett,
Coulson,	Howells,	Nelson,	Turner,
Coyle,	Hunter,	O'Brien,	Varallo,
Cullen,	Huntley,	O'Connor,	Verona,
Dague,	James,	O'Donnell,	Wachhaus,
Dalrymple,	Jones,	O'Neill,	Wagner,
Dennison,	Kennedy,	Owens,	Waterhouse,
Depuy,	Kirley,	Pentrack,	Watkins,
Dillon,	Kline,	Pettigrew,	Weiss,
Dix,	Komorofski,	Pickens,	Welsh,
Dougherty,	Krise,	Polaski,	Wescott,
Dye,	Kurtz,	Polen,	White,
Elder,	Lane,	Powers,	Wood, N.,
Elish,	Laughner,	Propert,	Worley,
Erb,	Lee,	Readinger,	Wright,
Ewing,	Leisey,	Reagan,	Yeakel,
Flack,	Leonard,	Reese, D. P.,	Yester,
Fleming,	Levy,	Reese, R. E.,	Fiss,
Foor,	Lichtenwalter,	Reidenbach,	Speaker.
Fox	Loftus,		

NAYS—0

NOT VOTING—17

Bentley,	Kolankiewicz,	Munley,	Stockham,
Duffy,	Lopez,	Petrosky,	Trachtman,
Finnerty,	Lyons,	Regan,	Trent,
Hering,	Matthews,	Stank,	Wood, L. H.,
Hoopes,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

The SPEAKER. The Chair requests the gentleman from Elk, Mr. Sorg, to preside.

MR. SORG IN THE CHAIR

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 112, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Indiana State Teachers' College to acquire a certain tract of land for the use of said school and making an appropriation therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Indiana State Teachers' College is hereby authorized to purchase in the name of the Commonwealth of Pennsylvania a certain tract of land about sixty (60) feet by one hundred fifty (150) feet together with all buildings thereon erected situate in the Borough of Indiana Indiana County Pennsylvania at the southeast corner of the athletic field of the Indiana State Teachers' College

Section 2 Said tract or tracts of land when purchased shall be added to the lands of the Indiana State Teachers' College The deeds of conveyance shall be deposited with the Secretary of Internal Affairs The said land shall not be acquired until the title thereto has been approved by the Department of Justice

Section 3 The sum of four thousand dollars ($4,000) or as much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the payment of the purchase price of said tract of land and the expenses incidental thereto including title searches

Section 4 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—189

Andrews,	Freed,	Longo,	Reilly,
Baker,	Frost,	Lovett,	Reynolds,
Barrett,	Fullerton,	Madden,	Riley,
Barton,	Gaffney,	Madigan,	Robertson,
Baumunk,	Gallagher,	Mahany,	Root,
Bentzel,	Gardner,	McAtee,	Rose,
Boles,	Getchey,	McClester,	Royer,
Bonawitz,	Gibson,	McCormack,	Rudisill,
Boney,	Goodling,	McDowell,	Salus,
Boorse,	Gore,	McKinney,	Scanlon,
Boory,	Grant,	McLanahan,	Schuster,
Bower,	Green,	McMillen,	Serrill,
Brancato,	Greenwood,	McNair,	Shaffer,
Breisch,	Greer,	McNally,	Shoemaker,
Brice,	Guthrie,	Mihm,	Skale,
Brothers,	Gyger,	Mikula,	Sloan,
Brown,	Haberlen,	Miller,	Smith,
Brunner, C. H.,	Hall,	Milliken,	Snider,
Brunner, P. A.,	Hamilton,	Mills,	Snyder,
Burns,	Hare,	Modell,	Sollenberger,
Cadwalader,	Haudenshield,	Mooney,	Sorg,
Chervenak,	Heatherington,	Moore, C. E.,	Stonier,
Chudoff,	Helm,	Moore, W. J.,	Stuart,
Cohen,	Hennihan,	Moran,	Swope,
Coleman,	Herman,	Moser,	Tahl,
Cook	Hersch,	Murray, M. L.,	Tate,
Cooper,	Hewitt,	Murray, P. G.,	Tittle,
Corrigan,	Hoffman,	Myhun,	Trout,
Costa,	Hoggard,	Nagel,	Turbett,
Coulson,	Howells,	Nelson,	Turner,
Coyle,	Hunter,	O'Brien,	Varallo,
Cullen,	Huntley,	O'Connor,	Verona,
Dague,	James,	O'Donnell,	Wachhaus,
Dalrymple,	Jones,	O'Neill,	Wagner,
Dennison,	Kennedy,	Owens,	Waterhouse,
Depuy,	Kirley,	Pentrack,	Watkins,
Dillon,	Kline,	Pettigrew,	Weiss,
Dix,	Komorofski,	Pickens,	Welsh,
Dougherty,	Krise,	Polaski,	Wescott,
Dye,	Kurtz,	Polen,	White,
Elder,	Lane,	Powers,	Wood, N.,
Elish,	Laughner,	Propert,	Worley,
Erb,	Lee,	Readinger,	Wright,
Ewing,	Leisey,	Reagan,	Yeakel,
Flack,	Leonard,	Reese, D. P.,	Yester,
Fleming,	Levy,	Reese, R. E.,	Fiss,
Foor,	Lichtenwalter,	Reidenbach,	Speaker.
Fox,	Loftus,		

NAYS—0

NOT VOTING—17

Bentley,	Kolankiewicz,	Munley,	Stockham,
Duffy,	Lopez,	Petrosky,	Trachtman,
Finnerty,	Lyons,	Regan,	Trent,
Hering,	Matthews,	Stank,	Wood, L. H.,
Hoopes,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 141, as follows:

An Act making an appropriation to Sleighton Farm School for Girls situate in Delaware County Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of three hundred thousand dollars ($300,000) or as much thereof as may be necessary be

and the same is hereby specifically appropriated to Sleighton Farm School for Girls situate in Delaware County Pennsylvania for the two fiscal years beginning the first day of June one thousand nine hundred forty-five for the purpose of maintenance

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—189

Andrews,	Freed,	Longo,	Reilly,
Baker,	Frost,	Lovett,	Reynolds,
Barrett,	Fullerton,	Madden,	Riley,
Barton,	Gaffney,	Madigan,	Robertson,
Baumunk,	Gallagher,	Mahany,	Root,
Bentzel,	Gardner,	McAtee,	Rose,
Boies,	Getchey,	McClester,	Royer,
Bonawitz,	Gibson,	McDowell,	Rudisill,
Boney,	Goodling,	McCormack,	Salus,
Boorse,	Gore,	McKinney,	Scanlon,
Boory,	Grant,	McLanahan,	Schuster,
Bower,	Green,	McMillen,	Serrill,
Brancato,	Greenwood,	McNair,	Shaffer,
Breisch,	Greer,	McNally,	Shoemaker,
Brice,	Guthrie,	Mihm,	Skale,
Brothers,	Gyger,	Mikula,	Sloan,
Brown,	Haberlen,	Miller,	Smith,
Brunner, C. H.,	Hall,	Milliken,	Snider,
Brunner, P. A.,	Hamilton,	Mills,	Snyder,
Burns,	Hare,	Modell,	Sollenberger,
Cadwalader,	Haudenshield,	Mooney,	Sorg,
Chervenak,	Heatherington,	Moore, C. E.,	Stonier,
Chudoff,	Helm,	Moore, W. J.,	Stuart,
Cohen,	Hennihan,	Moran,	Swope,
Coleman,	Herman,	Moser,	Tahl,
Cook,	Hersch,	Murray, M. L.,	Tate,
Cooper,	Hewitt,	Murray, P. G.,	Tittle,
Corrigan,	Hoffman,	Myhan,	Trout,
Costa,	Hoggard,	Nagel,	Turbett,
Coulson,	Howells,	Nelson,	Turner,
Coyle,	Hunter,	O'Brien,	Varallo,
Cullen,	Huntley,	O'Connor,	Verona,
Dague,	James,	O'Donnell,	Wachhaus,
Dalrymple,	Jones,	O'Neill,	Wagner,
Dennison,	Kennedy,	Owens,	Waterhouse,
Depuy,	Kirley,	Pentrack,	Watkins,
Dillon,	Kline,	Pettigrew,	Weiss,
Dix,	Komorofski,	Pickens,	Welsh,
Dougherty,	Krise,	Polaski,	Wescott,
Dye,	Kurtz,	Polen,	White,
Elder,	Lane,	Powers,	Wood, N.,
Elish,	Laughner,	Propert,	Worley,
Erb,	Lee,	Readinger,	Wright,
Ewing,	Leisey,	Reagan,	Yeakel,
Flack,	Leonard,	Reese, D. P.,	Yester,
Fleming,	Levy,	Reese, R. E.,	Fiss,
Foor,	Lichtenwalter,	Reidenbach,	Speaker.
Fox,	Loftus,		

NAYS—0

NOT VOTING—17

Bentley,	Kolankiewicz,	Munley,	Stockham,
Duffy,	Lopez,	Petrosky,	Trachtman,
Finnerty,	Lyons,	Regan,	Trent,
Hering,	Matthews,	Stank,	Wood, L. H.,
Hoopes,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 145, as follows:

An Act making an appropriation to The Glen Mills Schools situate in Delaware County Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That the sum of three hundred and ten thousand dollars ($310,000) or as much thereof as may be necessary be and the same is hereby specifically appropriated to The Glen Mills Schools situate in Delaware County Pennsylvania for the two fiscal years beginning the first day of June one thousand nine hundred forty-five for the purpose of maintenance

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—189

Andrews,	Freed,	Longo,	Reilly,
Baker,	Frost,	Lovett,	Reynolds,
Barrett,	Fullerton,	Madden,	Riley,
Barton,	Gaffney,	Madigan,	Robertson,
Baumunk,	Gallagher,	Mahany,	Root,
Bentzel,	Gardner,	McAtee,	Rose,
Boies,	Getchey,	McClester,	Royer,
Bonawitz,	Gibson,	McCormack,	Rudisill,
Boney,	Goodling,	McDowell,	Salus,
Boorse,	Gore,	McKinney,	Scanlon,
Boory,	Grant,	McLanahan,	Schuster,
Bower,	Green,	McMillen,	Serrill,
Brancato,	Greenwood,	McNair,	Shaffer,
Breisch,	Greer,	McNally,	Shoemaker,
Brice,	Guthrie,	Mihm,	Skale,
Brothers,	Gyger,	Mikula,	Sloan,
Brown,	Haberlen,	Miller,	Smith,
Brunner, C. H.,	Hall,	Milliken,	Snider,
Brunner, P. A.,	Hamilton,	Mills,	Snyder,
Burns,	Hare,	Modell,	Sollenberger,
Cadwalader,	Haudenshield,	Mooney,	Sorg,
Chervenak,	Heatherington,	Moore, C. E.,	Stonier,
Chudoff,	Helm,	Moore, W. J.,	Stuart,
Cohen,	Hennihan,	Moran,	Swope,
Coleman,	Herman,	Moser,	Tahl,
Cook,	Hersch,	Murray, M. L.,	Tate,
Cooper,	Hewitt,	Murray, P. G.,	Tittle,
Corrigan,	Hoffman,	Myhan,	Trout,
Costa,	Hoggard,	Nagel,	Turbett,
Coulson,	Howells,	Nelson,	Turner,
Coyle,	Hunter,	O'Brien,	Varallo,
Cullen,	Huntley,	O'Connor,	Verona,
Dague,	James,	O'Donnell,	Wachhaus,
Dalrymple,	Jones,	O'Neill,	Wagner,
Dennison,	Kennedy,	Owens,	Waterhouse,
Depuy,	Kirley,	Pettigrew,	Watkins,
Dillon,	Kline,	Pentrack,	Weiss,
Dix,	Komorofski,	Pickens,	Welsh,
Dougherty,	Krise,	Polaski,	Wescott,
Dye,	Kurtz,	Polen,	White,
Elder,	Lane,	Powers,	Wood, N.,
Elish,	Laughner,	Propert,	Worley,
Erb,	Lee,	Readinger,	Wright,
Ewing,	Leisey,	Reagan,	Yeakel,
Flack,	Leonard,	Reese, D. P.,	Yester,
Fleming,	Levy,	Reese, R. E.,	Fiss,
Foor,	Lichtenwalter,	Reidenbach,	Speaker.
Fox,	Loftus,		

NAYS—0

NOT VOTING—17

Bentley,	Kolankiewicz,	Munley,	Stockham,
Duffy,	Lopez,	Petrosky,	Trachtman,
Finnerty,	Lyons,	Regan,	Trent,
Hering,	Matthews,	Stank,	Wood, L. H.,
Hoopes,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 151, as follows:

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of six hundred dollars ($600) or as much thereof as may be necessary is hereby specifically appropriated for the two fiscal years beginning June first one thousand nine hundred forty-five to be paid to the treasurer of Elk Township Warren County Pennsylvania for the purpose of improving and maintaining in good repair the public roads and highways passing through the Cornplanter Indian Reservation in said township and for the purpose of improving and replacing bridges and their abutments on such roads and highways Said money shall be paid on warrant drawn on the State Treasurer by the Auditor General and shall be disbursed under the direction of the supervisors of Elk Township

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—189

Andrews,	Freed,	Loftus,	Reidenbach,
Baker,	Frost,	Longo,	Reilly,
Barrett,	Fullerton,	Lovett,	Reynolds,
Barton,	Gaffney,	Madden,	Riley,
Baumunk,	Gallagher,	Madigan,	Robertson,
Bentzel,	Gardner,	Mahany,	Root,
Boies,	Getchey,	McAtee,	Rose,
Bonawitz,	Gibson,	McClester,	Royer,
Boney,	Goodling,	McCormack,	Rudisill,
Boorse,	Gore,	McDowell,	Salus,
Boory,	Grant,	McKinney,	Scanlon,
Bower,	Green,	McLanahan,	Schuster,
Brancato,	Greenwood,	McMillen,	Serrill,
Breisch,	Greer,	McNair,	Shaffer,
Brice,	Guthrie,	McNally,	Shoemaker,
Brothers,	Gyger,	Mihm,	Skale,
Brown,	Haberlen,	Mikula,	Sloan,
Brunner, C. H.,	Hall,	Miller,	Smith,
Brunner, P. A.,	Hamilton,	Milliken,	Snider,
Burns,	Hare,	Mills,	Snyder,
Cadwalader,	Haudenshield,	Modell,	Sollenberger,
Chervenak,	Heatherington,	Mooney,	Sorg,
Chudoff,	Helm,	Moore, C. E.,	Stonier,
Cohen,	Hennihan,	Moore, W. J.,	Stuart,
Coleman,	Herman,	Moran,	Swope,
Cook,	Hersch,	Moser,	Tahl,
Cooper,	Hewitt,	Murray, M. L.,	Tate,
Corrigan,	Hoffman,	Murray, P. G.,	Tittle,
Costa,	Hoggard,	Myhan,	Trout,
Coulson,	Howells,	Nagel,	Turbett,
Coyle,	Hunter,	Nelson,	Turner,
Cullen,	Huntley,	O'Brien,	Varallo,
Dague,	James,	O'Connor,	Verona,
Dalrymple,	Jones,	O'Donnell,	Wachhaus,
Dennison,	Kennedy,	O'Neill,	Wagner,
Depuy,	Kirley,	Owens,	Waterhouse,
Dillon,	Kline,	Pentrack,	Watkins,
Dix,	Komorofski,	Pettigrew,	Weiss,
Dougherty,	Krise,	Pickens,	Welsh,
Dye,	Kurtz,	Polaski,	Wescott,
Elder,	Lane,	Polen,	White,
Elish,	Laughner,	Powers,	Wood, N.,
Erb,	Lee,	Propert,	Worley,
Ewing,	Leisey,	Readinger,	Wright,
Flack,	Leonard,	Reagan,	Yeakel,
Fleming,	Levy,	Reese, D. P.,	Yester,
Foor,	Lichtenwalter,	Reese, R. E.,	Fiss, Speaker.
Fox,			

NAYS—0

NOT VOTING—17

Bentley,	Kolankiewicz,	Munley,	Stockham,
Duffy,	Lopez,	Petrosky,	Trachtman,
Finnerty,	Lyons,	Regan,	Trent,
Hering,	Matthews,	Stank,	Wood, L. H.,
Hoopes,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 153, as follows:

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of seventy-two thousand six hundred dollars ($72,600) or as much thereof as may be necessary is hereby specifically appropriated to the Downingtown Industrial and Agricultural School at Downingtown Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and forty-five for the purpose of maintenance to be paid according to law

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—189

Andrews,	Freed,	Loftus,	Reidenbach,
Baker,	Frost,	Longo,	Reilly,
Barrett,	Fullerton,	Lovett,	Reynolds,
Barton,	Gaffney,	Madden,	Riley,
Baumunk,	Gallagher,	Madigan,	Robertson,
Bentzel,	Gardner,	Mahany,	Root,
Boies,	Getchey,	McAtee,	Rose,
Bonawitz,	Gibson,	McClester,	Royer,
Boney,	Goodling,	McCormack,	Rudisill,
Boorse,	Gore,	McDowell,	Salus,
Boory,	Grant,	McKinney,	Scanlon,
Bower,	Green,	McLanahan,	Schuster,
Brancato,	Greenwood,	McMillen,	Serrill,
Breisch,	Greer,	McNair,	Shaffer,
Brice,	Guthrie,	McNally,	Shoemaker,
Brothers,	Gyger,	Mihm,	Skale,
Brown,	Haberlen,	Mikula,	Sloan,
Brunner, C. H.,	Hall,	Miller,	Smith,
Brunner, P. A.,	Hamilton,	Milliken,	Snider,
Burns,	Hare,	Mills,	Snyder,
Cadwalader,	Haudenshield,	Modell,	Sollenberger,
Chervenak,	Heatherington,	Mooney,	Sorg,
Chudoff,	Helm,	Moore, C. E.,	Stonier,
Cohen,	Hennihan,	Moore, W. J.,	Stuart,
Coleman,	Herman,	Moran,	Swope,
Cook,	Hersch,	Moser,	Tahl,
Cooper,	Hewitt,	Murray, M. L.,	Tate,
Corrigan,	Hoffman,	Murray, P. G.,	Tittle,
Costa,	Hoggard,	Myhan,	Trout,
Coulson,	Howells,	Nagel,	Turbett,
Coyle,	Hunter,	Nelson,	Turner,
Cullen,	Huntley,	O'Brien,	Varallo,
Dague,	James,	O'Connor,	Verona,
Dalrymple,	Jones,	O'Donnell,	Wachhaus,

Dennison,	Kennedy,	O'Neill,	Wagner,
Depuy,	Kirley,	Owens,	Waterhouse,
Dillon,	Kline,	Pentrack,	Watkins,
Dix,	Komorofski,	Pettigrew,	Weiss,
Dougherty,	Krise,	Pickens,	Welsh,
Dye,	Kurtz,	Polaski,	Wescott,
Elder,	Lane,	Polen,	White,
Elish,	Laughner,	Powers,	Wood, N.,
Erb,	Lee,	Reagan,	Worley,
Ewing,	Leisey,	Reese, D. P.,	Wright,
Flack,	Leonard,	Reese, R. E.,	Yeakel,
Fleming,	Levy,	Propert,	Yester,
Foor,	Lichtenwalter,	Readinger,	Fiss,
Fox,			Speaker.

NAYS—0

NOT VOTING—17

Bentley,	Kolankiewicz,	Munley,	Stockham,
Duffy,	Lopez,	Petrosky,	Trachtman,
Finnerty,	Lyons,	Regan,	Trent,
Hering,	Matthews,	Stank,	Wood, L. H.,
Hoopes,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 158, as follows:

An Act making an appropriation to the Trustees of the College of Lincoln University Chester County

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred ten thousand dollars ($110,000) or as much thereof as may be necessary is hereby specifically appropriated to the Trustees of the College of Lincoln University Chester County for the two fiscal years beginning June first one thousand nine hundred and forty-five for the general maintenance of the university and the purchase of such apparatus and equipment as the trustees may deem for the best interests of the university

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—189

Andrews,	Freed,	Longo,	Reilly,
Baker,	Frost,	Lovett,	Reynolds,
Barrett,	Fullerton,	Madden,	Riley,
Barton,	Gaffney,	Madigan,	Robertson,
Baumunk,	Gallagher,	Mahany,	Root,
Bentzel,	Gardner,	McAtee,	Rose,
Boles,	Getchey,	McClester,	Royer,
Bonawitz,	Gibson,	McCormack,	Rudisill,
Boney,	Goodling,	McDowell,	Salus,
Boorse,	Gore,	McKinney,	Scanlon,
Boory,	Grant,	McLanahan,	Schuster,
Bower,	Green,	McMillen,	Serrill,
Brancato,	Greenwood,	McNair,	Shaffer,
Breisch,	Greer,	McNally,	Shoemaker,
Brice,	Guthrie,	Mihm,	Skale,
Brothers,	Gyger,	Mikula,	Sloan,
Brown,	Haberlen,	Miller,	Smith,
Brunner, C. H.,	Hall,	Milliken,	Snider,
Brunner, P. A.,	Hamilton,	Mills,	Snyder,
Burns,	Hare,	Modell,	Sollenberger,
Cadwalader,	Haudenshield,	Mooney,	Sorg,
Chervenak,	Heatherington,	Moore, C. E.,	Stonier,
Chudoff,	Helm,	Moore, W. J.,	Stuart,
Cohen,	Hennihan,	Moran,	Swope,
Coleman,	Herman,	Moser,	Tahl,
Cook,	Hersch,	Murray, M. L.,	Tate,
Cooper,	Hewitt,	Murray, P. G.,	Tittle,
Corrigan,	Hoffman,	Myhan,	Trout,
Costa,	Hoggard,	Nagel,	Turbett,
Coulson,	Howells,	Nelson,	Turner,
Coyle,	Hunter,	O'Brien,	Varallo,
Cullen,	Huntley,	O'Connor,	Verona,
Dague,	James,	O'Donnell,	Wachhaus,
Dalrymple,	Jones,	O'Neill,	Wagner,
Dennison,	Kennedy,	Owens,	Waterhouse,
Depuy,	Kirley,	Pentrack,	Watkins,
Dillon,	Kline,	Pettigrew,	Weiss,
Dix,	Komorofski,	Pickens,	Welsh,
Dougherty,	Krise,	Polaski,	Wescott,
Dye,	Kurtz,	Polen,	White,
Elder,	Lane,	Powers,	Wood, N.,
Elish,	Laughner,	Propert,	Worley,
Erb,	Lee,	Readinger,	Wright,
Ewing,	Leisey,	Reagan,	Yeakel,
Flack,	Leonard,	Reese, D. P.,	Yester,
Fleming,	Levy,	Reese, R. E.,	Fiss,
Foor,	Lichtenwalter,	Reidenbach,	Speaker.
Fox,	Loftus,		

NAYS—0

NOT VOTING—17

Bentley,	Kolankiewicz,	Munley,	Stockham,
Duffy,	Lopez,	Petrosky,	Trachtman,
Finnerty,	Lyons,	Regan,	Trent,
Hering,	Matthews,	Stank,	Wood, L. H.,
Hoopes,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 160, as follows:

An Act making an appropriation to the Department of Forests and Waters for the use of the Valley Forge Park Commission for payment of lands acquired by condemnation and of the necessary expenses incurred incident thereto

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of seventy-two thousand five hundred dollars ($72,500) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Forests and Waters for the use of the Valley Forge Park Commission for the payment of lands acquired by condemnation under authority duly granted by law for payment of all necessary and proper expenses incurred incidental to each acquisition and for which payment has not been made No part of the money hereby appropriated shall be used for acquiring lands in addition to those heretofore lawfully purchased or acquired by condemnation

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—189

Andrews,	Freed,	Loftus,	Reidenbach,

Baker,	Frost,	Longo,	Reilly,
Barrett,	Fullerton,	Lovett,	Reynolds,
Barton,	Gaffney,	Madden,	Riley,
Baumunk,	Gallagher,	Madigan,	Robertson,
Bentzel,	Gardner,	Mahany,	Root,
Boies,	Getchey,	McAtee,	Rose,
Bonawitz,	Gibson,	McClester,	Royer,
Boney,	Goodling,	McCormack,	Rudisill,
Boorse,	Gore,	McDowell,	Salus,
Boory,	Grant,	McKinney,	Scanlon,
Bower,	Green,	McLanahan,	Schuster,
Brancato,	Greenwood,	McMillen,	Serrill,
Breisch,	Greer,	McNair,	Shaffer,
Brice,	Guthrie,	McNally,	Shoemaker,
Brothers,	Gyger,	Mihm,	Skale,
Brown,	Haberlen,	Mikula,	Sloan,
Brunner, C. H.,	Hall,	Miller,	Smith,
Brunner, P. A.,	Hamilton,	Milliken,	Snider,
Burns,	Hare,	Mills,	Snyder,
Cadwalader,	Haudenshield,	Modell,	Sollenberger,
Chervenak,	Heatherington,	Mooney,	Sorg,
Chudoff,	Helm,	Moore, C. E.,	Stonier,
Cohen,	Hennihan,	Moore, W. J.,	Stuart,
Coleman,	Herman,	Moran,	Swope,
Cook,	Hersch,	Moser,	Tahl,
Cooper,	Hewitt,	Murray, M. L.,	Tate,
Corrigan,	Hoffman,	Murray, P. G.,	Tittle,
Costa,	Hoggard,	Myhan,	Trout,
Coulson,	Howells,	Nagel,	Turbett,
Coyle,	Hunter,	Nelson,	Turner,
Cullen,	Huntley,	O'Brien,	Varallo,
Dague,	James,	O'Connor,	Verona,
Dalrymple,	Jones,	O'Donnell,	Wachhaus,
Dennison,	Kennedy,	O'Neill,	Wagner,
Depuy,	Kirley,	Owens,	Waterhouse,
Dillon,	Kline,	Pentrack,	Watkins,
Dix,	Komorofski,	Pettigrew,	Weiss,
Dougherty,	Krise,	Pickens,	Welsh,
Dye,	Kurtz,	Polaski,	Wescott,
Elder,	Lane,	Polen,	White,
Elish,	Laughner,	Powers,	Wood, N.,
Erb,	Lee,	Propert,	Worley,
Ewing,	Leisey,	Readinger,	Wright,
Flack,	Leonard,	Reagan,	Yeakel,
Fleming,	Levy,	Reese, D. P.,	Yester,
Foor,	Lichtenwalter,	Reese, R. E.,	Fiss,
Fox,			Speaker.

NAYS—0

NOT VOTING—17

Bentley,	Kolankiewicz,	Munley,	Stockham,
Duffy,	Lopez,	Petrosky,	Trachtman,
Finnerty,	Lyons,	Regan,	Trent,
Hering,	Matthews,	Stank,	Wood, L. H.,
Hoopes,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 168, as follows:

An Act making an appropriation for aid to free public non-sectarian county libraries and for the purchase and transportation of books

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of seventy-nine thousand dollars ($79,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Public Instruction for the two fiscal years beginning June first one thousand nine hundred and forty-five for aid to free public non-sectarian county libraries and for the purchase and transportation of books to be used for demonstration and circulation purposes to carry into effect the provisions of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 1203) entitled "An act providing aid by the Commonwealth to free public non-sectarian county libraries authorizing the Department of Public Instruction to provide books for demonstration purposes to encourage the establishment of such county libraries and making an appropriation"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—189

Andrews,	Freed,	Longo,	Reilly,
Baker,	Frost,	Lovett,	Reynolds,
Barrett,	Fullerton,	Madden,	Riley,
Barton,	Gaffney,	Madigan,	Robertson,
Baumunk,	Gallagher,	Mahany,	Root,
Bentzel,	Gardner,	McAtee,	Rose,
Boies,	Getchey,	McClester,	Royer,
Bonawitz,	Gibson,	McCormack,	Rudisill,
Boney,	Goodling,	McDowell,	Salus,
Boorse,	Gore,	McKinney,	Scanlon,
Boory,	Grant,	McLanahan,	Schuster,
Bower,	Green,	McMillen,	Serrill,
Brancato,	Greenwood,	McNair,	Shaffer,
Breisch,	Greer,	McNally,	Shoemaker,
Brice,	Guthrie,	Mihm,	Skale,
Brothers,	Gyger,	Mikula,	Sloan,
Brown,	Haberlen,	Miller,	Smith,
Brunner, C. H.,	Hall,	Milliken,	Snider,
Brunner, P. A.,	Hamilton,	Mills,	Snyder,
Burns,	Hare,	Modell,	Sollenberger,
Cadwalader,	Haudenshield,	Mooney,	Sorg,
Chervenak,	Heatherington,	Moore, C. E.,	Stonier,
Chudoff,	Helm,	Moore, W. J.,	Stuart,
Cohen,	Hennihan,	Moran,	Swope,
Coleman,	Herman,	Moser,	Tahl,
Cook,	Hersch,	Murray, M. L.,	Tate,
Cooper,	Hewitt,	Murray, P. G.,	Tittle,
Corrigan,	Hoffman,	Myhan,	Trout,
Costa,	Hoggard,	Nagel,	Turbett,
Coulson,	Howells,	Nelson,	Turner,
Coyle,	Hunter,	O'Brien,	Varallo,
Cullen,	Huntley,	O'Connor,	Verona,
Dague,	James,	O'Donnell,	Wachhaus,
Dalrymple,	Jones,	O'Neill,	Wagner,
Dennison,	Kennedy,	Owens,	Waterhouse,
Depuy,	Kirley,	Pentrack,	Watkins,
Dillon,	Kline,	Pettigrew,	Weiss,
Dix,	Komorofski,	Pickens,	Welsh,
Dougherty,	Krise,	Polaski,	Wescott,
Dye,	Kurtz,	Polen,	White,
Elder,	Lane,	Powers,	Wood, N.,
Elish,	Laughner,	Propert,	Worley,
Erb,	Lee,	Readinger,	Wright,
Ewing,	Leisey,	Reagan,	Yeakel,
Flack,	Leonard,	Reese, D. P.,	Yester,
Fleming,	Levy,	Reese, R. E.,	Fiss,
Foor	Lichtenwalter,	Reidenbach,	Speaker.
Fox,	Loftus,		

NAYS—0

NOT VOTING—17

Bentley,	Kolankiewicz,	Munley,	Stockham,
Duffy,	Lopez,	Petrosky,	Trachtman,
Finnerty,	Lyons,	Regan,	Trent,
Hering,	Matthews,	Stank,	Wood, L. H.,
Hoopes,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 214, as follows:

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred thousand dollars ($100,000) or as much thereof as may be necessary is hereby appropriated to The Franklin Institute of the State of Pennsylvania at Philadelphia for the two fiscal years beginning the first day of June one thousand nine hundred forty-five for the purpose of the maintenance of said institute

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—189

Andrews,	Freed,	Longo,	Reilly,
Baker,	Frost,	Lovett,	Reynolds,
Barrett,	Fullerton,	Madden,	Riley,
Barton,	Gaffney,	Madigan,	Robertson,
Baumunk,	Gallagher,	Mahany,	Root,
Bentzel,	Gardner,	McAtee,	Rose,
Boies,	Getchey,	McClester,	Royer,
Bonawitz,	Gibson,	McCormack,	Rudisill,
Boney,	Goodling,	McDowell,	Salus,
Boorse,	Gore,	McKinney,	Scanlon,
Boory,	Grant,	McLanahan,	Schuster,
Bower,	Green,	McMillen,	Serrill,
Brancato,	Greenwood,	McNair,	Shaffer,
Breisch,	Greer,	McNally,	Shoemaker,
Brice,	Guthrie,	Mihm,	Skale,
Brothers,	Gyger,	Mikula,	Sloan,
Brown,	Haberlen,	Miller,	Smith,
Brunner, C. H.,	Hall,	Milliken,	Snider,
Brunner, P. A.,	Hamilton,	Mills,	Snyder,
Burns,	Hare,	Modell,	Sollenberger,
Cadwalader,	Haudenshield,	Mooney,	Sorg,
Chervenak,	Heatherington,	Moore, C. E.,	Stonier,
Chudoff,	Helm,	Moore, W. J.,	Stuart,
Cohen,	Hennihan,	Moran,	Swope,
Coleman,	Herman,	Moser,	Tahl,
Cook,	Hersch,	Murray, M. L.,	Tate,
Cooper,	Hewitt,	Murray, P. G.,	Tittle,
Corrigan,	Hoffman,	Myhan,	Trout,
Costa,	Hoggard,	Nagel,	Turbett,
Coulson,	Howells,	Nelson,	Turner,
Coyle,	Hunter,	O'Brien,	Varallo,
Cullen,	Huntley,	O'Connor,	Verona,
Dague,	James,	O'Donnell,	Wachhaus,
Dalrymple,	Jones,	O'Neill,	Wagner,
Dennison,	Kennedy,	Owens,	Waterhouse,
Depuy,	Kirley,	Pentrack,	Watkins,
Dillon,	Kline,	Pettigrew,	Weiss,
Dix,	Komorofski,	Pickens,	Welsh,
Dougherty,	Krise,	Polaski,	Wescott,
Dye,	Kurtz,	Polen,	White,
Elder,	Lane,	Powers,	Wood, N.,
Elish,	Laughner,	Propert,	Worley,
Erb,	Lee,	Readinger,	Wright,
Ewing,	Leisey,	Reagan,	Yeakel,
Flack,	Leonard,	Reese, D. P.,	Yester,
Fleming,	Levy,	Reese, R. E.,	Fiss,
Foor,	Lichtenwalter,	Reidenbach,	Speaker.
Fox,	Loftus,		

NAYS—0

NOT VOTING—17

Bentley,	Kolankiewicz,	Munley,	Stockham,
Duffy,	Lopez,	Petrosky,	Trachtman,
Finnerty,	Lyons,	Regan,	Trent,
Hering,	Matthews,	Stank,	Wood, L. H.,
Hoopes,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 215, as follows:

An Act making an appropriation to the Orlando S Johnson Industrial School of Scranton Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of fifty thousand dollars ($50,000.00) is hereby specifically appropriated to the Orlando S Johnson Industrial School of Scranton Pennsylvania for the two fiscal years beginning June first one thousand nine hundred forty-five for the purpose of maintenance and the purchase of supplies and equipment to be paid according to law

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—189

Andrews,	Freed,	Loftus,	Reidenbach,
Baker,	Frost,	Longo,	Reilly,
Barrett,	Fullerton,	Lovett,	Reynolds,
Barton,	Gaffney,	Madden,	Riley,
Baumunk,	Gallagher,	Madigan,	Robertson,
Bentzel,	Gardner,	Mahany,	Root,
Boies,	Getchey,	McAtee,	Rose,
Bonawitz,	Gibson,	McClester,	Royer,
Boney,	Goodling,	McCormack,	Rudisill,
Boory,	Gore,	McDowell,	Salus,
Boorse,	Grant,	McKinney,	Scanlon,
Bower,	Green,	McLanahan,	Schuster,
Brancato,	Greenwood,	McMillen,	Serrill,
Breisch,	Greer,	McNair,	Shaffer,
Brice,	Guthrie,	McNally,	Shoemaker,
Brothers,	Gyger,	Mihm,	Skale,
Brown,	Haberlen,	Mikula,	Sloan,
Brunner, C. H.,	Hall	Miller,	Smith,
Brunner, P A.,	Hamilton,	Milliken,	Snider,
Burns,	Hare,	Mills,	Snyder,
Cadwalader,	Haudenshield,	Modell,	Sollenberger,
Chervenak,	Heatherington,	Moore, C. E.,	Sorg,
Chudoff,	Helm,	Moore, W. J.,	Stonier,
Cohen,	Hennihan,	Moran,	Stuart,
Coleman,	Herman,	Moser,	Swope,
Cook	Hersch,	Munley,	Tahl,
Cooper,	Hewitt,	Murray, M. L.,	Tate,
Corrigan,	Hoffman,	Murray, P. G.,	Tittle,
Costa,	Hoggard,	Myhan,	Trout,
Coulson,	Howells,	Nagel,	Turbett,
Coyle,	Hunter,	Nelson,	Turner,
Cullen,	Huntley,	O'Brien,	Varallo,
Dague,	James,	O'Connor,	Verona,
Dalrymple,	Jones,	O'Donnell,	Wachhaus,
Dennison,	Kennedy,	O'Neill,	Wagner,
Depuy,	Kirley,	Owens,	Waterhouse,
Dillon,	Kline,	Pentrack,	Watkins,
Dix,	Komorofski,	Pettigrew,	Weiss,
Dougherty,	Krise,	Pickens,	Welsh,
Dye,	Kurtz,	Polaski,	Wescott,
Elder,	Lane,	Polen,	White,
Elish,	Laughner,	Powers,	Wood, N.,
Erb,	Lee,	Propert,	Worley,
Ewing,	Leisey,	Readinger,	Wright,
Flack,	Leonard,	Reagan,	Yeakel,
Fleming,	Levy,	Reese, D. P.,	Yester,
Foor,	Lichtenwalter,	Reese, R. E.,	Fiss,
Fox,			Speaker.

NAYS—0

NOT VOTING—17

Bentley,	Kolankiewicz,	Mooney,	Stockham,
Duffy,	Lopez,	Petrosky,	Trachtman,
Finnerty,	Lyons,	Regan,	Trent,
Hering,	Matthews,	Stank,	Wood, L. H.,
Hoopes,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 216, as follows:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred eighty-one thousand five hundred dollars ($181,500) or as much thereof as may be necessary is hereby specifically appropriated to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred forty-five for the purpose of maintenance of a school of medicine

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—189

Andrews,	Freed,	Longo,	Reilly,
Baker,	Frost,	Lovett,	Reynolds,
Barrett,	Fullerton,	Madden,	Riley,
Barton,	Gaffney,	Madigan,	Robertson,
Baumunk,	Gallagher,	Mahany,	Root,
Bentzel,	Gardner,	McAtee,	Rose,
Boies,	Getchey,	McClester,	Royer,
Bonawitz,	Gibson,	McCormack,	Rudisill,
Boney,	Goodling,	McDowell,	Salus,
Boorse,	Gore,	McKinney,	Scanlon,
Boory,	Grant,	McLanahan,	Schuster,
Bower,	Green,	McMillen,	Serrill,
Brancato,	Greenwood,	McNair,	Shaffer,
Breisch,	Greer,	McNally,	Shoemaker,
Brice,	Guthrie,	Mihm,	Skale,
Brothers,	Gyger,	Mikula,	Sloan,
Brown,	Haberlen,	Miller,	Smith,
Brunner, C. H.,	Hall,	Milliken,	Snider,
Brunner, P. A.,	Hamilton,	Mills,	Snyder,
Burns,	Hare,	Modell,	Sollenberger,
Cadwalader,	Haudenshield,	Mooney,	Sorg,
Chervenak,	Heatherington,	Moore, C. E.,	Stonier,
Chudoff,	Helm,	Moore, W. J.,	Stuart,
Cohen,	Hennihan,	Moran,	Swope,
Coleman,	Herman,	Moser,	Tahl,
Cook,	Hersch,	Murray, M. L.,	Tate,
Cooper,	Hewitt,	Murray, P. G.,	Tittle,
Corrigan,	Hoffman,	Myhan,	Trout,
Costa,	Hoggard,	Nagel,	Turbett,
Coulson,	Howells,	Nelson,	Turner,
Coyle,	Hunter,	O'Brien,	Varallo,
Cullen,	Huntley,	O'Connor,	Verona,
Dague,	James,	O'Donnell,	Wachhaus,
Dalrymple,	Jones,	O'Neill,	Wagner,
Dennison,	Kennedy,	Owens,	Waterhouse,
Depuy,	Kirley,	Pentrack,	Watkins,
Dillon,	Kline,	Pettigrew,	Weiss,
Dix,	Komorofski,	Pickens,	Welsh,
Dougherty,	Krise,	Polaski,	Wescott,
Dye,	Kurtz,	Polen,	White,
Elder,	Lane,	Powers,	Wood, N.,
Elish,	Laughner,	Propert,	Worley,
Erb,	Lee,	Readinger,	Wright,
Ewing,	Leisey,	Reagan,	Yeakel,
Flack,	Leonard,	Reese, D. P.,	Yester,
Fleming,	Levy,	Reese, R. E.,	Fiss,
Foor,	Lichtenwalter,	Reidenbach,	Speaker.
Fox,	Loftus,		

NAYS—0

NOT VOTING—17

Bentley,	Kolankiewicz,	Munley,	Stockham,
Duffy,	Lopez,	Petrosky,	Trachtman,
Finnerty,	Lyons,	Regan,	Trent,
Hering,	Matthews,	Stank,	Wood, L. H.,
Hoopes,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 494, as follows:

An Act making an appropriation to the Local Government Commission to continue its work

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby specifically appropriated to the Local Government Commission created by the act approved the twenty-ninth day of May one thousand nine hundred thirty-five (P. L. 244) entitled "An act creating a Local Government Commission to study and report on functions of local government their allocation and elimination the cost of local government and means of reducing it and the consolidation of local government and making an appropriation" for the two fiscal years beginning June first one thousand nine hundred forty-five to continue the work of said commission for the revision and recodification of the laws relating to boroughs and townships of the second class and for the payment of the expenses of the members of said commission for the compensation and expenses of the secretary counsel and other appointees of the commission for printing postage supplies telephone telegraph and miscellaneous expenses and generally for the purpose of carrying into effect the provisions of said act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—189

Andrews,	Freed,	Longo,	Reilly,
Baker,	Frost,	Lovett,	Reynolds,
Barrett,	Fullerton,	Madden,	Riley,
Barton,	Gaffney,	Madigan,	Robertson,
Baumunk,	Gallagher,	Mahany,	Root,
Bentzel,	Gardner,	McAtee,	Rose,
Boies,	Getchey,	McClester,	Royer,
Bonawitz,	Gibson,	McCormack,	Rudisill,
Boney,	Goodling,	McDowell,	Salus,
Boorse,	Gore,	McKinney,	Scanlon,
Boory,	Grant,	McLanahan,	Schuster,
Bower,	Green,	McMillen,	Serrill,
Brancato,	Greenwood,	McNair,	Shaffer,
Breisch,	Greer,	McNally,	Shoemaker,
Brice,	Guthrie,	Mihm,	Skale,

Brothers,	Gyger,	Mikula,	Sloan,
Brown,	Haberlen,	Miller,	Smith,
Brunner, C. H.,	Hall,	Milliken,	Snider,
Brunner, P. A.,	Hamilton,	Mills,	Snyder,
Burns,	Hare,	Modell,	Sollenberger,
Cadwalader,	Haudenshield,	Mooney,	Sorg,
Chervenak,	Heatherington,	Moore, C. E.,	Stonier,
Chudoff,	Helm,	Moore, W. J.,	Stuart,
Cohen,	Hennihan,	Moran,	Swope,
Coleman,	Herman,	Moser,	Tahl,
Cook,	Hersch,	Murray, M. L.,	Tate,
Cooper,	Hewitt,	Murray, P. G.,	Tittle,
Corrigan,	Hoffman,	Myhan,	Trout,
Costa,	Hoggard,	Nagel,	Turbett,
Coulson,	Howells,	Nelson,	Turner,
Coyle,	Hunter,	O'Brien,	Varallo,
Cullen,	Huntley,	O'Connor,	Verona,
Dague,	James,	O'Donnell,	Wachhaus,
Dalrymple,	Jones,	O'Neill,	Wagner,
Dennison,	Kennedy,	Owens,	Waterhouse,
Depuy,	Kirley,	Pentrack,	Watkins,
Dillon,	Kline,	Pettigrew,	Weiss,
Dix,	Komorofski,	Pickens,	Welsh,
Dougherty,	Krise,	Polaski,	Wescott,
Dye,	Kurtz,	Polen,	White,
Elder,	Lane,	Powers,	Wood, N.,
Elish,	Laughner,	Propert,	Worley,
Erb,	Lee,	Readinger,	Wright,
Ewing,	Leisey,	Reagan,	Yeakel,
Flack,	Leonard,	Reese, D. P.,	Yester,
Fleming,	Levy,	Reese, R. E.,	Fiss,
Foor,	Lichtenwalter,	Reidenbach,	Speaker.
Fox,	Loftus,		

NAYS—0

NOT VOTING—17

Bentley,	Kolankiewicz,	Munley,	Stockham,
Duffy,	Lopez,	Petrosky,	Trachtman,
Finnerty,	Lyons,	Regan,	Trent,
Hering,	Matthews,	Stank,	Wood, L. H.,
Hoopes,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 511, as follows:

An Act making an appropriation to the Department of Forests and Waters for the purpose of maintaining dikes along Darby Creek in Tinicum and Darby Townships Delaware County and in Philadelphia

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of ten thousand dollars ($10,000) or as much thereof as may be necessary is hereby appropriated to the Department of Forests and Waters for the purpose of maintaining dikes along Darby Creek in Darby and Tinicum Townships Delaware County and in Philadelphia County

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—189

Andrews,	Freed,	Longo,	Reilly,
Baker,	Frost,	Lovett,	Reynolds,
Barrett,	Fullerton,	Madden,	Riley,
Barton,	Gaffney,	Madigan,	Robertson,
Baumunk,	Gallagher,	Mahany,	Root,
Bentzel,	Gardner,	McAtee,	Rose,
Boies,	Getchey,	McClester,	Royer,
Bonawitz,	Gibson,	McCormack,	Rudisill,
Boney,	Goodling,	McDowell,	Salus,
Boorse,	Gore,	McKinney,	Scanlon,
Boory,	Grant,	McLanahan,	Schuster,
Bower,	Green,	McMillen,	Serrill,
Brancato,	Greenwood,	McNair,	Shaffer,
Breisch,	Greer,	McNally,	Shoemaker,
Brice,	Guthrie,	Mihm,	Skale,
Brothers,	Gyger,	Mikula,	Sloan,
Brown,	Haberlen,	Miller,	Smith,
Brunner, C. H.,	Hall,	Milliken,	Snider,
Brunner, P. A.,	Hamilton,	Mills,	Snyder,
Burns,	Hare,	Modell,	Sollenberger,
Cadwalader,	Haudenshield,	Mooney,	Sorg,
Chervenak,	Heatherington,	Moore, C. E.,	Stonier,
Chudoff,	Helm,	Moore, W. J.,	Stuart,
Cohen,	Hennihan,	Moran,	Swope,
Coleman,	Herman,	Moser,	Tahl,
Cook,	Hersch,	Murray, M. L.,	Tate,
Cooper,	Hewitt,	Murray, P. G.,	Tittle,
Corrigan,	Hoffman,	Myhan,	Trout,
Costa,	Hoggard,	Nagel,	Turbett,
Coulson,	Howells,	Nelson,	Turner,
Coyle,	Hunter,	O'Brien,	Varallo,
Cullen,	Huntley,	O'Connor,	Verona,
Dague,	James,	O'Donnell,	Wachhaus,
Dalrymple,	Jones,	O'Neill,	Wagner,
Dennison,	Kennedy,	Owens,	Waterhouse,
Depuy,	Kirley,	Pentrack,	Watkins,
Dillon,	Kline,	Pettigrew,	Weiss,
Dix,	Komorofski,	Pickens,	Welsh,
Dougherty,	Krise,	Polaski,	Wescott,
Dye,	Kurtz,	Polen,	White,
Elder,	Lane,	Powers,	Wood, N.,
Elish,	Laughner,	Propert,	Worley,
Erb,	Lee,	Readinger,	Wright,
Ewing,	Leisey,	Reagan,	Yeakel,
Flack,	Leonard,	Reese, D. P.,	Yester,
Fleming,	Levy,	Reese, R. E.,	Fiss,
Foor,	Lichtenwalter,	Reidenbach,	Speaker.
Fox,	Loftus,		

NAYS—0

NOT VOTING—17

Bentley,	Kolankiewicz,	Munley,	Stockham,
Duffy,	Lopez,	Petrosky,	Trachtman,
Finnerty,	Lyons,	Regan,	Trent,
Hering,	Matthews,	Stank,	Wood, L. H.,
Hoopes,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 869, as follows:

An Act making an appropriation to the Trustees of the George Jr Republic Association Grove City Pennsylvania for the payment of costs of new construction and repairs

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of sixty thousand dollars ($60,000) or so much thereof as may be necessary is hereby specifically appropriated to the Trustees of the George Jr Republic Association Grove City Pennsylvania for the payment of the cost of constructing additional dormitories and the repair of existing buildings

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—189

Andrews,	Freed,	Loftus,	Reidenbach,
Baker,	Frost,	Longo,	Reilly,
Barrett,	Fullerton,	Lovett,	Reynolds,
Barton,	Gaffney,	Madden,	Riley,
Baumunk,	Gallagher,	Madigan,	Robertson,
Bentzel,	Gardner,	Mahany,	Root,
Boies,	Getchey,	McAtee,	Rose,
Bonawitz,	Gibson,	McClester,	Royer,
Boney,	Goodling,	McCormack,	Rudisill,
Boorse,	Gore,	McDowell,	Salus,
Boory,	Grant,	McKinney,	Scanlon,
Bower,	Green,	McLanahan,	Schuster,
Brancato,	Greenwood,	McMillen,	Serrill,
Breisch,	Greer,	McNair,	Shaffer,
Brice,	Guthrie,	McNally,	Shoemaker,
Brothers,	Gyger,	Mihm,	Skale,
Brown,	Haberlen,	Mikula,	Sloan,
Brunner, C. H.,	Hall,	Miller,	Smith,
Brunner, P. A.,	Hamilton,	Milliken,	Snider,
Burns,	Hare,	Mills,	Snyder,
Cadwalader,	Haudenshield,	Modell,	Sollenberger,
Chervenak,	Heatherington,	Mooney,	Sorg,
Chudoff,	Helm,	Moore, C. E.,	Stonier,
Cohen,	Hennihan,	Moore, W. J.,	Stuart,
Coleman,	Herman,	Moran,	Swope,
Cook,	Hersch,	Moser,	Tahl,
Cooper,	Hewitt,	Murray, M. L.,	Tate,
Corrigan,	Hoffman,	Murray, P. G.,	Tittle,
Costa,	Hoggard,	Myhan,	Trout,
Coulson,	Howells,	Nagel,	Turbett,
Coyle,	Hunter,	Nelson,	Turner,
Cullen,	Huntley,	O'Brien,	Varallo,
Dague,	James,	O'Connor,	Verona,
Dalrymple,	Jones,	O'Donnell,	Wachhaus,
Dennison,	Kennedy,	O'Neill,	Wagner,
Depuy,	Kirley,	Owens,	Waterhouse,
Dillon,	Kline,	Pentrack,	Watkins,
Dix,	Komorofski,	Pettigrew,	Weiss,
Dougherty,	Krise,	Pickens,	Welsh,
Dye,	Kurtz,	Polaski,	Wescott,
Elder,	Lane,	Polen,	White,
Elish,	Laughner,	Powers,	Wood, N.,
Erb,	Lee,	Propert,	Worley,
Ewing,	Leisey,	Readinger,	Wright,
Flack,	Leonard,	Reagan,	Yeakel,
Fleming,	Levy,	Reese, D. P.,	Yester,
Foor,	Lichtenwalter,	Reese, R. E.,	Fiss,
Fox,			Speaker.

NAYS—0

NOT VOTING—17

Bentley,	Kolankiewicz,	Munley,	Stockham,
Duffy,	Lopez,	Petrosky,	Trachtman,
Finnerty,	Lyons,	Regan,	Trent,
Hering,	Matthews,	Stank,	Wood, L. H.,
Hoopes,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1170, as follows:

An Act making an appropriation to the Department of Property and Supplies for the installation of an electric roll call system in the Hall of the House of Representatives

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of seventy-five thousand dollars ($75,000) is hereby specifically appropriated to the Department of Property and Supplies for the purpose of purchasing an electric roll call system and installing the same in the Hall of the House of Representatives

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—189

Andrews,	Freed,	Longo,	Reilly,
Baker,	Frost,	Lovett,	Reynolds,
Barrett,	Fullerton,	Madden,	Riley,
Barton,	Gaffney,	Madigan,	Robertson,
Baumunk,	Gallagher,	Mahany,	Root,
Bentzel,	Gardner,	McAtee,	Rose,
Boies,	Getchey,	McClester,	Royer,
Bonawitz,	Gibson,	McCormack,	Rudisill,
Boney,	Goodling,	McDowell,	Salus,
Boorse,	Gore,	McKinney,	Scanlon,
Boory,	Grant,	McLanahan,	Schuster,
Bower,	Green,	McMillen,	Serrill,
Brancato,	Greenwood,	McNair,	Shaffer,
Breisch,	Greer,	McNally,	Shoemaker,
Brice,	Guthrie,	Mihm,	Skale,
Brothers,	Gyger,	Mikula,	Sloan,
Brown,	Haberlen,	Miller,	Smith,
Brunner, C. H.,	Hall,	Mills,	Snider,
Brunner, P. A.,	Hamilton,	Modell,	Snyder,
Burns,	Hare,	Milliken,	Sollenberger,
Cadwalader,	Haudenshield,	Mooney,	Sorg,
Chervenak,	Heatherington,	Moore, C. E.,	Stonier,
Chudoff,	Hennihan,	Moore, W. J.,	Stuart,
Cohen,	Helm,	Moran,	Swope,
Coleman,	Herman,	Moser,	Tahl,
Cook,	Hersch,	Murray, M. L.,	Tate,
Cooper,	Hewitt,	Murray, P. G.,	Tittle,
Corrigan,	Hoffman,	Myhan,	Trout,
Costa,	Hoggard,	Nagel,	Turbett,
Coulson,	Howells,	Nelson,	Turner,
Coyle,	Hunter,	O'Brien,	Varallo,
Cullen,	Huntley,	O'Connor,	Verona,
Dague,	James,	O'Donnell,	Wachhaus,
Dalrymple,	Jones,	O'Neill,	Wagner,
Dennison,	Kennedy,	Owens,	Waterhouse,
Depuy,	Kirley,	Pentrack,	Watkins,
Dillon,	Kline,	Pettigrew,	Weiss,
Dix,	Krise,	Pickens,	Welsh,
Dougherty,	Kurtz,	Polaski,	Wescott,
Dye,	Komorofski,	Polen,	White,
Elder,	Lane,	Powers,	Wood, N.,
Elish,	Laughner,	Propert,	Worley,
Erb,	Lee,	Readinger,	Wright,
Ewing,	Leisey,	Reagan,	Yeakel,
Flack,	Leonard,	Reese, D. P.,	Yester,
Fleming,	Levy,	Reese, R. E.,	Fiss,
Foor,	Lichtenwalter,	Reidenbach,	Speaker.
Fox,	Loftus,		

NAYS—0

NOT VOTING—17

Bentley,	Kolankiewicz,	Munley,	Stockham,
Duffy,	Lopez,	Petrosky,	Trachtman,
Finnerty,	Lyons,	Regan,	Trent,
Hering,	Matthews,	Stank,	Wood, L. H.,
Hoopes,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 517, as follows:

An Act increasing the fees of Justices of the Peace and Aldermen in cases of summary conviction relating to motor vehicles

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In all cases of summary conviction relating to the use and operation of motor vehicles and suits for penalties relating to the use and operation of motor vehicles whether under statute or ordinance the total fee shall be three dollars and fifty cents ($3.50) plus postage of registered mail which shall include the giving of a transcript to either the defendant or prosecutor or both if same be requested

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—189

Andrews,	Freed,	Longo,	Reilly,
Baker,	Frost,	Lovett,	Reynolds,
Barrett,	Fullerton,	Madden,	Riley,
Barton,	Gaffney,	Madigan,	Robertson,
Baumunk,	Gallagher,	Mahany,	Root,
Bentzel,	Gardner,	McAtee,	Rose,
Boies,	Getchey,	McClester,	Royer,
Bonawitz,	Gibson,	McCormack,	Rudisill,
Boney,	Goodling,	McDowell,	Salus,
Boory,	Gore,	McKinney,	Scanlon,
Boorse,	Grant,	McLanahan,	Schuster,
Bower,	Green,	McMillen,	Serrill,
Brancato,	Greenwood,	McNair,	Shaffer,
Breisch,	Greer,	McNally,	Shoemaker,
Brice,	Guthrie,	Mihm,	Skale,
Brothers,	Gyger,	Mikula,	Sloan,
Brown,	Haberlen,	Miller,	Smith,
Brunner, C. H.,	Hall,	Milliken,	Snider,
Brunner, P. A.,	Hamilton,	Mills,	Snyder,
Burns,	Hare,	Modell,	Sollenberger,
Cadwalader,	Haudenshield,	Mooney,	Sorg,
Chervenak,	Heatherington,	Moore, C. E.,	Stonier,
Chudoff,	Helm,	Moore, W. J.,	Stuart,
Cohen,	Hennihan,	Moran,	Swope,
Coleman,	Herman,	Moser,	Tahl,
Cook,	Hersch,	Murray, M. L.,	Tate,
Cooper,	Hewitt,	Murray, P. G.,	Tittle,
Corrigan,	Hoffman,	Myhan,	Trout,
Costa,	Hoggard,	Nagel,	Turbett,
Coulson,	Howells,	Nelson,	Turner,
Coyle,	Hunter,	O'Brien,	Varallo,
Cullen,	Huntley,	O'Connor,	Verona,
Dague,	James,	O'Donnell,	Wachhaus,
Dalrymple,	Jones,	O'Neill,	Wagner,
Dennison,	Kennedy,	Owens,	Waterhouse,
Depuy,	Kirley,	Pentrack,	Watkins,
Dillon,	Kline,	Pettigrew,	Weiss,
Dix,	Komorofski,	Pickens,	Welsh,
Dougherty,	Krise,	Polaski,	Wescott,
Dye,	Kurtz,	Polen,	White,
Elder,	Lane,	Powers,	Wood N.,
Elish,	Laughner,	Propert,	Worley,
Erb,	Lee,	Readinger,	Wright,
Ewing,	Leisey,	Reagan,	Yeakel,
Flack,	Leonard,	Reese, D. P.,	Yester,
Fleming,	Levy,	Reese, R. E.,	Fiss,
Foor,	Lichtenwalter,	Reidenbach,	Speaker.
Fox,	Loftus,		

NAYS—0

NOT VOTING—17

Bentley,	Kolankiewicz,	Munley,	Stockham
Duffy,	Lopez,	Petrosky,	Trachtman,
Finnerty,	Lyons,	Regan,	Trent,
Hering,	Matthews,	Stank,	Wood, L. H.,
Hoopes,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 633, as follows:

An Act to add section 1402.1 and to further amend section 2556 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" providing that the city treasurer shall appoint the assistants and employes of his office and requiring the various taxing authorities to pay the cost of insuring the city treasurer against losses of tax money through no fault of his own

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article XIV of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" is hereby amended by adding thereto after section 1402 a new section to read as follows

Section 1402.1 Assistants and Employes The city treasurer shall appoint all the assistants and employes of his office

Section 2 Section 2556 of said act as last amended by the act approved the seventeenth day of May one thousand nine hundred thirty-nine (P. L. 153) is hereby further amended to read as follows

Section 2556 Treasurer as Tax Collector of City County School and Poor Taxes Compensation Assistants Expense to Be Shared The compensation or commission of the city treasurer as collector of city county institution district school and poor taxes shall during the terms of the tax collectors in office at the time this act takes effect be and remain as now provided by law Thereafter the said tax collector shall be paid an annual salary for the collection of all city county institution district school and poor taxes which salary where not definitely fixed by this act shall be fixed before the election of an tax collector jointly by the taxing authorities other than institution and poor districts whose taxes are collected under the provisions of this act In the case of newly created cities shall be fixed by said taxing authorities before any the said salary where not definitely fixed by this act duplicates are delivered to the city treasurer In fixing the salary of the tax collector the taxing authorities fixing the same shall each have one vote which one vote shall be divided into fractions assigning an equal fraction of one vote to each member of the same taxing authority

In cities having a population of twenty-five thousand inhabitants and less the annual salary of the tax collector shall not be less than one thousand six hundred dollars ($1,600) nor more than three thousand five hundred dollars ($3,500)

In cities having a population of more than twenty-five thousand inhabitants and not exceeding fifty thousand the annual salary of the tax collector shall not be less than three thousand five hundred dollars ($3,500) nor more than five thousand dollars ($5,000)

In cities having a population of more than fifty thousand inhabitants and not exceeding fifty-five thousand inhabitants the annual salary of the tax collector shall be six thousand dollars ($6,000)

In cities having a population of more than fifty-five thousand inhabitants the annual salary of the tax collector shall not exceed seven thousand five hundred dollars ($7,500)

The tax collector shall appoint all necessary deputies clerks and assistants whose number and salaries shall be

fixed jointly by the city council the board of school directors and the county commissioners in the same manner as in the case of the tax collector Said deputies clerks and assistants shall give fidelity bond payable to the Commonwealth for the use of the city county institution district and school district conditioned on the faithful accounting and payment over all tax moneys received by them

The city shall provide and furnish for the tax collector at his office as city treasurer suitable office space light heat furniture and janitor service

The taxing authorities other than institution and poor districts shall in equal proportions pay the cost of stationery supplies printing notices postage telephone service office equipment and incidental expenses necessarily incurred in the conduct of the tax collector's office these expenses to be determined by a board consisting of one representative from each such taxing authority to be appointed by such taxing authority The salaries of the tax collector and his deputies clerks and assistants shall be paid monthly or semi-monthly in the same manner as other officers of said city county and school district

The taxing authorities other than institution and poor districts shall be required to pay in equal proportions the premium on the bonds required to be given by law by the tax collector and his deputies clerks and assistants to the Commonwealth and the premiums on some form of casualty insurance which will safeguard and insure the tax collector against personal loss occasioned by the loss or destruction of tax money after the same has been collected by causes over which he had no control and for which no fault or blame was attached to him The city treasurer upon the expiration of his term of office shall surrender the unsatisfied tax duplicate or duplicates in his possession to his successor in office who shall collect the unpaid taxes charged therein and settle the duplicate or duplicates as provided by law Before such duplicates are surrendered to a successor the tax accounts of the outgoing treasurer shall be adjusted and balanced to the satisfaction of the incoming treasurer and the respective taxing authorities before any release of the bond of the outgoing treasurer shall be given

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—189

Andrews,	Freed,	Loftus,	Reidenbach,
Baker,	Frost,	Longo,	Reilly,
Barrett,	Fullerton,	Lovett	Reynolds,
Barton,	Gaffney,	Madden,	Riley,
Baumunk,	Gallagher,	Madigan,	Robertson,
Bentzel,	Gardner,	Mahany,	Root,
Boies,	Getchey,	McAtee,	Rose,
Bonawitz,	Gibson,	McClester,	Royer,
Boney,	Goodling,	McCormack,	Rudisill,
Boorse,	Gore,	McDowell,	Salus,
Boory,	Grant,	McKinney,	Schuster,
Bower,	Green,	McLanahan,	Scanlon,
Brancato,	Greenwood,	McMillen,	Serrill,
Breisch,	Greer,	McNair,	Shaffer,
Brice,	Guthrie,	McNally,	Shoemaker,
Brothers,	Gyger,	Mihm,	Skale,
Brown,	Haberlen,	Mikula,	Sloan,
Brunner, C. H.,	Hall,	Miller,	Smith,
Brunner, P. A.,	Hamilton,	Milliken,	Snider,
Burns,	Hare,	Mills,	Snyder,
Cadwalader,	Haudenshield,	Modell,	Sollenberger,
Chervenak,	Heatherington,	Mooney,	Sorg,
Chudoff,	Helm,	Moore, C. E.,	Stonier,
Cohen,	Hennihan,	Moore, W. J.,	Stuart,
Coleman,	Herman,	Moran,	Swope,
Cook,	Hersch,	Moser,	Tahl,
Cooper,	Hewitt,	Murray, M. L.,	Tate,
Corrigan,	Hoffman,	Murray, P. G.,	Tittle,
Costa,	Hoggard,	Myhan,	Trout,
Coulson,	Howells,	Nagel,	Turbett,
Coyle,	Hunter,	Nelson,	Turner,
Cullen,	Huntley,	O'Brien,	Varallo,
Dague,	James,	O'Connor,	Verona,
Dalrymple,	Jones,	O'Donnell,	Wachhaus,
Dennison,	Kennedy,	O'Neill,	Wagner,
Depuy,	Kirley,	Owens,	Waterhouse,
Dillon,	Kline,	Pentrack,	Watkins,
Dix,	Komorofski,	Pettigrew,	Weiss,
Dougherty,	Krise,	Pickens,	Welsh,
Dye,	Kurtz,	Polaski,	Wescott,
Elder,	Lane,	Polen,	White,
Elish,	Laughner,	Powers,	Wood, N.,
Erb,	Lee,	Propert,	Worley,
Ewing,	Leisey,	Readinger,	Wright,
Flack,	Leonard,	Reagan,	Yeakel,
Fleming,	Levy,	Reese, D. P.,	Yester,
Foor,	Lichtenwalter,	Reese, R. E.,	Fiss,
Fox,			Speaker.

NAYS—0

Not Voting—17

Bentley,	Kolankiewicz,	Munley,	Stockham,
Duffy,	Lopez,	Petrosky,	Trachtman,
Finnerty,	Lyons,	Regan,	Trent,
Hering,	Matthews,	Stank,	Wood, L. H.,
Hoopes,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection House Bill No. 717, Printer's No. 332, was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No, 917, as follows:

An Act to validate certain acknowledgments and to regulate the effect thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All acknowledgments of written instruments made and certified in the manner and form in general use in the Commonwealth of Pennsylvania prior to the act approved the twenty-fourth day of July one thousand nine hundred forty-one (P. L. 490) are hereby validated and all such instruments in writing so acknowledged and certified may be offered in evidence without further proof and if such instrument so acknowledged and certified conveys or relates to or concerns any interest in lands it may be recorded in the recorder's office of the county or counties where such lands lie and the record of same made before or after the passage of this act shall be constructive notice of all matters contained therein and such record or exemplification of same duly certified shall be legal evidence in all cases in which the original would be competent evidence

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—189

Andrews,	Freed,	Lopez,	Reilly,
Baker,	Frost	Lovett,	Reynolds,
Barrett,	Fullerton,	Madden,	Riley,
Barton,	Gaffney,	Madigan,	Robertson,
Baumunk,	Gallagher,	Mahany,	Root,
Bentzel,	Gardner,	McAtee,	Rose,
Boles,	Getchey,	McClester,	Royer,
Bonawitz,	Gibson,	McCormack,	Rudisill,
Boney,	Goodling,	McDowell,	Salus,
Boorse,	Gore,	McKinney,	Scanlon,
Boory,	Grant,	McLanahan,	Schuster,
Bower,	Green,	McMillen,	Serrill,
Brancato,	Greenwood,	McNair,	Shaffer,
Breisch,	Greer,	McNally,	Shoemaker,
Brice,	Guthrie,	Mihm,	Skale,
Brothers,	Gyger,	Mikula,	Sloan,
Brown,	Haberlen,	Miller,	Smith,
Brunner, C. H.,	Hall,	Milliken,	Snider,
Brunner, P. A.,	Hamilton,	Mills,	Snyder,
Burns,	Hare,	Modell,	Sollenberger,
Cadwalader,	Haudenshield,	Mooney,	Sorg,
Chervenak,	Heatherington,	Moore, C. E.,	Stonier,
Chudoff,	Helm,	Moore, W. J.,	Stuart,
Cohen,	Hennihan,	Moran,	Swope,
Coleman,	Herman,	Moser,	Tahl,
Cook,	Hersch,	Murray, M. L.,	Tate,
Cooper,	Hewitt,	Murray, P. G.,	Tittle,
Corrigan,	Hoffman,	Myhan,	Trout,
Costa,	Hoggard,	Nagel,	Turbett,
Coulson,	Howells,	Nelson,	Turner,
Coyle,	Hunter,	O'Brien,	Varallo,
Cullen,	Huntley,	O'Connor,	Verona,
Dague,	James,	O'Donnell,	Wachhaus,
Dalrymple,	Jones,	O'Neill,	Wagner,
Dennison,	Kennedy,	Owens,	Waterhouse,
Depuy,	Kirley,	Pentrack,	Watkins,
Dillon,	Kline,	Pettigrew,	Weiss,
Dix,	Komorofski,	Pickens,	Welsh,
Dougherty,	Krise,	Polaski,	Wescott,
Dye,	Kurtz,	Polen,	White,
Elder,	Lane,	Powers,	Wood, N.,
Elish,	Laughner,	Propert,	Worley,
Erb,	Lee,	Readinger,	Wright,
Ewing,	Leisey,	Reagan,	Yeakel,
Flack,	Leonard,	Reese, D. P.,	Yester,
Fleming,	Levy,	Reese, R. E.,	Fiss,
Foor,	Lichtenwalter,	Reidenbach,	Speaker.
Fox,	Loftus,		

NAYS—0

NOT VOTING—17

Bentley,	Kolankiewicz,	Munley,	Stockham,
Duffy,	Longo,	Petrosky,	Trachtman,
Finnerty,	Lyons,	Regan,	Trent,
Hering,	Matthews,	Stank,	Wood, L. H.,
Hoopes,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 984, as follows:

An Act to amend section one thousand eighty of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" authorizing collection by the tax collector of moneys other than taxes levied or assessed against real property

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand eighty of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" is hereby amended to read as follows

Section 1080 Powers and Duties of Tax Collector The tax collector shall be the collector of all State county borough school poor and other taxes levied within the borough by the authorities empowered to levy taxes He may also be required by borough council to collect all other moneys levied or assessed by the borough against real property He shall in addition to the powers authority duties and responsibilities provided for by this act have all the powers perform all the duties and be subject to all the obligations and responsibilities for the collection of such taxes and other moneys as are now vested in conferred upon or imposed upon tax collectors for county purposes

Section 2 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—189

Andrews,	Freed,	Longo,	Reilly,
Baker,	Frost,	Lovett,	Reynolds,
Barrett,	Fullerton,	Madden,	Riley,
Barton,	Gaffney,	Madigan,	Robertson,
Baumunk,	Gallagher,	Mahany,	Root,
Bentzel,	Gardner,	McAtee,	Rose,
Boles,	Getchey,	McClester,	Royer,
Bonawitz,	Gibson,	McCormack,	Rudisill,
Boney,	Goodling,	McDowell,	Salus,
Boorse,	Gore,	McKinney,	Scanlon,
Boory,	Grant,	McLanahan,	Schuster,
Bower,	Green,	McMillen,	Serrill,
Brancato,	Greenwood,	McNair,	Shaffer,
Breisch,	Greer,	McNally,	Shoemaker,
Brice,	Guthrie,	Mihm,	Skale,
Brothers,	Gyger,	Mikula,	Sloan,
Brown,	Haberlen,	Miller,	Smith,
Brunner, C. H.,	Hall,	Milliken,	Snider,
Brunner, P. A.,	Hamilton,	Mills,	Snyder,
Burns,	Hare,	Modell,	Sollenberger,
Cadwalader,	Haudenshield,	Mooney,	Sorg,
Chervenak,	Heatherington,	Moore, C. E.,	Stonier,
Chudoff,	Helm,	Moore, W. J.,	Stuart,
Cohen,	Hennihan,	Moran,	Swope,
Coleman,	Herman,	Moser,	Tahl,
Cook,	Hersch,	Murray, M. L.,	Tate,
Cooper,	Hewitt,	Murray, P. G.,	Tittle,
Corrigan,	Hoffman,	Myhan,	Trout,
Costa,	Hoggard,	Nagel,	Turbett,
Coulson,	Howells,	Nelson,	Turner,
Coyle,	Hunter,	O'Brien,	Varallo,
Cullen,	Huntley,	O'Connor,	Verona,
Dague,	James,	O'Donnell,	Wachhaus,
Dalrymple,	Jones,	O'Neill,	Wagner,
Dennison,	Kennedy,	Owens,	Waterhouse,
Depuy,	Kirley,	Pentrack,	Watkins,
Dillon,	Kline,	Pettigrew,	Weiss,
Dix,	Komorofski,	Pickens,	Welsh,
Dougherty,	Krise,	Polaski,	Wescott,
Dye,	Kurtz,	Polen,	White,
Elder,	[illegible]ne,	Powers,	Wood, N.,
Elish,	Laughner,	Propert,	Worley,
Erb,	Lee,	Readinger,	Wright,
Ewing,	Leisey,	Reagan,	Yeakel,
Flack,	Leonard,	Reese, D. P.,	Yester,
Fleming,	Levy,	Reese, R. E.,	Fiss,
Foor,	Lichtenwalter,	Reidenbach,	Speaker.
Fox,	Loftus,		

NAYS—0

NOT VOTING—17

Bentley,	Kolankiewicz,	Munley,	Stockham,

Duffy,	Lopez,	Petrosky,	Trachtman,
Finnerty,	Lyons,	Regan,	Trent,
Hering,	Matthews,	Stank,	Wood, L. H.,
Hoopes,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1087, as follows:

An Act to amend section one of the act approved the eighteenth day of March one thousand eight hundred seventy-five (P. L. 32) entitled "An act requiring recorders of deeds to prepare and keep in their respective offices general direct and ad sectum indexes of deeds and mortgages recorded therein prescribing the duty of said recorders and declaring that the entries in said general indexes shall be notice to all persons" further prescribing the entries to be made by recorders of deeds in the indexes for deeds and indexes for mortgages

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the eighteenth day of March one thousand eight hundred seventy-five (P. L. 32) entitled "An act requiring recorders of deeds to prepare and keep in their respective offices general direct and ad sectum indexes of deeds and mortgages recorded therein prescribing the duty of said recorders and desclaring that the entries in said general indexes shall be notice to all persons" is hereby amended to read as follows

Section 1 Be it enacted &c That in the addition to the indexes which the recorder of deeds in each county of this commonwealth is required to keep the said recorder shall carefully and accurately prepare and keep in his office two general indexes of all deeds recorded therein in one of which to be known as the direct index he shall enter in their order the name of the grantor the name of the grantee the volume and page wherein the deed is recorded and in the other to be known as the ad sectum index he shall enter in their order the name of the grantee the name of the grantor the volume and page wherein the deed is recorded He shall in like manner also prepare and keep two general indexes one direct and the other ad sectum of all mortgages recorded in his office He shall hereafter enter in both said indexes of deeds and in both the indexes of mortgages the date of recording and the name of the city or borough or township and the number of the ward thereof if any in which the property affected is stated in the recorded instrument to be located and the primary as well as the permanent indexes shall contain the foregoing entries as to date of recording and locality of property affected Said indexes shall be arranged alphabetically and in such a way as to afford an easy and ready reference to said deeds and mortgages respectively and shall be written in a plain and legible hand Provided however That in any county where such indexes have already been prepared and in use or where any special law relating to any of said indexes is now in force they shall be adopted and kept as if made in pursuance of this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—189

Andrews,	Freed,	Longo,	Reilly,
Baker,	Frost,	Lovett,	Reynolds,
Barrett,	Fullerton,	Madden,	Riley,
Barton,	Gaffney,	Madigan,	Robertson,
Baumunk,	Gallagher,	Mahany,	Root,
Bentzel,	Gardner,	McAtee,	Rose,
Boies,	Getchey,	McClester,	Royer,
Bonawitz,	Gibson,	McCormack,	Rudisill,
Boney,	Goodling,	McDowell,	Salus,
Boorse,	Gore,	McKinney,	Scanlon,
Boory,	Grant,	McLanahan,	Schuster,
Bower,	Green,	McMillen,	Serrill,
Brancato,	Greenwood,	McNair,	Shaffer,
Breisch,	Greer,	McNally,	Shoemaker,
Brice,	Guthrie,	Mihm,	Skale,
Brothers,	Gyger,	Mikula,	Sloan,
Brown,	Haberlen,	Miller,	Smith,
Brunner, C. H.,	Hall,	Milliken,	Snider,
Brunner, P. A.,	Hamilton,	Mills,	Snyder,
Burns,	Hare,	Modell,	Sollenberger,
Cadwalader,	Haudenshield,	Mooney,	Sorg,
Chervenak,	Heatherington,	Moore, C. E.,	Stonier,
Chudoff,	Helm,	Moore, W. J.,	Stuart,
Cohen,	Hennihan,	Moran,	Swope,
Coleman,	Herman,	Moser,	Tahl,
Cook	Hersch,	Murray, M. L.,	Tate,
Cooper,	Hewitt,	Murray, P. G.,	Tittle,
Corrigan,	Hoffman,	Myhan,	Trout,
Costa,	Hoggard,	Nagel,	Turbett,
Coulson,	Howells,	Nelson,	Turner,
Coyle,	Hunter,	O'Brien,	Varallo,
Cullen,	Huntley,	O'Connor,	Verona,
Dague,	James,	O'Donnell,	Wachhaus,
Dalrymple,	Jones,	O'Neill,	Wagner,
Dennison,	Kennedy,	Owens,	Waterhouse,
Depuy,	Kirley,	Pentrack,	Watkins,
Dillon,	Kline,	Pettigrew,	Weiss,
Dix,	Komorofski,	Pickens,	Welsh,
Dougherty,	Krise,	Polaski,	Wescott,
Dye,	Kurtz,	Polen,	White,
Elder,	Lane,	Powers,	Wood, N.,
Elish,	Laughner,	Propert,	Worley,
Erb,	Lee,	Readinger,	Wright,
Ewing,	Leisey,	Reagan,	Yeakel,
Flack,	Leonard,	Reese, D. P.,	Yester,
Fleming,	Levy,	Reese, R. E.,	Fiss,
Foor,	Lichtenwalter,	Reidenbach,	Speaker.
Fox,	Loftus,		

NAYS—0

NOT VOTING—17

Bentley,	Kolankiewicz,	Munley,	Stockham,
Duffy,	Lopez,	Petrosky,	Trachtman,
Finnerty,	Lyons,	Regan,	Trent,
Hering,	Matthews,	Stank,	Wood, L. H.,
Hoopes,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1098, as follows:

An Act authorizing cities of the third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities

Whereas the laws of this Commonwealth authorize cities of the third class to create and maintain pension systems for the benefit of firemen police and other employes and

Whereas no authority is now vested in such cities to provide an adequate and complete retirement or compensation system for officers and employes who by rea-

son of age or infirmities and involuntary retirement are unprotected therefore

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following words and phrases unless a different meaning is plainly required by the context shall have the following meanings

"Person" an officer or employe of the city

"Employe" a person in the service of the city who is either or who is not now adequately protected under all circumstances by pensions authorized by the laws of this Commonwealth and in force at the time of the passage of this act

"Officers" a person elected or appointed to city service

"Board" Officers and Employes Retirement Board

"City" or "Cities" all third class cities adopting this act

"Fund" Officers and Employes Retirement Fund

"Compensation" retirement allowance or compensation

"He" the masculine and feminine pronouns

Section 2 That all cities of the third class may create a retirement system for officers and employes of said cities whether or not such officers and employes are protected by pension authorized by the laws of this Commonwealth and in force at the time of the passage of this act in the manner under the conditions and subject to the qualifications following

Section 3 In any such city which creates such retirement system there shall be created a board to be known as the "Officers and Employes Retitrement Board" consisting of the mayor the city controller the director of finance and two employes to be chosen by the employes contributing to the retirement fund It shall be the duty of said board to register all persons employed by the said city and to administer the collections and distribution of the fund herein provided for and make such reasonable rules in the premises as such board may deem necessary to carry into effect the provisions of this act

Section 4 (a) That every person now or hereafter elected or appointed to an office of or employed by any city which has created such retirement system and such board as hereinafter provided of the age of fifty-five (55) years and upwards who shall have so served as an officer or employe for a period of twenty (20) years or more shall upon application to the board be retired from service and shall during the remainder of his life receive the compensation fixed by this act subject to such qualifications as are hereinafter contained

If any person who shall have served twenty (20) years and voluntarily retires he shall by continuing his contributions until the age of fifty-five (55) be entitled to the above compensation

During the lifetime of any such person he shall be entitled to receive as compensation annually from the fund set aside for the purpose fifty (50) per centum of the amount which would constitute the average salary or wages which he earned during the last five (5) years of his service for the city Said compensation to be paid in semi-monthly payments

(b) Where an officer or employe who shall have served for ten (10) years or more and his tenure of officer or employment shall be terminated without his voluntary action before the expiration of twenty (20) years of service he shall in such even during the remainder of his life be entitled to receive such portion of the full compensation as the period of his service up to date of its termination bears to the full twenty-year period of service where an officer or employe who has served for twenty (20) years or more and his tenure of office or employment shall be terminated without his voluntary actio nthen he shall be entitled to full compensation for the remainer of his life

Should an officer or employe however become so permanently disabled as to render him unable to perform the duties of his position or office after fifteen (15) years of service and before attaining the age of fifty-five (55) years he shall be entitled to full compensation during such disability Proof of such disability shall consist of the sworn statement of three (3) practicing physicians designated by the board that the employe is in a condition of health which would permanently disable him from performing the duties of his position or office Such person shall thereafter be subject to physical examination at any reasonable time or times upon order of the board and upon his refusal to submit to any such examination his compensation shall cease

Section 5 The officers and employes of any city creating such fund and board shall upon the acceptance of this act pay unto said board monthly an amount equal to three (3) per centum of their monthly salaries or wages except as hereinafter provided concerning laborers which shall be applied to the purpose of this act

If any compensation be granted to a person who has not been a contributor to the fund as herein provided for an aggregate period of twenty (20) years such person shall be required to pay unto the board for the benefit of the fund monthly an amount equal to three (3) per centum of his compensation until such time as his contribution shall have been extended to a period of twenty (20) years

If for any cause any person contributing to the fund who has served less than ten (10) years shall cease to be in the service of the city he shall become entitled to the total amount of the contributions paid into the fund by him without interest Any person who has servied for a period of less than twenty (20) years and who has not reached the age of fifty-five (55) years and who voluntarily retires from such service shall be entitled only to the return of his total contributions to the fund without interest

If for any cause any person contributing to the fund shall cease to be in the service of any city before he shall have become entitled to any compensation the total amount of the contributions paid into the fund by him shall be refunded in full without interest Provided however if any such person shall have returned to him the amount contributed as aforesaid and shall afterwards reenter the service of the city he shall not be entitled to the compensation designated unless he shall return to the fund the amount withdrawn in which event the required period of service under this act shall be computed from the time he first entered the service of the city otherwise the date of his period of service shall commence upon re-entry In the event of the death of any person after he becomes entitled to any compensation and has not elected to retire the total amount of contributions paid into the fund by him shall be paid over to his estate without interest

Section 6 No person holding a position in any city as a laborer at a per diem wage shall be compelled to pay or contribute toward the fund herein provided for but he shall have the option or choice of so doing and shall only upon electing to contribute to the fund become entitled to the compensation provided by this act Provided however that he shall be required to contribute three (3) per centum of his wages and the same percentage upon any amount of compensation he receives after his retirement

Section 7 All officers and employes except elected officers eligible for full pension hereunder shall retire at the age of seventy (70) years

Section 8 The head of every department and office employing persons entitled under the provisions of this act to receive compensation shall certify to the board all persons so employed and the amount of salary or wages which is paid to said employe together with dismissals resignations or terminations of service and from the records of their office or department shall furnish such other relative information as the board shall require

Section 9 It shall be the duty of the board to receive and retain and when deemed advisable to invest the funds payable in accordance with the provisions of this act and to pay over by warrant or check the amount due to said officers and employes

Section 10 The councils of the cities shall annually set aside apportion and appropriate out of all taxes and

income of such city unto the board a sum sufficient to maintain the compensation due under this act

Section 11 The benefits conferred by this act shall apply to all persons employed in any capacity by or holding positions in the city creating a fund and board in accordance with its provisions except as hereinafter provided

Section 12 The time of service herein specified shall be computed from the time of the first or original service to the city and need not be continuous

Section 13 The compensation herein mentioned shall not be subject to attachment or execution and shall be payable only to the beneficiary designated by this act and shall not be subject to assignment or transfer

Section 14 Where a city elects to create a retirement system established by this act and is then maintained a retirement or pension system or systems covering its municipal officers and employes those officers and employes so covered shall not become members of the retirement system established by this act unless at the time the municipality elects to create the system the members of such existing pension system or systems shall by the affirmative vote of seventy-five per centum (75%) of all the members thereof elect to be covered by the retirement system established by this act and the acceptance by any city of this act by ordinance shall constitute a repeal of any existing system or systems covering officers and employes contemplated under this act In any such case provision shall be made for the transfer of the moneys and securities in its pension fund or funds to the fund established by this act

Section 15 It is the intent of this act to permit cities of the third class to adopt a new Municipal Officers and Employes Retirement System and does not affect the provisions of the act of June twenty-third one thousand nine hundred thirty-one (P. L. 932) Article forty-three sections four thousand three hundred forty to four thousand three hundred fifty-three inclusive or existing firemen and policemen pension systems

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—189

Andrews,	Freed,	Longo,	Reilly,
Baker,	Frost,	Lovett,	Reynolds,
Barrett,	Fullerton,	Madden,	Riley,
Barton,	Gaffney,	Madigan,	Robertson,
Baumunk,	Gallagher,	Mahany,	Root,
Bentzel,	Gardner,	McAtee,	Rose,
Boies,	Getchey,	McClester,	Royer,
Bonawitz,	Gibson,	McCormack,	Rudisill,
Boney,	Goodling,	McDowell,	Salus,
Boorse,	Gore,	McKinney,	Scanlon,
Boory,	Grant,	McLanahan,	Schuster,
Bower,	Green,	McMillen,	Serrill,
Brancato,	Greenwood,	McNair,	Shaffer,
Breisch,	Greer,	McNally,	Shoemaker,
Brice,	Guthrie,	Mihm,	Skale,
Brothers,	Gyger,	Mikula,	Sloan,
Brown,	Haberlen,	Miller,	Smith,
Brunner, C. H.,	Hall,	Milliken,	Snider,
Brunner, P. A.,	Hamilton,	Mills,	Snyder,
Burns,	Hare,	Modell,	Sollenberger,
Cadwalader,	Haudenshield,	Mooney,	Sorg,
Chervenak,	Heatherington,	Moore, C. E.,	Stonier,
Chudoff,	Helm,	Moore, W. J.,	Stuart,
Cohen,	Hennihan,	Moran,	Swope,
Coleman,	Herman,	Moser,	Tahl,
Cook,	Hersch,	Murray, M. L.,	Tate,
Cooper,	Hewitt,	Murray, P. G.,	Tittle,
Corrigan,	Hoffman,	Myhan,	Trout,
Costa,	Hoggard,	Nagel,	Turbett,
Coulson,	Howells,	Nelson,	Turner,
Coyle,	Hunter,	O'Brien,	Varallo,
Cullen,	Huntley,	O'Connor,	Verona,
Dague,	James,	O'Donnell,	Wachhaus,
Dalrymple,	Jones,	O'Neill,	Wagner,
Dennison,	Kennedy,	Owens,	Waterhouse,
Depuy,	Kirley,	Pentrack,	Watkins,
Dillon,	Kline,	Pettigrew,	Weiss,
Dix,	Komorofski,	Pickens,	Welsh,
Dougherty,	Krise,	Polaski,	Wescott,
Dye,	Kurtz,	Polen,	White,
Elder,	Lane,	Powers,	Wood, N.,
Elish,	Laughner,	Propert,	Worley,
Erb,	Lee,	Readinger,	Wright,
Ewing,	Leisey,	Reagan,	Yeakel,
Flack,	Leonard,	Reese, D. P.,	Yester,
Fleming,	Levy,	Reese, R. E.,	Fiss,
Foor,	Lichtenwalter,	Reidenbach,	Speaker.
Fox,	Loftus,		

NAYS—0

NOT VOTING—17

Bentley,	Kolankiewicz,	Munley,	Stockham,
Duffy,	Lopez,	Petrosky,	Trachtman,
Finnerty,	Lyons,	Regan,	Trent,
Hering,	Matthews,	Stank,	Wood, L. H.,
Hoopes,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection House Bill No. 1099, Printer's No. 331, was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1111, as follows:

An Act to amend section one thousand two hundred two of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs authorizing borough councils to make appropriations of certain sums for community nursing and ambulance service

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand two hundred two of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" is hereby amended by adding after clause LX two new clauses to read as follows

Section 1202 Specific Powers The words "corporate authorities" or "corporate officers" when applied to boroughs shall mean the borough council even though the action undertaken is by ordinance and subject to the approved or veto of the burgess The legislative powers of boroughs including any capital expenditures not payable out of the current funds for the year shall be exercised by or based upon an ordinance and all other powers by vote of the majority of council present at a meeting unless otherwise prescribed Routine ministerial or administrative purchases and powers may be made and exercised by officers or committees if authority therefor is previously given or the action is subsequently ratified by council As thus defined boroughs shall have power

* * * * *

LXI To appropriate money not in excess of five hundred dollars ($500) annually for the expense of community nurse services

LXII To appropriate money not in excess of one thousand dollars ($1,000) annually for the expense of the maintenance and support of a non-profit community ambulance service

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—189

Andrews,	Freed,	Longo,	Reilly,
Baker,	Frost,	Lovett,	Reynolds,
Barrett,	Fullerton,	Madden,	Riley,
Barton,	Gaffney	Madigan,	Robertson,
Baumunk,	Gallagher,	Mahany,	Root,
Bentzel,	Gardner,	McAtee,	Rose,
Boies,	Getchey,	McClester,	Royer,
Bonawitz,	Gibson,	McCormack,	Rudisill,
Boney,	Goodling,	McDowell,	Salus,
Boorse,	Gore,	McKinney,	Scanlon,
Boory,	Grant,	McLanahan,	Schuster,
Bower,	Green,	McMillen,	Serrill,
Brancato,	Greenwood,	McNair,	Shaffer,
Breisch,	Greer,	McNally,	Shoemaker,
Brice,	Guthrie,	Mihm,	Skale,
Brothers,	Gyger,	Mikula,	Sloan,
Brown,	Haberlen,	Miller,	Smith,
Brunner, C. H.,	Hall,	Milliken,	Snider,
Brunner, P. A.,	Hamilton,	Mills,	Snyder,
Burns,	Hare,	Modell,	Sollenberger,
Cadwalader,	Haudenshield,	Mooney,	Sorg,
Chervenak,	Heatherington,	Moore, C. E.,	Stonier,
Chudoff,	Helm,	Moore, W. J.,	Stuart,
Cohen,	Hennihan,	Moran,	Swope,
Coleman,	Herman,	Moser,	Tahl,
Cook,	Hersch,	Murray, M. L.,	Tate,
Cooper,	Hewitt,	Murray, P. G.,	Tittle,
Corrigan,	Hoffman,	Myhan,	Trout,
Costa,	Hoggard,	Nagel,	Turbett,
Coulson,	Howells,	Nelson,	Turner,
Coyle,	Hunter,	O'Brien,	Varallo,
Cullen,	Huntley,	O'Connor,	Verona,
Dague,	James,	O'Donnell,	Wachhaus,
Dalrymple,	Jones,	O'Neill,	Wagner,
Dennison,	Kennedy,	Owens,	Waterhouse,
Depuy,	Kirley,	Pentrack,	Watkins,
Dillon,	Kline,	Pettigrew,	Weiss,
Dix,	Komorofski,	Pickens,	Welsh,
Dougherty,	Krise,	Polaski,	Wescott,
Dye,	Kurtz,	Polen,	White,
Elder,	Lane,	Powers,	Wood, N.,
Elish,	Laughner,	Propert,	Worley,
Erb,	Lee,	Readinger,	Wright,
Ewing,	Leisey,	Reagan,	Yeakel,
Flack,	Leonard,	Reese, D. P.,	Yester,
Fleming,	Levy,	Reese, R. E.,	Fiss,
Foor,	Lichtenwalter,	Reidenbach,	Speaker.
Fox,	Loftus,		

NAYS—0

NOT VOTING—17

Bentley,	Kolanklewicz,	Munley,	Stockham,
Duffy,	Lopez,	Petrosky,	Trachtman,
Finnerty,	Lyons,	Regan,	Trent,
Hering,	Matthews,	Stank,	Wood, L. H.,
Hoopes,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1172, as follows:

An Act to further amend the first six paragraphs of section four hundred seven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" increasing the membership of the Pennsylvania Aeronautics Commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The first six paragraphs of section four hundred seven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 443) is hereby further amended to rea das follows

Section 407 Pennsylvania Aeronautics Commission The Pennsylvania Aeronautics Commission shall consist of the Secretary of Commerce who shall be chairman thereof and [four] eight other members to be appointed by the Governor Two of the members shall be chosen from the House of Representatives and two from the Senate of the Commonwealth of Pennsylvania The members of the commission who are members of the General Assembly shall have no right to vote but shall in all other respects enjoy all the rights and privileges of membership

The Governor shall designate one of the members of the commission as vice-chairman and the commission shall elect a secretary who need not be a member thereof

The commission shall have an executive director to be appointed by the Governor to serve at his pleasure who shall receive such salary as shall be fixed by the commission with the approval of the Governor The executive director shall attend to the administrative work of the commission and shall perform such other duties as shall from time to time be imposed upon him by the commission No member of the commission nor anyone who has served as a member thereof within one year shall be eligible for appointment as executive director

Each commissioner at the time of his appointment and qualification shall be a resident of the Commonwealth of Pennsylvania and shall have been a qualified elector therein for a period of at least one year next preceding his appointment

The members of the commission first appointed under

this act and the legislative members first appointed shall continue in office for terms of one two three and four years respectively and until their respective successors shall be duly appointed and shall have qualified but their successors shall be appointed for terms of four years

Three members of the commission who are not members of the General Assembly shall be a quorum When three members act as a quorum for any purpose including the making of any order or the ratification of any act done or order made by one or more of the commissioners they must act unanimously No vacancy in the commission shall impair the right of a quorum of the commissioners to exercise all the rights and perform all the duties of the commission

Section 2 The provisions of this act shal lbecome effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—189

Andrews,	Freed,	Longo,	Reilly,
Baker,	Frost,	Lovett,	Reynolds,
Barrett,	Fullerton,	Madden,	Riley,
Barton,	Gaffney,	Madigan,	Robertson,
Baumunk,	Gallagher,	Mahany,	Root,
Bentzel,	Gardner,	McAtee,	Ross,
Boies,	Getchey,	McClester,	Royer,
Bonawitz,	Gibson,	McCormack,	Rudisill,
Boney,	Goodling,	McDowell,	Salus,
Boorse,	Gore,	McKinney,	Scanlon,
Boory,	Grant,	McLanahan,	Schuster,
Bower,	Green,	McMillen,	Serrill,
Brancato,	Greenwood,	McNair,	Shaffer,
Breisch,	Greer,	McNally,	Shoemaker,
Brice,	Guthrie,	Mihm,	Skale,
Brothers,	Gyger,	Mikula,	Sloan,
Brown,	Haberlen,	Miller,	Smith,
Brunner, C. H.,	Hall,	Milliken,	Snider,
Brunner, P. A.,	Hamilton,	Mills,	Snyder,
Burns,	Hare,	Modell,	Sollenberger,
Cadwalader,	Haudenshield,	Mooney,	Sorg,
Chervenak,	Heatherington,	Moore, C. E.,	Stonier,
Chudoff,	Helm,	Moore, W. J.,	Stuart,
Cohen,	Hennihan,	Moran,	Swope,
Coleman,	Herman,	Moser,	Tahl,
Cook,	Hersch,	Murray, M. L.,	Tate,
Cooper,	Hewitt,	Murray, P. G.,	Tittle,
Corrigan,	Hoffman,	Myhan,	Trout,
Costa,	Hoggard,	Nagel,	Turbett,
Coulson,	Howells,	Nelson,	Turner,
Coyle,	Hunter,	O'Brien,	Varallo,
Cullen,	Huntley,	O'Connor,	Verona,
Dague,	James,	O'Donnell,	Wachhaus,
Dalrymple,	Jones,	O'Neill,	Wagner,
Dennison,	Kennedy,	Owens,	Waterhouse,
Depuy,	Kirley,	Pentrack,	Watkins,
Dix,	Kline,	Pettigrew,	Weiss,
Dougherty,	Komorofski,	Pickens,	Welsh,
Dillon,	Krise,	Polaski,	Wescott,
Dye,	Kurtz,	Polen,	White,
Elder,	Lane,	Powers,	Wood, N.,
Elish,	Laughner,	Propert,	Worley,
Erb,	Lee,	Readinger,	Wright,
Ewing,	Leisey,	Reagan,	Yeakel,
Flack,	Leonard,	Reese, D. P.,	Yester,
Fleming,	Levy,	Reese, R. E.,	Fiss,
Foor,	Lichtenwalter,	Reidenbach,	Speaker.
Fox,	Loftus,		

NAYS—0

NOT VOTING—17

Bentley,	Kolankiewicz,	Munley,	Stockham,
Duffy,	Lopez,	Petrosky,	Trachtman,
Finnerty,	Lyons,	Regan,	Trent,
Hering,	Matthews,	Stank,	Wood, L. H.,
Hoopes,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

Senate Bill No. 72, Printer's No. 7,

Senate Bill No. 113, Printer's No. 23, and

Senate Bill No. 115, Printer's No. 135,

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 188, as follows:

An Act to amend section four hundred twenty as added to the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by including annuity policy contracts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred twenty of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" as added by the act approved the twenty-sixth day of April one thousand nine hundred twenty-nine (P. L. 790) is hereby amended to read as follows

Section 420 Exchange Alteration and Conversion of Policies Any life insurance company may at the request of a policyholder exchange alter or convert any policy of life or endowment insurance or annuity policy contract issued by it for or into any policy conforming (a) with the laws in force when the first mentioned policy was issued if the rewritten policy bears the date thereof or (b) with the laws in force when said exchange alteration or conversion is effected if the rewritten policy bears a then current date Provided however If such rewritten policy bears the date of said original policy the amount of insurance under said rewritten policy shall not exceed the amount of insurance under said original policy or the amount of insurance which the premium paid for the original policy would have purchased if the rewritten policy had been originally applied for which ever is greater Nothing contained in section three hundred and forty-six or in the clause (c) of section four hundred and eleven of this act shall be construed as prohibiting any such exchange alteration or conversion of policies as provided by this section

Section 2 The provisions of this act shall became effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—189

Andrews,	Freed,	Longo,	Reilly,
Baker,	Frost,	Lovett,	Reynolds,
Barrett,	Fullerton	Madden,	Riley,
Barton,	Gaffney,	Madigan,	Robertson,
Baumunk,	Gallagher,	Mahany,	Root,
Bentzel,	Gardner,	McAtee,	Rose,
Boles,	Getchey,	McClester,	Royer,
Bonawitz,	Gibson,	McCormack,	Rudisill,
Boney,	Goodling,	McDowell,	Salus,
Boorse,	Gore,	McKinney,	Scanlon,
Boory,	Grant,	McLanahan,	Schuster,
Bower,	Green,	McMillen,	Serrill,
Brancato,	Greenwood,	McNair,	Shaffer,
Breisch,	Greer,	McNally,	Shoemaker,
Brice,	Guthrie,	Mihm,	Skale,
Brothers,	Gyger,	Mikula,	Sloan,
Brown,	Haberlen,	Miller,	Smith,
Brunner, C. H.,	Hall,	Milliken,	Snider,
Brunner, P. A.,	Hamilton,	Mills,	Snyder,
Burns,	Hare,	Modell,	Sollenberger,
Cadwalader,	Haudenshield,	Mooney,	Sorg,
Chervenak,	Heatherington,	Moore, C. E.,	Stonier,
Chudoff,	Helm,	Moore, W. J.,	Stuart,
Cohen,	Hennihan,	Moran,	Swope,
Coleman,	Herman,	Moser,	Tahl,
Cook,	Hersch,	Murray, M. L.,	Tate,
Cooper,	Hewitt,	Murray, P. G.,	Tittle,
Corrigan,	Hoffman,	Myhan,	Trout,
Costa,	Hoggard,	Nagel,	Turbett,
Coulson,	Howells,	Nelson,	Turner,
Coyle,	Hunter,	O'Brien,	Varallo,
Cullen,	Huntley,	O'Connor,	Verona,
Dague,	James,	O'Donnell,	Wachhaus,
Dalrymple,	Jones,	O'Neill,	Wagner,
Dennison,	Kennedy,	Owens,	Waterhouse,
Depuy,	Kirley,	Pentrack,	Watkins,
Dillon,	Kline,	Pettigrew,	Weiss,
Dix,	Komorofski,	Pickens,	Welsh,
Dougherty,	Krise,	Polaski,	Wescott,
Dye,	Kurtz,	Polen,	White,
Elder,	Lane,	Powers,	Wood, N.,
Elish,	Laughner,	Propert,	Worley,
Erb,	Lee,	Readinger,	Wright,
Ewing,	Leisey,	Reagan,	Yeakel,
Flack,	Leonard,	Reese, D. P.,	Yester,
Fleming,	Levy,	Reese, R. E.,	Fiss,
Foor,	Lichtenwalter,	Reidenbach,	Speaker.
Fox,	Loftus,		

NAYS—0

NOT VOTING—17

Bentley,	Kolankiewicz,	Munley,	Stockham,
Duffy,	Lopez,	Petrosky,	Trachtman,
Finnerty,	Lyons,	Regan,	Trent,
Hering,	Matthews,	Stank,	Wood, L. H.,
Hoopes,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendment.

BILLS PASSED OVER

There being no objection

Senate Bill No. 356, Printer's No. 172,

Senate Bill No. 460, Printer's No. 151,

House Bill No. 1093, Printer's No. 374,

were passed over at the request of the SPEAKER pro tempore.

TIME EXTENDED ON BILL

Mr. SALUS. Mr. Speaker, I move that the time on House Bill No. 95, Printer's No. 134, entitled:

An Act conferring upon the Councils of cities of the first class the power and devolving upon them the duty of fixing and determining the salaries wages and other compensation payable out of the treasury of such cities from and after the first day of January one thousand nine hundred and forty-six of all public officers clerks and other public employes except the salaries of elected officers whose salaries are fixed by law and except the salaries wages or other compensation of officers clerks and employes of the Courts which are fixed by law or by the Courts.

on page 33 of today's calendar, bills on third reading postponed, be extended five days.

The motion was agreed to.

PERMISSION TO ADDRESS HOUSE

Mr JAMES asked and obtained unanimous consent to address the House.

Mr. Speaker, the impression has been given by most of Philadelphia's newspapers that the wage tax bills passed by this House last week were merely a medium for the demonstration of parliamentary legerdemain with the purpose of political effect.

Now that these bills have passed the House, both editorial and newswise material has been either sadly statistical or petulantly epithetical.

Philadelphia's journals and Philadelphia's leaders would do well for the people of Philadelphia if they would try to recognize the sentiments implied by the passage of these bills.

The stark fact is that unless the City's political and civic leaders—and the press—drop their accustomed pose of smug complacency and envision something more noble than sustaining the city with nickels and dimes scraped from pinball machnies and a penny per dollar earned by its wage workers, it cannot be long ere there will be even less than now, to offer real estate owners in exchange for the taxes they pay.

Thus far nothing more brilliant has been discussed or suggested than a ninety cents boost in taxes on real estate.

It has been said that we who supported these wage tax measures have a design for wrecking the city. It has also been said that we might thereby gain some cheap political advantage.

For my part, I am well enough aware of my own ineptitude in politics to know that, in what ever may accrue to those who are astute in that science, I can scarcely expect to share.

It has also been said that I and others have acted with reckless legislative abandon—that we would tear down without a plan, or thought, for building up.

So far as I can see, wrecking Philadelphia would not help anything—or anybody.

We are, however, mostly outsiders residing from Chester to Pittsburgh, and outsiders are "mouchers" according to Philadelphia's very able spokesman, the gentleman from Philadelphia, Mr. Salus. We are therefore somewhat timid about offering suggestions. We believe in home rule and we believe that representation without

taxation is just as shameful and wrong as taxation without representation.

But since I am not concerned with any of the alleged political involvements in the situation, I will make a few suggestions and let the political chips fall where they may.

Philadelphia needs a great deal of everything besides the often professed love of all the boys in City Hall.

Philadelphia needs an emormous capital investment—and soon.

There is a way of filling that need, but she cannot fill it by going about the State with a tin cup in her hand.

Philadelphia must render and charge for the services demanded of a great and modern city. The wants of modern people are more numerous and more costly than they were when Philadelphia was young.

"Wants" are the very basis of merchandising and Philadelphia has not only a right but the need to properly and fairly merchandise certain of its services.

Taxes alone, whether upon realty, wages or pinball machines, can never keep pace with the progress and th growing costs of a growing city. Its people will never get a good bragain with taxes insufficient to support clean water—clean streets—slum clearance—continuous rehabilitation—sewage disposal—modern fire protection—scientific police service and intelligent transportation engineering.

In turn all of these "Wants" call for scientific city planning—not political planning.

Scientific city planning comprehends maintaining and increasing realty values, thus restoring the millions upon millions in assessments that have fallen away because of deterioration through the City's neglect of whole areas within its borders.

The loss in assessable values is, in undeniable fact, accountable for a loss of about $14,000,000 in real estate taxes alone, annually, by reference to only fifteen years of time!

Still Philadelphia cannot be the great city it deserves to be if it tries to cover all of its costs in level taxation. There are services that should not be and cannot for long remain free from specific charges against those who accept or demand them.

Many of such services are in no wise related to the real estate tax base. They are related to "use and occupancy" rather than to the ownership of realty, and they should be paid for accordingly.

Philadelphia can make a beginning that will help its overall situation vastly by abandoning the shameless political device of dual government, thus airconditioning a somewhat foul municipal household and making it ready for further improvements.

If Philadelphia does this one thing it will inspire men and women in the city to drop their hopeless attitude toward its affairs and bring new vision, imagination and ingenuity to the greater problem of the City's rehabilitation through what I have called an enormous capital investment.

Philadelphia need not balk at the hurdle of such an investment. No spot on the western hemisphere offers a more likely opportunity than Philadelphia for the safe and fruitful investment of a huge sum of money for capital purposes and services on a self-liquidating basis.

The amount of money needed to put the city in a position to take full advantage of her ready opportunities may be as much as, or even more than, half a billion dollars, but when there is talk of increasing borrowing capacity and debt service charges or otherwise providing by taxation in the face of that kind of money, then there is no vision behind such talk.

There is no vision in talking about doing what needs to be done in Philadelphia through piecemeal operations or laying new patches on worn out fabrics.

Many of Philadelphia's existing service facilities are old and outmoded beyond reason. They are costly to operate and the city is wholly lacking in others.

That is not a criticism.

Nearly all of our older cities have secured their facilities and tried to cover both the capital investments and the costs of operation through level taxes for the most part upon real estate. Deterioration and debt have nearly always caught up with and overtaken them.

The Municipal Authorities Act has opened the way to restore Philadelphia to its rightful position among the great cities of the world. A City of Philadelphia Authority will attract willing investors at modest interest rates; it will provide the medium for rapid progress with badly needed services, facilities and improvements; it will raise realty values and therefore assessments upon which taxes are based; it will provide immediate employment for thousands upon thousands of workers; it will provide modern living at bearable costs; it will eliminate petty tax practices and finally it will give to Philadelphia a new pride and a new dignity.

There will be enough large scale projects under the right kind of city planning that should and must be self-liquidating, and therein lies the justification for relating certain service charges to use and occupancy rather than to the real estate owner base, for all covering taxes. The time has passed when any great city on earth can collect enough money in taxes alone to pay the whole cost of modern living. The people will pay fair and proper charges for what they want and demand—if they get what they want and demand.

I will only add to what I have said that there will be among the many Philadelphia projects, under a Municipal Authority, some in which federal grants will be available. Such grants should be sought. There is no shame in Philadelphia taking back a portion of the money that Philadelphians pay out for federal distribution.

If what I have said is useful, I am happy. If it is to be rensented, I am sorry I said it.

PERMISSION TO ADDRESS HOUSE

Mr. SALUS asked and obtained unanimous consent to address the House.

Mr. Speaker, I have listened attentively to the gentleman from Delaware and I want to warn those newspaper men sitting down there that the bogey man is after them; they want to be careful what they are doing because if this bogey man gets them by the right leg he may tear it off. So I am going to ask them to be very careful, that they do not abuse the gentleman. As far as I am concerned, I am used to it and I don't mind it.

I have heard much about taxation without representation, the Boston Tea Party. I did not answer those statements because they are so ridiculous. Taxation without representation has no application here. The gentleman from Delaware can come to live in Philadelphia at any time at all and can vote with the rest of the population. He does not seem to be inclined to be a citizen of Philadelphia; he seems to be inclined to try to help us. I know if there is anything in his program and he will become a good citizen of Philadelphia and advocate a cause whereby we can have a city beautiful without any expense except by borrowing money and owing money and getting in debt, his program would be wonderful, and I in behalf of our city invite him to become a resident. It is peculiar that he is perfectly willing to have his business in Philadelphia, to have his customers in Philadelphia, to have his employes in Philadelphia, but he does not care to live with us. If we are such a terrible community as he says we are and we are so inefficient in everything we do, maybe he is right in staying in Delaware County, and we may be much happier with him staying there. I still am convinced—and I do not want him take any offense at this at all, because it don't apply to him personally because I feel he is a buddy of mine and I do not want to do him any injustice, but to my mind he still belongs to that group that I would call the millionaire Main Line moochers, who are very, very happy in taking everything that Philadelphia has got and giving nothing in return.

We have heard a lot today about charity that has been referred to in Pittsburgh and Philadelphia, and if the gentleman does not have any Delaware County charity, I hope and pray that he has some Christian charity.

PERMISSION TO ADDRESS HOUSE

Mr. JAMES asked and obtained unanimous consent to address the House.

I rise, Mr. Speaker, to make a few remarks in response to the remarks of the gentleman who spoke last.

Mr. Speaker, I do not resent accepting among the many roles that have been accorded me during these wage tax discussions, the role of bogey man. I have never been timid about being a bogey man, but I am very much afraid that in these discussions I have been more of a bogey man to the good Senator from Philadelphia than I have to the newspaper men.

I want to tell the Senator why I live in Delaware County. I live there because the grass of Delaware County grows a little greener, the birds of Delaware County sing a little sweeter in the spring time and the water we get to drink is fit to drink. There might be many reasons why, when I was young and impressionable, I might have wanted to stay in Philadelphia. I was born there, I met all the nice girls that I knew when I was a boy there. I fell in love several times and I might have married a Philadelphian and stayed there. All that would have been pleasant until the time when the Philadelphia administration began to let the city slip.

I remember Philadelphia in the young years. It was lovely. In particular the great shopping section, often referred to as the east-central section of Philadelphia It was in that district that I was taken to get my first short pants and my first long pants, and the stores were prosperous, crowded with patrons and business was good. In that great east-central section great buildings were erected. The law center was there, as the Senator from Philadelphia knows; the banking center was there, the insurance center was there and all the great merchandising houses were there. Philadelphia in those days drew a very, very large and important part of its tax money from the east-central section. Before Independence Hall in those days it was a pleasure to walk past the busy and prosperous houses on Chestnut Street, but today, members of the House, the east-central section of Philadelphia is as dead as—I won't say. It is rare when one can find a business building of the old days that can be occupied above the first floor. Many of the roofs have holes in them that have been plugged down to the third floor to keep the water out of the basement. The assessed values in that area, as I said a few minutes ago, and to indicate how the city has allowed its most generous contributors of tax money in the past to go, have fallen to the extent of fourteen million dollars in taxes by reference to fifteen years of time.

Now, Mr. Speaker, that comes about through nothing else than unintelligent city management. There have been several times in the past when private associations and groups of people have gotten together and many men have given of their time to planning something for the rehabilitation of that very important part of Philadelphia.

I myself, in spite of what Senator Salus might think about the meagerness of my contribution to the welfare of Philadelphia, have given money and time for this purpose. Notable among them is this Indenpendence Hall Association which is now becoming very active indeed because of the hope that Philadelphia may be made the center of this World Congress which we all expect soon to be convened. There is no question about that. Philadelphia has the right and deserves to be considered as the home of world freedom, but Philadelphia today in the parts of the city where such a project might have to be placed, would be, in the words of a book which has just been published by the Independence Hall Association, a shame upon any American.

As the Senator has said, he believes a great many things about me that are not complimentary, but he believes one that is complimentary, he believes that I want to help, and so I do. I am not suggesting a plan that can be carried out in its entirety within a week or month. The needs of Philadelphia, particularly the east-central section are so great and varied that a major operation of great proportions will be necessary to restore it into presentable condition, to restore it so that it will bear its rightful share of the taxes to operate the city of Philadelphia. But there is now a new day differing from the old days, when nobody knew anything about self-liquidating projects, services that should be paid for independent of real estate taxes. There were some reasons for being dilatory about looking forward and planning and thinking for a great city, but there is today in Pennsylvania a possibility to do something very much better and very different But Philadelphia and not only Philadelphia but all the older and larger cities

in this country have pretty nearly reached the end of the rope so far as capital investments are concerned which are necessary for modern living.

We have here in Pennsylvania or will have because I believe we are going to pass the Municipal Authorities Act of 1945, one of the most carefully considered and best worked out Authority Acts in existence, and unless the City of Philadelphia and some of the older cities of Pennsylvania begin immediately a study of that act with a view of making use of it on a basis that will be not only in the interest of of the people but in the interest of the financial situation of those cities, then they are going again to ignore one of the principles of doing what should be done for the people. There is no longer any question about use and occupancy as a chargeable item against the people who use and occupy. The whole burden of securing city facilities and paying for their operation can no longer be borne by the amount collected from any form of level taxation.

THE SPEAKER (Ira T. Fiss) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Elk, Mr. Sorg, for presiding.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 739, entitled:

An Act authorizing the judges of the courts of common pleas and the county commissioners jointly to create medical clinics for the examination of persons prior to trial and of persons convicted of the commission of any crime prior to sentencing thereof; providing for the creation of joint medical clinics among the several counties; and imposing costs of maintaining and operating such clinics upon the county or counties creating same.

The first and second sections were separately read and agreed to.

The third section was read.

On the question,

Will the House agree to the section?

Mr. BOIES offered the following amendments:

Amend section 3, page 3, line 3, by inserting after the word "the", where it appears for the first time in the line, the following: "salary board of the county or if there be no salary board then the"

Amend section 3, page 3, line 3, by inserting after the word, "board", the following: "of County Commissioners"

They were agreed to.

The section was agreed to as amended.

The fourth, fifth, sixth and seventh sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 795, entitled:

An Act to further amend clause (f) of section two hundred one and to add clause (n) to section two hundred one of the act approved the twenty-fifth day of May one thousand nine hundred thirty-three (P. L. 1001) entitled as amended "An act providing for the regulation of aeronautics within this Commonwealth conferring powers and imposing duties upon the Pennsylvania Aeronautics Commission and the Department of Revenue in respect thereto providing for the licensing and registration of airman and aircraft establishing the legal status of air navigation providing for sovereignty in and ownership of space providing for lawfulness of flights regulating civil causes of action arising out of operation of aircraft fixing the status of contracts crimes and torts in by or by means of operation of aircraft imposing duties upon officers burgesses magistrates aldermen justices of the peace the courts and clerks thereof providing for denial or revocation of licenses providing for certain penalties and their disposition and repealing certain existing laws" by authorizing the commission to assist in the construction of airports and landing fields and to expend moneys appropriated to it for such purposes and to accept moneys from the Federal Government and other sources

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Mr. HELM offered the following amendment:

Amend Section 2 on page 3 by adding at the end of line 28, after the word "agencies" the following: "Provided that in the expenditure of such money otherwise than in the performance of work by the Commission's own forces or by the public agencies hereinbefore mentioned the Commission shall conform to and observe all the provisions of Section twenty-four hundred and eight (2408) of the Administrative Code of April ninth nineteen hundred and twenty-nine P. L. one seventy-seven its amendments and supplements"

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 195, entitled:

An Act relating to suits by shareholders against officers or directors in a corporation, domestic or foreign, to enforce a secondary right because the corporation refuses to enforce rights which may be asserted by it; requiring that plaintiff be a shareholder at the time of the transaction of which he complains or that his shares thereafter devolved upon him by operation of law; requiring security for defendant's expenses, including attorney's fees; and providing for the assessment and recovery of such expenses, including attorney's fees.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 375, entitled:

An Act to further amend the first paragraph of section one thousand seven hundred one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws

general special or local or any parts thereof that are or may be inconsistent therewith" providing for the issuance of equivalent high school diplomas in certain cases

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 850, entitled:

An Act to further amend sections five hundred twenty-two and five hundred twenty-four and to repeal section five hundred twenty-three of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund; providing penalties and repealing existing laws" by providing regulations relating to standard fire insurance policies

The first section was read.

On the question,

Will the House agree to the section?

Mr. DILLON offered the following amendments:

Amend Sec. 1, (Sec. 522), page 4, line 6, by inserting a light face bracket before and after the word "preceding"

Amend Sec. 1, (Sec. 522), page 4, line 6, by striking out the light face brackets before and after the word "provisions"

They were agreed to.

The section was agreed to as amended.

The second, third, fourth and fifth sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 898, entitled:

An Act conferring the power to administer oaths on minute clerks in the court of common pleas or the courts of quarter sessions of the Peace Oyer and Terminer and General Jail Delivery in counties of the second class

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 143, entitled:

An Act to amend clause (a) of section six hundred twenty-one and one-tenth of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further regulating group accident and health insurance.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 89, entitled:

An Act making an appropriation from the State Workmen's Insurance Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Workmen's Insurance Fund.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 155, entitled:

An Act making an appropriation from the Fish Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Fish Fund.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 439, entitled:

An Act providing for the establishment in counties of the second class of the lot and block plan for the registration of land titles, for the accumulation of county tax liens, and for the enumeration of the parcels of real estate to be assessed for county, city, borough, township, school and institution district taxation; providing for the incurring of indebtedness for the installation thereof; and imposing duties upon the county controller and the deed registrar in each of such counties.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 448, entitled:

An Act to add section nineteen and two-tenths to the act, approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298), entitled "An act authorizing the creation of, and providing for, and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class, imposing certain charges on counties, and fixing penalties," by providing for the admission of assessors into membership of such retirement systems.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 655, entitled:

An Act to add section six to the act, approved the tenth day of June, one thousand nine hundred eleven (P. L. 872), entitled "A supplement to an act, entitled 'An act for the government of cities of the second class, approved the seventh day of March, Anno Domini one thousand nine hundred and one; creating and regulating a City Planning Department, giving it jurisdiction, extending it over the city and for three miles beyond the city limits, and regulating the laying out of plans of lots within the limits of the city," requiring notice of proposed roads, streets and highways leading to adjoining political subdivisions to be given to the authorities thereof by the City Planning Commission in cities of the second class A.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 664, entitled:

An Act to add section twenty-one point one to the act, approved the thirteenth day of May, one thousand nine hundred twenty-seven (P. L. 1011), entitled "A supplement to an act entitled 'An act for the government of cities of the second class,' approved the seventh day of March, Anno Domini one thousand nine hundred and one, creating a department of city planning; providing for its organization and powers; regulating the platting of ground; prohibiting the recording of plans and sales of lots therein before their approval, under penalties; making it a misdemeanor for the recorder of deeds to record an unapproved plan; restricting accepting, laying out, opening and improving private streets; prohibiting the erection of buildings on land not abutting on public streets or streets not shown on the official master plan or an approved plat; transferring to the department of city planning powers conferred by other statutes over plats or subdivisions of land, the reservation of locations of mapped streets for future use and authorizing the asessment of damages for same, the preparation and compilation of an official street map; providing penalties for the violation of this act; and repealing certain statutes," requiring notice of proposed roads, streets and highways leading to adjoining political subdivisions, to be given to the authorities thereof.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 691, entitled:

An Act to further amend section five hundred three of the act approved the eleventh day of July, one thousand nine hundred twenty-three (P. L. 998), entitled "An act for the prevention and treatment of mental diseases, mental defect, epilepsy, and inebriety; regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics; governing the transfer, discharge, interstate rendition, and deportation of mental patients; providing for the payment by individuals, counties or the Commonwealth of the cost of the admission, care, and discharge of mental patients; and imposing penalties," granting an exemption to the estates of mental patients from the cost of maintenance in mental institutions, otherwise liable for such maintenance.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1068, entitled:

An Act to protect the health safety and welfare of the public by empowering and authorizing the Water and Power Resources Board of the Department of Forests and Waters to act as the agency of the Commonwealth to carry into effect a project to correct the existing and prevent the future silting of the Schuylkill River and its tributaries by wastes from anthracite coal mining operations defining the powers and duties of said Board authorizing purchase or condemnation of necessary properties easements rights and right-of-ways and making an appropriation

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILL RECOMMITTED

Mr. CHARLES H. BRUNNER, Jr. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1095, entitled:

An Act to amend section one thousand one hundred one of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals, and amending, revising, consolidating and changing the law relating thereto," requiring the Pennsylvania Game Commission to pay bounties to public employees.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1110, entitled:

An Act providing for the equalization of salaries for tipstaves in the courts of common pleas oyer and terminer, and general jail delivery, quarter sessions of the peace, county court of Allegheny County and orphans' courts in counties of the second class.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1135, entitled:

An Act conferring upon counties of the second class power to enter upon private property and open and maintain drainage channels along county roads or highways and providing penalty for interference with such drains or ditches

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1132, entitled:

An Act to amend the title and sections 2, 3, 4, 6, and 10, to repeal section 19 and to add section 21.1 to the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1705) entitled "An act to promote public morals safety and welfare by providing for the supervision and encouragement of housing creating a State Board of Housing a departmental administrative board within the Department of Health providing for the organization of the board the appointment and removal of its members enumerating its duties and powers including the powers to conduct invesigations issue subpoenas apply to courts for punishment of contempts make orders rules and regulations prescribe forms require reports supervise the operations of limited dividend housing companies and housing authorities and their members and employes acquire property by eminent domain for limited dividend housing companies commence actions to prevent violations of law and to surcharge members of authorities supervise rental charged by limited dividend companies charge fees for services providing for the selection and removal of the board's employes providing for appeals from its orders and making an appropriation" by substituting the Department of Commerce for the Department of Health eliminating the honorarium for members of the board requiring the approval of the Secretary of Commerce for the appointment and compensation of an executive director enlarging the board's general powers and the plans to be filed therewith rescinding the provisions for selection and removal of the board's employes to transfer the board from the Department of Health to the Department of Commerce and making an appropriation

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILL RECOMMITTED

Mr. SORG. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1139, entitled:

An Act to create a commission to act jointly with commissions appointed for like purpose by the States of West Virginia and Maryland, the Commonwealth of Virginia and the District of Columbia, which together with three members to be appointed by the President of the United States shall constitute the Interstate Commission on the Potomac River Basin, with power to cooperate in the abatement of the existing pollution and in the control of future pollution of the waters of the drainage basin of the Potomac River within the States of Maryland and West Virginia the Commonwealth of Virginia and the District of Columbia, to authorize the Governor of the state to execute on behalf of this State a compact with representatives of other states for the purpose of forming the above-mentioned commission and creating a Potomac Valley Conservancy District, providing for the appointment of the Pennsylvania members of said commission and their terms of office and providing an appropriation.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILL RECOMMITTED

Mr. SORG. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1232, entitled:

An Act to amend section nine hundred ten of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by providing that in the case of a candidate for nomination as a judge of a court of record who is in the armed service in time of war, the affidavit to his nomination petition may be made by the chairman of the political party.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 184, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in the Thirty-Fifth Ward in the City of Philadelphia, Commonwealth of Pennsylvania, known as the Naval Aviation Supply Depot; and ceding jurisdiction to the United States.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 185, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately twenty-seven acres of land in the Twenty-Sixth and Forty-Eighth Wards in the City of Philadelphia, known as the Naval Hospital; and ceding jurisdiction to the United States.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 186, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately sixty-five acres of land in the Fortieth Ward of the City of Philadelphia, known as the Naval Ammunition Depot at Fort Mifflin and ceding jurisdiction to the United States.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No 266, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America, of approximately two thousand four hundred acres of land in the County of Mercer, Commonwealth of Pennsylvania, for use in connection with Camp Reynolds, and ceding jurisdiction to the United States.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 357, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America, approximately five hundred fifty-seven acres of land in the Township of South Lebanon, County of Lebanon, and Commonwealth of Pennsylvania, known as the Veterans' Administration Facility at Lebanon, Pennsylvania; and ceding jurisdiction to the United States.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 405, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of certain tracts of land in Chester County, Pennsylvania, for use in connection with the Valley Forge General Hospital, and ceding jurisdiction to the United States.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 422, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract of land in Lebanon County Pennsylvania containing approximately sixty-four acres for use in connection with the Indiantown Gap Military Reservation and ceding jurisdiction to the United States

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration ofr Senate Bill No. 429, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of American of three tracts of land in Cumberland County, Pennsylvania, containing approximately nine hundred forty-three acres, for use in connection with a military reservation known as Carlisle Barracks, and ceding jurisdiction to the United States.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 431, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of certain tracts of land in Dauphin County, Pennsylvania, for use in connection with the Middletown Air Depot, and ceding jurisdiction to the United States.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 3, entitled:

An Act to further amend clause (b) of section four of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-seven, (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," prohibiting the requiring of security for repayment of public assistance; cancelling existing obligations; and providing for reconveyance of real property.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 58, entitled:

An Act to further amend section two hundred twenty-two of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providinig for and reorganizinig the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers; and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by further regulatinig the vacation leave and sick leave to which State employes are entitled with pay.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 411, entitled:

An Act relating to roads, streets, highways and bridges; amending, revising, consolidating, and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 685, entitled:

An Act to further amend section one of the act, approved the twenty-fourth day of June, one thousand nine hundred and nineteen (P. L. 579), entitled "An act to fix the salary and mileage of the members of the General Assembly, and to provide for the furnishing of such postage, stationery, and supplies, as may be necessary for the conduct of their offices; and repealing all acts or parts of acts inconsistent therewith," increasing the mileage rate of members of the General Assembly.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

MOTION TO RECOMMIT

Mr. McKINNEY. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary General for further study.

On the question,

Will the House agree to the motion?

Mr. ANDREWS. Mr. Speaker, I ask for a division.

Mr. McKINNEY. Mr. Speaker, I feel that this bill is clearly unconstitutional and I should like to read the provision of the Constitution for the benefit of the Members of the House:

> The Members of the General Assembly shall receive such salary and mileage for regular and special sessions as shall be fixed by law, and no other compensation whatever, whether for service upon committee or otherwise. No Member of either House shall, during the term for which he may have been elected, receive any increase of salary or mileage under any law passed during such a time.

This question of mileage, Mr. Speaker, is retroactive, and if it refers to this session of the legislature, it is clearly unconstitutional.

Mr. ANDREWS. Mr. Speaker, if the gentleman desires to defeat the bill on second reading on a constitutional point, of courses, he has that course open to him. If he desires to defeat this bill on third reading on a constitutional point, he has that course open to him. The place to argue the constitutional point, I believe, is in the hall of this House and not in committee because committees do not have jurisdiction over the constitutional points, although the House some times thinks it does. This bill is very plain and there is no reason, even though the constitutional point is raised, why it should go back to committee. There might be a reason why the bill should be defeated either on second reading or on third reading.

Mr. McKINNEY. Mr. Speaker, it is not my purpose to defeat the bill. I think the bill could be fixed up and could be amended in committee or it could be amended on the floor of this House. I think it should be amended in committee so that it would be constitutional. This way it is clearly unconstitutional. I think it can be amended.

On the question recurring,

Will the House agree to the motion?

A division having been called for, one Member having voted in the affirmative and one hundred eighty-eight having voted in the negative, the question was determined in the negative and the motion was not agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 686, entitled:

An Act fixing the per diem rate for free or part payment service in State-aided hospitals.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 689, entitled:

An Act to amend section two hundred thirty-three and one-tenth of the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," authorizing the recorder of deeds, the prothonotary, the clerks of the court of quarter sessions and the clerk of the orphans' court in counties of the fifth class to appoint solicitors; and fixing their maximum salary.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 721, entitled:

An Act to amend section ten, and to further amend section twelve, of the act approved the twelfth day of May, one thousand nine hundred twenty-five (P. L. 603), entitled "An act concerning conditional sales; and to make uniform the law relating thereto," by changing the fees to which the filing officer shall be entitled.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 44, entitled:

An Act to further amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 814), entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing

the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," as amended, by further regulating and changing the provisions of the act relating to cancellation of registration upon the failure to vote within two years

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILL RECOMMITTED

Mr. LICHTENWALTER. Mr. Speaker, I move that this bill be recommitted to the Committee on Elections for the purpose of further study.

On the question,

Will the House agree to the motion?

Mr. ANDREWS. Mr. Speaker, I ask for a division.

A division having been called for, ninety-two Members having voted in the affirmative and sixty-seven in the negative, the question was determined in the affimative and the motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 45, entitled:

An Act to further amend sections three and thirty-nine of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849), entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legislation", as amended by further regulating and changing the provisions of the act relating to cancellation of registration upon the failure to vote within two years.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILL RECOMMITTED

Mr. LICHTENWALTER. Mr. Speaker, I move that this bill be recommitted to the Committee on Elections for the purpose of further study.

On the question,

Will the House agree to the motion?

The yeas and nays were required by Mr. Andrews and Mr. Cohen and were as follows:

YEAS—94

Barton,	Frost,	Loftus,	Serrill,
Baumunk,	Getchey,	Madigan,	Sloan,
Bonawitz,	Gibson,	Mahany,	Smith,
Boorse,	Goodling,	McClester,	Snyder,
Bower,	Greenwood,	McCormack,	Sollenberger,
Breisch,	Greer,	McDowell,	Sorg,
Brice,	Guthrie,	McKinney,	Stockham,
Brunner, C. H.,	Gyger,	McMillen,	Stonier,
Cook,	Hall,	Mikula,	Stuart,
Cooper,	Haudenshield,	Miller,	Tahl,
Costa,	Helm,	Milliken,	Tittle,
Coulson,	Hewitt,	Moore, C. E.,	Trout,
Dague,	Hoffman,	Moser,	Turbett,
Dalrymple,	Howells,	Nelson,	Turner,
Dennison,	Hunter,	Pickens,	Wachhaus,
Depuy,	James	Propert,	Waterhouse,
Dix,	Kennedy,	Reagan,	Watkins,
Dye,	Kline,	Reese, D. P.,	Wescott,
Elder,	Krise,	Reilly,	Wood, N.,
Ewing,	Kurtz,	Riley,	Worley,
Flack	Laughner,	Robertson,	Yeakel,
Fleming,	Lee,	Root,	Fiss,
Foor,	Leisey,	Royer,	Speaker.
Fox,	Lichtenwalter,	Salus,	

NAYS—75

Baker,	Gaffney,	McNally,	Reynolds,
Barrett,	Gallagher,	Mills,	Rose,
Bentzel,	Gore,	Modell,	Rudisill,
Boies,	Green,	Mooney,	Scanlon,
Boney,	Hamilton,	Moran,	Schuster,
Boory,	Heatherington,	Murray, M. L.,	Skale,
Brancato,	Hennihan,	Nagel,	Snider,
Brunner, P. A.,	Hering,	O'Brien,	Stank,
Chervenak,	Herman,	O'Connor,	Swope,
Chudoff,	Hersch,	O'Donnell,	Tate,
Cohen,	Huntley,	Owens,	Trent,
Coleman,	Jones,	Pentrack,	Varallo,
Corrigan,	Kirley,	Pettigrew,	Verona,
Coyle,	Kolankiewicz,	Polaski,	Weiss,
Cullen,	Komorofski,	Polen,	Welsh,
Dillon,	Leonard,	Powers,	White,
Dougherty,	Longo,	Readinger,	Wright,
Elish,	Lovett,	Reese, R. E.,	Yester,
Finnerty,	McNair,	Reidenbach,	

NOT VOTING—37

Andrews,	Gardner,	Lyons,	Myhan,
Bentley,	Grant,	Madden,	O'Neill,
Brothers,	Haberlen,	Matthews,	Petrosky,
Brown,	Hare,	McAtee,	Regan,
Burns,	Hoggard,	McLanahan,	Shaffer,
Cadwalader,	Hoopes,	Mihin,	Shoemaker,
Duffy,	Lane,	Moore, W. J.,	Trachtman,
Erb,	Levy,	Munley,	Wagner,
Freed,	Lopez,	Murray, P. G.,	Wood, L. H.,
Fullerton,			

So the question was determined in the affirmative and the motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 46, entitled:

An Act to further amend sections two and thirty-eight of the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487), entitled "An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and

other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties", as amended, by further regulating and changing the provisions of the act relating to cancellation of registration upon failure to vote within two years

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILL RECOMMITTED

Mr. LICHTENWALTER. Mr. Speaker, I move that this bill be recommitted to the Committee on Elections for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 47, entitled:

An Act to further amend the act, approved the thirtieth day of March, one thousand nine hundred and thirty-seven (P. L. 115), entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commission, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents, certain public service companies, persons, firms, and corporations operating vehicles for moving furniture and household goods, and boards of school directors; and imposing penalties," as amended, by further regulating and changing the provisions of the act relating to cancellation of registration upon failure to vote within certain periods.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILL RECOMMITTED

Mr. LICHTENWALTER. Mr. Speaker, I move that this bill be recommitted to the Committee on Elections for the purpose of further study.

On the question,

Will the House agree to the motion?

Mr. ANDREWS. Mr. Speaker, I desire to interrogate the Majority Leader, the gentleman from Lehigh, Mr. Lichtenwalter.

The SPEAKER. Will the gentleman from Lehigh permit himself to be interrogated?

Mr. LICHTENWALTER. I shall, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, in view of the fact that it is something of an unusual procedure to recommit a string of bills of this kind that have passed unanimously another chamber, I think that some explanation as to the defects in this bill which the Majority Leader hopes to cure, should in fairness be made to this House. So, I would ask him what are the fatal defects in these bills that induce him to send them all back to committee.

Mr. LICHTENWALTER. Mr. Speaker, in reply to the gentleman from Cambria, these bills did pass the Senate unanimously. They were amended in committee in the House, and the Bureau of Elections, which has a great deal to do with the operation of the acts we pass in the legislature regarding elections in Pennsylvania are concerned with the operation of their bureau, and they have asked that the bills be returned to committee so that a representative or the man in charge of the Elections Bureau in the Commonwealth, who has conferred, I believe ,with the chairman, may appear before the committee and speak on the bill.

Mr. ANDREWS. Mr. Speaker, did the Bureau of Elections file any bill of particulars in requesting that these bills go back,Mr. Speaker?

Mr. LICHTENWALTER. Mr. Speaker, I don't know if they did and I don't know that it is required.

Mr. ANDREWS. I was not intimating that it was required that they do so, Mr. Speaker, but I still maintain— I have no further questions for the Minority Leader—I hope that he will be in the minority one of these days—I was not arguing that it was necessary to file a bill of particulars, but I do say that ordinary procedure, in deference to this House and to the Members of this House and to the committee and the Majority Leader, should lead any department head of any bureau in this government, if they object to a bill, to at least let the Majority Leader know what in the thunder they are objecting to.

At present I do not think that the Majority Leader or any of the Members on the other side of the House who are committing these bills know why they are doing it, except that someone has straggled in and said, "maybe these wicked Democrats put something in them that we do not like."

On the question recurring,

Will the House agree to the motion?

It was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 48, entitled:

An Act to further amend the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1132), entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility

corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," as amended, by further regulating and changing the provisions of the act relating to cancellation of registration upon the failure to vote within two years.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILL RECOMMITTED

Mr. LICHTENWALTER. Mr. Speaker, I move that this bill be recommitted to the Committee on Elections for the purpose of further study.

The motion was agreed to.

BILLS PASSED OVER

There being no objection

Senate Bill No. 52, Printer's No. 231,
Senate Bill No. 57, Printer's No. 232,
Senate Bill No. 59, Printer's No. 122,
Senate Bill No. 197, Printer's No. 233,

were passed over at the request of the SPEAKER.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 51, as follows:

An Act providing for the health and safety of persons employed in and about the coal mines of the Commonwealth of Pennsylvania the protection and preservation of property connected therewith the appointment of electrical inspectors by the Secretary of Mines with the consent and approval of the Governor the fixing of their salaries and necessary expenses incurred in the performance of their duties and the fixing of the qualifications which shall be possessed by persons appointed to the position of Electrical Inspector

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 On and after the effective date of this act the Secretary of Mines with the consent and approval of the Governor shall appoint such electrical inspectors as he may deem necessary to inspect at least twice a year all electrical equipment used in gaseous mines and to perform such other inspections of electrical equipment in and around the coal mines of the Commonwealth of Pennsylvania as may be deemed necessary by the Secretary of Mines

Section 2 The persons appointed to the position of Electrical Inspector shall not be under 30 or over 50 years of age on the date of their appointment They shall be citizens of this Commonwealth and shall devote their whole time and attention to the duties of their office They shall have had five years' experience in gaseous mines of this Commonwealth as electrician or electrical engineer and shall be conversant with the laws and regulations governing the installation and operation of electrical equipment in and around coal mines The electrical inspector shall receive a salary of four thousand eight hundred dollars ($4,800.00) per annum together with the necessary expenses incidental to the performance of his duties under the law Such salaries and expenses shall be paid from the appropriation made for the payment of the salaries and expenses of the mine inspectors

Section 3 In order that the electrical inspector may properly perform the duties required of him he shall have the right to enter any coal mine for the purpose of inspecting electrical equipment and if he finds during his inspection any defects in the electrical equipment which may be detrimental to the lives or health of the workmen he shall have the authority to order such defects remedied within such time as he shall prescribe and to prohibit the continued operation of such electrical equipment after such time unless such defects have been corrected

Section 4 The Secretary of Mines through the Department of Property and Supplies shall purchase for the electrical inspectors such instruments and equipment as he deems necessary to assist them in carrying out the duties imposed upon them by this act

Section 5 This act shall become effective on the first day of June one thousand nine hundred and forty-five

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—189

Andrews,	Freed,	Longo,	Reilly,
Baker,	Frost,	Lovett,	Reynolds,
Barrett,	Fullerton,	Madden,	Riley,
Barton,	Gaffney,	Madigan,	Robertson,
Baumunk,	Gallagher,	Mahany,	Root,
Bentzel,	Gardner,	McAtee,	Rose,
Boles,	Getchey,	McClester,	Royer,
Bonawitz,	Gibson,	McCormack,	Rudisill,
Boney,	Goodling,	McDowell,	Salus,
Boorse,	Gore,	McKinney,	Scanlon,
Boory,	Grant,	McLanahan,	Schuster,
Bower,	Green,	McMillen,	Serrill,
Brancato,	Greenwood,	McNair,	Shaffer,
Breisch,	Greer,	McNally,	Shoemaker,
Brice,	Guthrie,	Mihm,	Skale,
Brothers,	Gyger,	Mikula,	Sloan,
Brown,	Haberlen,	Miller,	Smith,
Brunner, C. H.,	Hall,	Milliken,	Snider,
Brunner, P. A.,	Hamilton,	Mills,	Snyder,
Burns,	Hare,	Modell,	Sollenberger,
Cadwalader,	Haudenshield,	Mooney,	Sorg,
Chervenak,	Heatherington,	Moore, C. E.,	Stonier,
Chudoff,	Helm,	Moore, W. J.,	Stuart,
Cohen,	Hennihan,	Moran,	Swope,
Coleman,	Herman,	Moser,	Tahl,
Cook,	Hersch,	Murray, M. L.,	Tate,
Cooper,	Hewitt,	Murray, P. G.,	Tittle,
Corrigan,	Hoffman,	Myhan,	Trout,
Costa,	Hoggard,	Nagel,	Turbett,
Coulson,	Howells,	Nelson,	Turner,
Coyle,	Hunter,	O'Connor,	Varallo,
Cullen,	Huntley,	O'Brien,	Verona,
Dague,	James,	O'Donnell,	Wachhaus,
Dalrymple,	Jones,	O'Neill,	Wagner,
Dennison,	Kennedy,	Owens,	Waterhouse,
Denuy,	Kirley,	Pentrack,	Watkins,
Dillon,	Kline,	Pettigrew,	Weiss,
Dix,	Komorofski,	Pickens,	Welsh,
Dougherty,	Krise,	Polaski,	Wescott,
Dye,	Kurtz,	Polen,	White,
Elder,	Lane,	Powers,	Wood, N.,
Elish,	Laughner,	Propert,	Worley,
Erb,	Lee,	Readinger,	Wright,
Ewing,	Leisey,	Reagan,	Yeakel,
Flack,	Leonard,	Reese, D. P.,	Yester,
Fleming,	Levy,	Reese, R. E.,	Fiss,
Foor,	Lichtenwalter,	Reidenbach,	Speaker.
Fox,	Loftus,		

NAYS—0

NOT VOTING—17

Bentley,	Kolankiewicz,	Munley,	Stockham,
Duffy,	Lopez,	Petrosky,	Trachtman,
Finnerty,	Lyons,	Regan,	Trent,
Hering,	Matthews,	Stank,	Wood, L. H.,
Hoopes,			

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 243, as follows:

An Act to amend section one hundred three and to further amend section two hundred one of the act approved the eleventh day of July one thousand nine hundred twenty-three (P. L. 998) entitled "An act for the prevention and treatment of mental diseases mental defect epilepsy and inebriety regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics governing the transfer discharge interstate rendition and deportation of mental patients providing for the payment by individuals counties or the Commonwealth of the cost of the admission care and discharge of mental patients and imposing penalties" requiring persons copartnerships associations and corporations who undertake the care of mental patients to make application and obtain a license from the Department of Welfare

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one hundred three of the act approved the eleventh day of July one thousand nine hundred twenty-three (P. L. 998) entitled "An act for the prevention and treatment of mental diseases mental defect epilepsy and inebriety regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics governing the transfer discharge interstate rendition and deportation of mental patients providing for the payment by individuals counties or the Commonwealth of the cost of the admission care and discharge of mental patients and imposing penalties" is hereby amended to read as follows

Section 103 As used in this act

The word "applicant" wherever it appears in section two hundred one subsection three shall mean any person copartnership association or corporation

"Department" shall mean the Department of Public Welfare or any other department to which the powers and duties of the same department may at any time be transferred by law

"Mental illness" "mental disease" "mental disorder" shall mean an illness which so lessens the capacity of the person to use his customary self-control judgment and discretion in the conduct of his affairs and social relations as to make it necessary or advisable for him to be under treatment care supervision guidance or control The terms shall be construed to include "lunacy" "unsoundness of mind" and "insanity"

"Mental defective" shall mean a person who is not mentally ill but whose mental development is so retarded that he has not acquired enough self-control judgment and discretion to manage himself and his affairs and for whose own welfare or that of others supervision guidance care or control are necessary or advisable The term shall be construed to include "feeble-minded" "idiot" "imbecile"

"Inebriate" shall mean a person habitually so addicted to the use of alcoholic or other intoxicating or narcotic substances as to be unable without help or unwilling to stop the excessive use of such substances The term shall be held to include "dipsomaniac" "habitual drunkard" "person addicted to the use of alcoholic drink or intoxicating drugs" "person so habitually addicted to the use of alcoholic drink absinthe opium morphine choral or other intoxicating liquor or drug as to be a proper subject for restraint care and treatment in a hospital or asylum" "person habitually so addicted to the use of alcohol or narcotic drugs as to be a proper subject for restraint care and treatment" But for the purpose of this act the term shall mean only those inebriates who except for their inebriety are of good character and reputation

"Mental patient" shall mean any person who is or is thought to be mentally ill mentally defective epileptic or inebriate or who is or has been an inmate of any hospital school or place for such persons or for whom admission thereto is being sought

"Mental hospital" shall mean any State semi-State or licensed hospital institution school or place public or private for the care of mental patients

"Hospital for mental diseases" shall mean any State semi-State or licensed hospital house or place for the treatment and care of persons mentally ill

"School" shall mean any hospital institution training school school or place public or private for the care education and training of mental defectives or epileptics

"Village" shall be considered an equivalent term with "school"

"Institution" shall mean any incorporated institution public or private established for the care of mental patients

"Place" shall mean any nonincorporated private house or place in which more than one mental patient receives care for compensation

"Trustees" shall mean the person or group of persons organized to manage and be responsible for an institution or place for the care of mental patients and shall include board of trustees managers board of managers directors or board of directors of such institution or place

"Care" shall include reception detention custody care treatment maintenance support segregation education culture training discipline improvement occupation employment medical and surgical treatment and nursing food and clothing

"Qualified physician" shall mean a physician who has been resident in this State for at least three years has been licensed to practice medicine in this State and has been in the actual practice of medicine for at least three years or has had at least one year's experience as physician in a hospital for mental patients

"Prison" shall mean any prison jail gaol lockup penitentinary reformatory or other institution for correction punishment or detention

"Insane criminal" shall mean any person mentally ill who has been convicted on a criminal charge and the period of whose sentence has not expired or who has a criminal tendency

"Criminal tendency" shall mean a tendency to repeat offenses against the law or to perpetrate new offenses as shown by repeated convictions for such offenses—a tendency to habitual delinquency

"Transfer" of a mental patient shall mean his removal from one mental hospital to another mental hospital for the same kind of patients without other procedure for admission than those prescribed by the department

Section 2 Section two hundred one of the said act as last amended by the act approved the eleventh day of October one thousand nine hundred thirty-eight (P. L. 63) is hereby amended by adding at the end thereof subsection three to read as follows

Section 201 Mental patients in the Commonwealth shall be cared for

* * * * *

(3) Every applicant desiring to care for any mental patient other than State-owned and operated hospitals shall file an application for a license with the Department of Welfare. The application shall be on a form prescribed prepared and furnished by the Department of Welfare and together with such other information as the Department shall require shall state

(a) The name and address of the applicant and the person or persons to be in charge of such institution and the names and addresses of all the partners or officers of a partnership or association or corporation together with the address of the principal office and state of registration organization or incorporation

(b) The location of the institution or hospital

(c) The facilities of the institution or hospital for the

care treatment or nursing of patients including sanitary and fire protection facilities

(d) Upon receipt of an application for a license the Department of Welfare shall cause a thorough investigation to be made as to the character financial responsibility and qualifications of the applicant and if the applicant is a partnership association or corporation of the officers or partners as the case may be and of the person or persons who is to have the general management of the institution or hospital the adequacy of the facilities of the institution or hospital to furnish the type of care and service specified in the application the sanitary and fire protection facilities and any other matter or thing which the Department may deem proper

(e) The Department shall when satisfied that the applicant is qualified and responsible and that the place sought to be used as an institution or hospital is a suitable place for operation and care treatment and custody and is properly equipped therefor shall issue a license to the applicant upon the payment of a license fee of fifteen dollars ($15) which shall be paid into the State Treasury through the Department of Revenue

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—189

Andrews,	Frost,	Longo,	Reilly,
Baker,	Freed,	Lovett,	Reynolds,
Barrett,	Fullerton,	Madden,	Riley,
Barton,	Gaffney,	Madigan,	Robertson,
Baumunk,	Gallagher,	Mahany,	Root,
Bentzel,	Gardner,	McAtee,	Rose,
Boies,	Getchey,	McClester,	Royer,
Bonawitz,	Gibson,	McCormack,	Rudisill,
Boney,	Goodling,	McDowell,	Salus,
Boorse,	Gore,	McKinney,	Scanlon,
Boory,	Grant,	McLanahan,	Schuster,
Bower,	Green,	McMillen,	Serrill,
Brancato,	Greenwood,	McNair,	Shaffer,
Breisch,	Greer,	McNally,	Shoemaker,
Brice,	Guthrie,	Mihm,	Skale,
Brothers,	Gyger,	Mikula,	Sloan,
Brown,	Haberlen,	Miller,	Smith,
Brunner, C. H.,	Hall,	Milliken,	Snider,
Brunner, P. A.,	Hamilton,	Mills,	Snyder,
Burns,	Hare,	Modell,	Sollenberger,
Cadwalader,	Haudenshield,	Mooney,	Sorg,
Chervenak,	Heatherington,	Moore, C. E.,	Stonier,
Chudoff,	Helm,	Moore, W. J.,	Stuart,
Cohen,	Hennihan,	Moran,	Swope,
Coleman,	Herman,	Moser,	Tahl,
Cook,	Hersch,	Murray, M. L.,	Tate,
Cooper,	Hewitt,	Murray, P. G.,	Tittle,
Corrigan,	Hoffman,	Myhan,	Trout,
Costa,	Hoggard,	Nagel,	Turbett,
Coulson,	Howells,	Nelson,	Turner,
Coyle,	Hunter,	O'Brien,	Varallo,
Cullen,	Huntley,	O'Connor,	Verona,
Dague,	James,	O'Donnell,	Wachhaus,
Dalrymple,	Jones,	O'Neill,	Wagner,
Dennison,	Kennedy,	Owens,	Waterhouse,
Depuy,	Kirley,	Pentrack,	Watkins,
Dillon,	Kline,	Pettigrew,	Weiss,
Dix,	Komorofski,	Pickens,	Welsh,
Dougherty,	Krise,	Polaski,	Wescott,
Dye,	Kurtz,	Polen,	White,
Elder,	Lane,	Powers,	Wood N.,
Elish,	Laughner,	Propert,	Worley,
Erb,	Lee,	Readinger,	Wright,
Ewing,	Leisey,	Reagan,	Yeakel,
Flack,	Leonard,	Reese, D. P.,	Yester,
Fleming,	Levy,	Reese, R. E.,	Fiss,
Foor,	Lichtenwalter,	Reidenbach,	Speaker.
Fox,	Loftus,		

NAYS—0

NOT VOTING—17

Bentley,	Kolankiewicz,	Munley,	Stockham,
Duffy,	Lopez,	Petrosky,	Trachtman,
Finnerty,	Lyons,	Regan,	Trent,
Hering,	Matthews,	Stank,	Wood, L. H.,
Hoopes,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 846, as follows:

An Act to amend sections one thousand seventeen and one thousand two hundred seven of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" removing the maximum limits on salaries of councilmen and mayors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one thousand seventeen and one thousand two hundred seven of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" are hereby amended to read as follows

Section 1017 Salaries Councilmen shall receive for their services during their term of service annual salaries to be fixed by odinance payable in monthly or semi-monthly instalments Councils may by the ordinance fixing said salaries provide for the assessment and retention therefrom of reasonable fines for absence from regular or special meetings of council or councilmaniac committees The salary paid to any councilman shall not be less than two hundred and fifty dollars per year [nor more than four thousand five hundred dollars per year] For the term of city councilmen in newly created cities and until thereafter changed by ordinance the salary of each councilman shall be as follows

In cities of fifteen thousand inhabitants or under by the last United States census each councilman shall receive a salary of four hundred and fifty dollars per annum where said population is between fifteen thousand and thirty thousand eleven hundred and twenty-five dollars per annum in cities having a population above thirty thousand and not exceeding fifty thousand three thousand dollars per annum in cities having a population of over fifty thousand and not exceeding seventy thousand three thousand seven hundred and fifty dollars per annum in cities having a population of over seventy thousand four thousand five hundred dollars per annum The compensation to be received by councilmen shall not be increased or diminished after their election but succeeding councils may change all compensation said change to take effect as to councilmen elected after such change of salaries has been made

Section 1207 Salary The mayor of each city shall receive for his services during the term of service an annual salary to be fixed by ordinance payable in monthly instalments The council shall by ordinance fix the amount of salary to be paid to the mayor for his services and may provide for the assessment and retention therefrom of reasonable fines for absence from regular or special meetings of council or councilmaniac committees The amount of salary in cities shall not be less than five hundred dollars [nor more than five thousand two hundred and fifty dollars per year] Until changed by ordinance the salary of mayors in newly created cities shall be as follows in cities having a population of fifteen thousand

or under by the last United States census five hundred dollars per annum in cities having a population of over fifteen thousand and less than thirty thousand inhabitants one thousand two hundred dollars per annum in cities having a population exceeding thirty thousand and not exceeding fifty thousand inhabitants two thousand five hundred and fifty dollars per annum in cities having a population of over fifty thousand and not exceeding seventy thousand inhabitants three thousand dollars per annum in cities having a population of over seventy thousand inhabitants three thousand five hundred dollars per annum

The amount of compensation for the mayor in any of the said cities shall not be increased or diminished after his election Succeeding councils may change the amount of such compensation but such change shall not affect the compensation of the mayor then in office or elected and not inaugurated

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—189

Andrews,	Freed,	Longo,	Reilly,
Baker	Frost,	Lovett,	Reynolds,
Barrett,	Fullerton,	Madden,	Riley,
Barton,	Gaffney,	Madigan,	Robertson,
Baumunk,	Gallagher,	Mahany,	Root,
Bentzel,	Gardner,	McAtee,	Rose,
Boies,	Getchey,	McClester,	Royer,
Bonawitz,	Gibson,	McCormack,	Rudisill,
Boney,	Goodling,	McDowell,	Salus,
Boorse,	Gore,	McKinney,	Scanlon,
Boory,	Grant,	McLanahan,	Schuster,
Bower,	Green,	McMillen,	Serrill,
Brancato,	Greenwood,	McNair,	Shaffer,
Breisch,	Greer,	McNally,	Shoemaker,
Brice,	Guthrie,	Mihm,	Skale,
Brothers,	Gyger,	Mikula,	Sloan,
Brown,	Haberlen,	Miller,	Smith,
Brunner, C. H.,	Hall,	Milliken,	Snider,
Brunner, P. A.,	Hamilton,	Mills,	Snyder,
Burns,	Hare,	Modell,	Sollenberger,
Cadwalader,	Haudenshield,	Mooney,	Sorg,
Chervenak,	Heatherington,	Moore, C. E.,	Stonier,
Chudoff,	Helm,	Moore, W. J.,	Stuart,
Cohen,	Hennihan,	Moran,	Swope,
Coleman,	Herman,	Moser,	Tahl,
Cook,	Hersch,	Murray, M. L.,	Tate,
Cooper,	Hewitt,	Murray, P. G.,	Tittle,
Corrigan,	Hoffman,	Myhan,	Trout,
Costa,	Hoggard,	Nagel,	Turbett,
Coulson,	Howells,	Nelson,	Turner,
Coyle,	Hunter,	O'Brien,	Varallo,
Cullen,	Huntley,	O'Connor,	Verona,
Dague,	James,	O'Donnell,	Wachhaus,
Dalrymple,	Jones,	O'Neill,	Wagner,
Dennison,	Kennedy,	Owens,	Waterhouse,
Depuy,	Kirley,	Pentrack,	Watkins,
Dillon,	Kline,	Pettigrew,	Weiss,
Dix,	Komorofski,	Pickens,	Welsh,
Dougherty,	Krise,	Polaski,	Wescott,
Dye,	Kurtz,	Polen,	White,
Elder,	Lane,	Powers,	Wood, N.,
Elish,	Laughner,	Propert,	Worley,
Erb,	Lee,	Readinger,	Wright,
Ewing,	Leisey,	Reagan,	Yeakel,
Flack,	Leonard,	Reese, D. P.,	Yester,
Fleming,	Levy,	Reese, R. E.,	Fiss,
Foor,	Lichtenwalter,	Reidenbach,	Speaker.
Fox,	Loftus,		

NAYS—0

NOT VOTING—17

Bentley,	Kolankiewicz,	Munley,	Stockham,
Duffy,	Lopez,	Petrosky,	Trachtman,
Finnerty,	Lyons,	Regan,	Trent,
Hering,	Matthews,	Stank,	Wood, L. H.,
Hoopes,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGES

The Clerk of the Senate, Mr. Steinfeld, being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence 230, 488.

RESOLUTIONS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, March 27, 1945.

Resolved, (if the House of Representatives concur), That Senate Bill No. 25, Printer's No. 63, entitled:

An Act to amend the first paragraph, section one of the act approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521), entitled, as amended, "An act to further amend the title, to reenact and further amend paragraph (e) of section one, and to further amend section thirty-nine of the act, approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521) entitled, as amended 'An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal,' by defining as a transfer and taxing the right of survivorship in property as to which such right exists; and providing for the extension of the Commonwealth's lien on real property for a further period of time" by exempting military pay due deceased service persons and veterans from the taxes herein imposed.

be recalled from the Governor for further consideration and amendments.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, March 27, 1945.

Resolved, (if the House of Representatives concur), That Senate Bill No. 230, Printer's No. 102, entitled:

An Act to amend the title and the act approved the thirtieth day of April one thousand nine hundred and forty-three (P. L. 145) entitled "An act providing for and regulating the accumulation investment and expenditure by counties cities boroughs incorporated towns and townships of funds for post war projects" extending the provisions of said act to school districts and defining the term "post war period"

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

PERMISSION GRANTED TO MEET DURING SESSION

Mr. FLEMING asked and obtained permission for the Committee on Cities and Counties—Second Class to meet during the session of the House.

RESOLUTIONS

Mr. MODELL offered a resolution which was filed with the Clerk.

Miss BRANCATO offered a resolution which was filed with the Clerk.

USE OF HALL OF HOUSE GRANTED

The SPEAKER. The Chair has been requested to ask the House for permission for the use of the Hall of the House on Tuesday, May 1, 1945, at 12 o'clock noon for the purpose of having the oath of office administered by His Excellency the Governor to the Honorable Harold Wagner, Auditor General-elect. Is there objection? The Chair hears none and consent is granted.

HOUSE RESOLUTION No. 36

Mr. LOVETT. Mr. Speaker, I call up House Resolution No. 36.

The resolution was read by the Clerk as follows:

RESOLUTION TO REPEAL HOUSE RULE No. 90

In the House of Representatives, March 6, 1945.

Resolved, That House Rule No. 90 which reads

"A member shall not relate in debate what was done or said in committee except such as is contained in the written report or is authorized by the committee."

be repealed.

On the question,

Will the House adopt the resolution?

Mr. LOVETT. Mr. Speaker, this resolution is to repeal the secrecy of the committee room. Since you fellows refused to change the rules and give us the right to discharge committees and bring legislation on the floor, we at least by the repeal of this Rule may be able to get what action takes place in committee rooms on legislation that we are vitally interested in.

I have been a Member of this House for quite a number of years and I have attended many committee meetings and there has never been anything which has transpired in the committee rooms that I know of that I should not divulge to the floor of the House or to anyone else. I question very much whether any of you men who attend these committee meetings have stuff that should not be brought to the floor of the House.

Mr. Speaker, I would like to interrogate the gentleman from Lehigh, Mr. Freed.

The SPEAKER. Will the gentleman from Lehigh permit himself to be interrogated?

Mr. FREED. I shall, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, has the gentleman from Lehigh ever attended any committee meetings where anything has transpired in the committee room that he felt was something he should not divulge on the floor of the House?

Mr. FREED. Not to divulge to anybody in the state, Mr. Speaker.

Mr. LOVETT. Anybody that is what?

Mr. FREED. That I should not divulge to anybody in the state.

Mr. LOVETT. That is all.

May I ask any Member on the other side of the House whether or not he has attended any committee meetings that he has felt there was any business transacted or anything said that he should not divulge on the floor of the House?

Mr. Speaker, I would like to interrogate the gentleman from Dauphin, Mr. Reese.

The SPEAKER. Will the gentleman from Dauphin permit himself to be interrogated?

Mr. DAVID P. REESE, Jr. I shall, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, I would like to ask the gentleman if he ever attended any committee meetings where anything has transpired that he thought he should not divulge on the floor of the House?

Mr. DAVID P. REESE, Jr. Why not, Mr. Speaker.

Mr. LOVETT. I did not get the gentleman's answer.

Mr. DAVID P. REESE, Jr. I say why not, Mr. Speaker?

Mr. LOVETT. That is what I want to know, why not, Mr. Speaker.

Mr. DAVID P. REESE, Jr. Now that is my answer, Mr. Speaker.

Mr. LOVETT. If there is anything, Mr. Speaker, that the gentleman has on his mind, I would like him to tell the Members of the House what it is that he heard in committee.

Mr. DAVID P. REESE, Jr. I haven't anything on my mind, but it seems that the gentleman has something on his mind.

Mr. LOVETT. Then the gentleman from Dauphin says that there has never been anything which happened in committee that he should not divulge on the floor of the House?

Mr. DAVID P. REESE, Jr. No, Mr. Speaker, I did not say that.

Mr. LOVETT. What did the gentleman say, Mr. Speaker?

Mr. DAVID P. REESE, Jr. There is a rule that you cannot.

Mr. LOVETT. I am only asking the gentleman if he himself has ever felt that anything went on in the committee room that should not be divulged on the floor of the House, regardless of whether there was a rule or not.

Mr. DAVID P. REESE, Jr. Does the gentleman mean because of its inherent nature, Mr. Speaker?

Mr. LOVETT. Yes, Mr. Speaker.

Mr. DAVID P. REESE, Jr. I would say, Mr. Speaker, that because of a rule you cannot.

Mr. LOVETT. That is the reason, Mr. Speaker, why I want to repeal this rule and I ask for a roll call.

Mr. SORG. Mr. Speaker, I just want to straighten out the record on one point mentioned by the gentleman from Westmoreland, that we refused to grant the right to discharge a committee.

That right still exists, and a constitutional majority can do that at any time. I just want to ask that the Members vote against this resolution so that in proceedings in committee, when the members of a committee are formulating their opinions they can be free and unembarrassed in their discussion of any matters before the committee.

Mr. ANDREWS. Mr. Speaker, I rise to support this resolution as a tribute to a long-suffering, patient, skilled, talented fraternity, none other than the newspaper gallery.

I differ with the gentleman from Westmoreland when he says that nothing has ever transpired in these committees of this House that should not be revealed. I have heard and seen shameful things happen in committees. I have seen men brave as lions before this House become craven in committee; I have seen men who have made their promises to the people betray them in committee.

I also realize another fact, that by seeing this man and that man and the other man, the committee transactions are not secret. They have not been and they never will be. There is always somebody with a grouch, somebody with a rod in pickle, but if your newspaper crowd gets after it and keeps after it, they will get the story of what happened in the committee. Now, if there has not been any secrecy except to hide these shameful things, I say why not make it easier for the newspaper crowd to get what happens in committee? Instead of having to sneak in the back door, why not let them like men come in the front door and sit down and listen, because, and I repeat, committee meetings have not been secret. A committee should have no secrecy.

They talk about saying things in committee that might be embarrassing if they were repeated. This is the business of the people. No man has a right to say things in a closed room that he would not be willing and glad to say out in the open, and the only reason that Legislators have ever resorted to the secrecy rule as far as the committee is concerned was to hide the acts of craven men.

Mr. SORG. Mr. Speaker, I know of no rule that protects or maintains the secrecy of committee meetings. It is my understanding that House Rule 90 clearly sets forth the proposition that a Member shall not relate in debate what was done or said in committee, and I submit to the Members of the House that while information is available as to what does go on in committee, nevertheless the effect of the repeal of this resolution would be just the same as the discharge of a committee by one man, whereas under the rules a constitutional majority ordinarily would be required.

Mr. ANDREWS. Mr. Speaker, I thank the gentleman from Elk. He has enunciated a doctrine with which unfortunately many Members of this House have not been acquainted. It has come about that the Rule has been construed in the minds of the Membership not that they should not relate in debate, but that the committee meetings were secret, and that they should not tell anybody. I thank the gentleman for the interpretation which frees committees from the bane of universal secrecy. I sincerely thank him.

Mr. SORG. Mr. Speaker, I assure the gentleman that it was not my intention to enunciate such a doctrine. If in the conduct of the affairs of this House a custom shall have been established that was not enunciated in the Rules of the House, certainly it is not my intention to state that such a custom is not a good one.

Mr. NAGEL. Mr. Speaker, I feel that Rule 90 is a relic of the past and should be placed over in our museum as an antique. It has no place in a liberal democratic form of government; it is an undemocratic parliamentary procedure.

I am a member of a number of committees this session, and have served on committees in the past, and I have had no experience with anything happening in those committees that I would object to having brought out here on the floor of this House.

We speak about corrupt politics in our government, and especially in our state. It seems to me if we could air the political procedure in our committee meetings so that the Members of the House might know, and the citizens of our State might know just how bills are handled in these committees, how often good legislation may be tabled, or not even brought up for the consideration of the committee members—in such cases I say that I as a Member of this House or any other Member of the House should have the right to come on the floor of the House and state just what happened in those committees. I say it is time to do away with this Rule if we want clean government, and if we want government free from corroup politics.

On the question recurring,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Lovett and Mr. Andrews.

Messrs. Lovett, Coleman and Andrews asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—70

Andrews,	Finnerty,	Longo,	Reese, R. E.,
Baker,	Gaffney,	Lovett,	Reidenbach,
Barrett,	Gallagher,	McNair,	Reynolds,
Bentzel,	Gore,	McNally,	Rose,
Boies,	Hamilton,	Modell,	Rudisill,
Boney,	Heatherington,	Mooney,	Scanlon,
Boory,	Hennihan,	Moran,	Shaffer,
Brancato,	Hering,	Murray, M. L.,	Skale,
Brunner, P. A.,	Herman,	Nagel,	Snider,
Chervenak,	Hersch,	O'Connor,	Swope,
Cohen,	Hoggard,	O'Donnell,	Tate,
Coleman,	Hunter,	Owens,	Trachtman,
Corrigan,	Jones,	Pentrack,	Trent,
Coyle,	Kirley,	Polaski,	Varallo,
Cullen,	Kolankiewicz,	Polen,	Weiss,
Dillon,	Komorofski,	Powers,	Welsh,
Dougherty,	Lane,	Readinger,	Wright,
Elish,	Leonard,		

NAYS—91

Barton,	Frost,	Leisey,	Salus,
Baumunk,	Fullerton,	Lichtenwalter,	Serrill,
Bonawitz,	Gardner,	Loftus,	Sloan,
Boorse,	Getchey,	Madigan,	Smith,

Bower,	Gibson,	Mahany,	Snyder,
Breisch,	Greenwood,	McClester,	Sollenberger,
Brice,	Greer,	McCormack,	Sorg,
Brunner, C. H.,	Guthrie,	McDowell,	Stockham,
Cook,	Gyger,	McMillen,	Stonier,
Cooper,	Hall,	Mikula,	Stuart,
Costa,	Hare,	Miller,	Tahl,
Coulson,	Haudenshield,	Moore, C. E.,	Trout,
Dague,	Helm,	Moser,	Turbett,
Dalrymple,	Hewitt,	Nelson,	Turner,
Dennison,	Hoffman,	Pickens,	Wachhaus,
Depuy,	Howells,	Propert,	Wagner,
Dix,	Huntley,	Reagan,	Waterhouse,
Dye,	Kennedy,	Reese, D. P.,	Watkins,
Ewing,	Kline,	Reilly,	Wescott,
Flack,	Krise,	Riley,	Wood, N.,
Fleming,	Kurtz,	Robertson,	Worley,
Foor,	Lee,	Root,	Yeakel,
Fox,		Royer,	Fiss,
			Speaker.

NOT VOTING—45

Bentley,	Green,	McKinney,	Petrosky,
Brothers,	Haberlen,	McLanahan,	Pettigrew,
Brown,	Hoopes,	Mihm,	Regan,
Burns,	James,	Milliken,	Schuster,
Cadwalader,	Laughner,	Mills,	Shoemaker,
Chudoff,	Levy,	Moore, W. J.,	Stank,
Duffy,	Lopez,	Munley,	Tittle,
Elder,	Lyons,	Murray, P. G.,	Verona,
Erb,	Madden,	Myhan,	White,
Freed,	Matthews,	O'Brien,	Wood, L. H.,
Goodling,	McAtee,	O'Neill,	Yester,
Grant,			

So the question was determined in the negative and the resolution was not adopted.

(During the verification of the negative roll.)

Mr. FREED. Mr. Speaker, I heard my name on the negative roll. I did not vote.

The SPEAKER. Does the gentleman desire to be excused from voting?

Mr. FREED. Yes, Mr. Speaker.

The SPEAKER. Will the House give its unanimous consent to excuse the gentleman from voting?

Mr. BAKER. Mr. Speaker, I object.

The SPEAKER. The Chair hears objections.

Mr. FREED. Do I have to vote on this?

The SPEAKER. All members are required to vote unless excused.

PARLIAMENTARY INQUIRY

Mr. ANDREWS. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman from Cambria will state it.

Mr. ANDREWS. Mr. Speaker, what is the parliamentary procedure of requiring a Member to vote?

The SPEAKER. The procedure is set forth in Rule 71. The Chair will read the rule for the information of the House:

> Every Member shall be present within the Hall of the House during its sittings, unless excused by the House or necessarily prevented, and shall vote for or against each question, unless he has a direct personal or pecuniary interest in the determination of such question or unless he be excused by the House.

Mr. ANDREWS. Mr. Speaker, I rise to a question of further parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ANDREWS. Mr. Speaker, the Rule as read carries no penalty.

Will the Chair inform the House as to the precedents in the instances in which the House has acted, imposing penalties on Members who declined to vote?

The SPEAKER. The Chair will cite a precedent; a Member occupying his seat and refusing to vote was held in contempt of the House, 1857, page 112 of the Journal.

Mr. ANDREWS. Mr. Speaker, are there any other precedents since 1857?

The SPEAKER. The only other decision we have at present is this,

> House Competent to Excuse a Member from Voting, Decision 244. The Speaker decided that it was at all times competent for the House to excuse a Member from voting. Journal of the House of Representatives 1858, page 813.

The Chair also wishes to read Article II, Section 11, of the Constitution of Pennsylvania,

> Powers of Each House—Expulsion. Each House shall have power to determine the rules of its proceedings and punish its Members or other perons for contempt or disorderly behavior in its presence, to enforce obedience to its process, to protect its members against violence or offers of bribes or private solicitations.

The Chair would also state that if every Member of this House should decide to refuse to vote it would stop the legislative processes of this House.

POINT OF ORDER

Mr. ANDREWS. Mr. Speaker, I rise to a further point of order.

The SPEAKER. The gentleman will state it.

Mr. ANDREWS. Mr. Speaker, there being no rule prescribing penalties to be imposed and no process established under the rules by which a Member can be disciplined for not voting, it is without the province of the House under the rules to require the gentleman to vote.

The SPEAKER. The Chair decides the point of order is not well taken.

PARLIAMENTARY INQUIRY

Mr. ANDREWS. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman from Cambria will state it.

Mr. ANDREWS. Mr. Speaker, under the rules what would be the course of procedure—under what rule.

The SPEAKER. Under Rule 71 of the House.

Mr. ANDREWS. May I ask the Speaker what penalty is imposed under Rule 71?

The SPEAKER. The penalty to be imposed would be for the House to decide under the Constitution of the Commonwealth of Pennsylvania.

Mr. ANDREWS. I accept that ruling that under the Constitution the House could take action to discipline its Members, but there is prescribed in the rules no procedure for disciplining a Member.

The SPEAKER. The Chair has already stated what the Constitution and the rule prescribe.

Mr. ANDREWS. Mr. Speaker, the gentleman from Lehigh is therefore not in contempt until some action is taken to bring him in contempt?

The SPEAKER. The gentleman from Lehigh has asked the House to be excused from voting.

The Chair recognizes the gentleman from Lehigh, Mr. Freed. Does the gentleman wish to be excused from voting? ?

Mr. FREED. That is what I asked for, Mr. Speaker.

The SPEAKER. The question is, will the House excuse the gentleman from Lehigh from voting on Resolution No. 36. On a rising vote seventy-five Members having voted in the affirmative and seventy in the negative, the question was determined in the affirmative and the gentleman from Lehigh, Mr. Freed, was excused from voting.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS NOS. 64, 83, 274, 348 and 352

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 26, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 64, Printer's No. 269, entitled "An Act to further amend section twenty-three of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled 'A further supplement to an act entitled "An act to provide revenue by taxation" approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine' by increasing for a further limited period of time the rate of tax imposed upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons by making further provisions for the report and payment of the tax and by further defining gross receipts"

EDWARD MARTIN.

March 27, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 83, Printer's No. 162, entitled "An Act to reenact and amend the title and the act approved the fourteenth day of June one thousand nine hundred thirty-five (P. L. 341), entitled as amended 'An act to provide revenue by imposing a State tax upon sales of cigarettes by dealers as herein defined; requiring persons engaged in the sale of cigarettes at wholesale and retail to secure permits; prescribing the method and manner of collecting such tax; conferring powers and imposing duties on the Department of Revenue, and persons, as herein defined, engaged in the sale of cigarettes at retail or wholesale; and providing penalties,' as previously reenacted and amended, by extending the provisions of the act for a further limited period of time"

EDWARD MARTIN.

March 27, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 274, Printer's No. 67, entitled "An Act to amend clause (g) of section one thousand three hundred four of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled 'An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined' by definitely specifying the place where the records of professional examining boards shall be kept"

EDWARD MARTIN.

March 26, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 348, Printer's No. 189, entitled "An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled 'An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined' by providing for a board of trustees of the new Pennsylvania Industrial School at Camp Hill, Cumberland County, Pennsylvania in the Department of Welfare defining its powers and duties and transferring the management and control of said institution from the Department of Welfare to said board"

EDWARD MARTIN.

March 26, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 352, Printer's No. 87, entitled "An Act to amend the title and sections four and six of the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1944), entitled 'An act providing for the erection construction and equipment of a new Pennsylvania Industrial School to take the place of the present Pennsylvania Industrial School at Huntingdon; designating the manner of acquiring or

setting aside of land for the erection and construction of the new school by The General State Authority; authorizing the Commonwealth to lease the new school and its grounds from The General State Authority upon its completion and the Department of Welfare to manage and operate the same; providing that the cost of maintaining inmates therein be borne by the Commonwealth and the counties to the extent and in the manner provided by law in the case of inmates maintained in the Pennsylvania Industrial School at Huntingdon; and conferring powers and imposing duties upon certain State departments boards commissions and officers,' by changing the provisions of the act authorizing the Department of Welfare to manage and operate the same; creating the Board of Trustees of the new Pennsylvania Industrial School; and defining its powers and duties."

EDWARD MARTIN.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, March 26, 1945.

Resolved (if the Senate concur), that House Bill No. 336, Printer's No. 191, entitled "An act to amend clause IV section seven hundred and two of the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled 'An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto' designating the purposes for which appropriations may be made to fire companies and requiring annual reports by such fire companies of expenditures of appropriated moneys" be recalled from the Governor for the purpose of amendment.

COMMITTEE MEETINGS

There will be meetings of the committees on:

Apportionment, Wednesday, March 28, at 10:00 a. m. in Room 327.

Dairy Industries, Wednesday, March 28, at 10:00 a. m. in Old House Caucus Room.

Education, Wednesday, March 28, at 1:30 p. m. in Room 324.

Elections, Wednesday, March 28, at 9:30 a. m. in Room 329.

Judiciary Special, Wednesday, March 28, at 10:30 a. m. in Room 325.

Motor Vehicles, Wednesday, March 28, at 10:30 a. m. in Room 329.

Public Utilities, Wednesday, March 28, at 10:00 a. m. in Room 323.

State Government, Wednesday, March 28, at 1:00 p. m. in Room 324.

Townships, Wednesday, March 28, at 1:00 p. m. in Room 522.

ADJOURNMENT

Mr. HENNIHAN. Mr. Speaker, I move that this House do now adjourn until Wednesday, March 28, 1945, at 11 a. m.

The motion was agreed to, and (at 5:50 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1945. 136th of the General Assembly.

Vol. 29. HARRISBURG, PA., WEDNESDAY, MARCH 28, 1945. No. 35.

SENATE

WEDNESDAY, March 28, 1945.

The Senate met at 3:01 o'clock, p. m., Eastern War Time.

The PRESIDENT PRO TEMPORE (M. Harvey Taylor) in the Chair.

PRAYER

The Chaplain, Rev. EDWIN S. WALLACE, D. D., offered the following prayer:

O Thou who art nigh unto all them that call upon Thee in truth, hear us as we call, and may our prayer come from our real desire to worship Thee in truth. We know that worship apart from truth is nothing but an empty form—sacrilege. Keep us, we pray Thee, from such irreverence.

Establish us in the faith that Thou art sovereign in this universe and "That all things work together for good to them that love Thee." Then we shall not fear what man can do unto us. Then we shall bring our thoughts and our deeds into harmony with Thee and reveal the sincerity of our faith by our works.

We pray for the material prosperity of our state and for the physical welfare of all within her borders. Rather we pray for their spiritual prosperity and welfare, for the Spirit giveth life. Without the Spirit our material endowments may be our destruction. May our legislative bodies, national and state, remember this eternal truth—the priority of the spiritual.

Grant to all those who enact our laws and to all who execute them the spirit of wisdom and truth. And may all in authority remember that all power is from God, and that they are God's agents.

All we pray is in the name of Christ our Lord. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HEYBURN and Mr. JAMES, the further reading was dispensed with, and the Journal was approved.

HOUSE MESSAGE

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 115

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 115, entitled:

An Act to amend the title and clauses (o) and (1) of section two hundred four of the act, approved the twenty-second day of May, one thousand nine hundred thirty-three (P. L. 853), entitled "The General County Assessment Law," by providing that said clauses shall hereafter be construed to exempt from taxation for all local purposes certain described properties or parts thereof belonging to institutions of learning, benevolence or charity, and declaring the public policy of the Commonwealth with respect to the exemption of said properties from such taxation

BILLS SIGNED

The PRESIDENT PRO TEMPORE (M. Harvey Taylor) announced that the Acting Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 102, entitled:

An Act to amend section one of an act approved the twenty-sixth day of April, one thousand nine hundred and twenty-one (P. L. 278), entitled "An act providing that in computing the indebtedness of cities of the first class, the word 'indebtedness' shall include all manner of debt, and the net amount thereof shall be ascertained, as in the case of other municipal corporations, by deducting, from the gross amount thereof, the moneys in the treasury, all outstanding solvent debts, and all revenues applicable within one year to the payment of the same," by extending and describing the amounts deductible in determining the net debts of such cities, and providing a method for computing self-sustaining improvement debt and non-electoral debt.

House Bill No. 115, entitled:

An Act to amend the title and clauses (o) and (1) of section two hundred four of the act, approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 853), entitled "The General County Assessment Law," by providing that said clauses shall hereafter be construed to exempt from taxation for all local purposes certain described properties or parts thereof belonging to institutions of learning, benevolence or charity, and declaring the public policy of the Commonwealth with respect to exemption of said properties from such taxation.

House Bill No. 334, entitled:

An Act to provide for the appointment of election officers to fill vacancies caused by the expiration of terms of election officers imposing duties on County Boards of Elections and conferring powers on courts of quarter sessions

House Bill No. 421, entitled:

An Act to further amend section fifty-four of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," requiring that counties shall pay the premiums on bonds of parole or probation officers.

House Bill No. 569, entitled:

An Act to further amend section nine hundred one of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "General Borough Act," by further regulating the filling of vacancies in elective borough offices.

Whereupon,

The PRESIDENT PRO TEMPORE (M. Harvey Taylor) in the presence of the Senate signed the same.

LEAVE OF ABSENCE

Mr. Wade asked and obtained leave of absence for Mr. EDMONDS.

HOUSE MESSAGES

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 374

The Clerk of the House of Representatives being introduced presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, March 27, 1945.

Resolved (if the Senate concurs), That House Bill No. 374, Printer's No. 176, entitled:

An Act to further amend the second paragraph of section five of the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" making counties in which deceased service persons are buried liable for the cost of headstones

be recalled from the Governor for the purpose of amendment.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 164

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, March 27, 1945.

Resolved (if the Senate concurs), That House Bill No. 164, Printer's No. 29, entitled:

An Act to reenact and amend the act approved the twenty-eighth day of July, one thousand nine hundred forty-one (P. L. 563), entitled "An act to add section two thousand two and one-tenth to the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled, 'An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith,' providing for cooperation of State Teachers Colleges at the request of the State Council of Defense with other agencies in furthering national defense programs and activities," extending the effective period thereof

be recalled from the Governor for the purpose of amendment.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 52

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, March 27, 1945.

Resolved (if the Senate concurs), That House Bill No. 52, Printer's No. 298, entitled:

An Act to amend clause six of section thirteen of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "School Employes Retirement Law," further defining the disability retirement rights of members of the School Employes' Retirement Association who engage in active military service

be recalled from the Governor for the purpose of amendment.

The PRESIDENT PRO TEMPORE. At this time it is my privilege and pleasure to call to the Chair Senator Letzler, from Clearfield County.

Senator Letzler, will you approach the rostrum?

The ACTING PRESIDENT PRO TEMPORE (A. H. Letzler) in the Chair.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

APPROVED AND SIGNED SENATE BILL No. 255, PRINTER'S No. 75

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 28, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 255, Printer's No. 75, entitled "An Act to reenact and amend clause two of section seven hundred and two and to further amend clause three of section nine hundred and five of the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by providing for the furnishing of street lighting by contract with lighting companies upon petition of property owners in villages and for the assessment and collection of the costs and maintenance thereof upon property benefited thereby and for the levy of an annual township tax for street lighting without petition of property owners and validating petitions of property owners contracts entered into between townships and lighting companies taxes levied to pay the costs and maintenance of lighting serv-

ice and the collection receipt and payment out of the revenues therefrom notwithstanding such petitions were filed contracts entered into and taxes levied collected and paid out under unconstitutional laws validating agreements and understandings between township supervisors and lighting companies to continue lighting service pending the enactment of valid laws regulating and providing for the expenditure of moneys arising from special lighting taxes and authorizing the payment of the costs and expenses of maintaining lighting service until valid laws are enacted to collect charges from property owners benefited thereby out of the road tax fund and the creation and transfer of moneys to a special account for such purposes at any time notwithstanding the prior adoption of the budget and authorizing any light and power company to apply the net rate and to waive the gross rate or to grant discounts and to waive penalties in the same manner as if payments had been made by the township within the time required by the contract and the company's schedules or tariffs

EDWARD MARTIN.

APPROVED AND SIGNED SENATE BILL No. 138, PRINTER'S No. 79

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 28, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 138, Printer's No. 79, entitled "An Act to amend section four hundred thirty-six of the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278, No. 447), entitled 'An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto,' by extending authorization to counties to make appropriations for historical compilations and publications relating to their own counties.

EDWARD MARTIN.

SENATE BILL No. 317, PRINTER'S No. 100, RETURNED TO THE SENATE WITHOUT APPROVAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 28, 1945.

To the Honorable the Senate of the Commonwealth of Pennsylvania:

I return herewith, without my approval, Senate Bill No. 317, Printer's No. 100, entitled "An Act providing that all fines and penalties collected in summary proceedings shall be turned over quarterly to the Commonwealth of Pennsylvania for the use of the appropriate state department the county treasurer for the use of the county or the political or municipal subdivision entitled to the payment of said fine penalty or forfeiture and providing a penalty for neglect to comply therewith."

The bill provides that all fines and penalties collected in summary proceedings shall be turned over quarterly to the Commonwealth for the use of the appropriate state department, or for the use of the county or political or municipal subdivision ultimately entitled to any of such fines and penalties.

Section 901 of The Fiscal Code, the Act of April 9, 1929, P. L. 343, as last amended June 1, 1931, P. L. 318, 72 P. S. Section 901, deals with fines and penalties which would finally be payable to the Commonwealth, and provides that every city and county officer must render to the Department of Revenue a monthly report of all moneys received by them which are due the Commonwealth, and shall pay the same over to the State Treasurer through the Department of Revenue.

Senate Bill No. 317 would, in so far as the Commonwealth is concerned, change the present monthly reports to quarterly reports, which would be a step backward rather than forward, from an accounting and efficiency viewpoint.

As the law now stands, any fines and penalties which are paid into the State Treasury by city and county officers are paid into the General Fund of the Commonwealth, without earmarking. Senate Bill No. 317 uses language which might be construed to mean that moneys ultimately due the Commonwealth, when paid to the Commonwealth, are appropriated to certain departments of the Commonwealth government. For example, the bill would have such moneys paid to the Commonwealth "for the use of the appropriate state department." This language might lead to confusion and is certainly below the standard which should be maintained for clarity in statutory language.

Another result of this bill would be that all such moneys would first be paid to local officials, would then be transmitted by them to the Commonwealth, which would make distribution and return to the local officials the moneys the local political subdivisions were entitled to. This appears to be an unnecessary duplication of work, since under the present system the moneys belonging to political subdivisions are simply retained by them, and only the moneys belonging to the Commonwealth are transmitted to it, and the latter on a monthly rather than a quarterly basis.

It is difficult to visualize any advantage which would accrue to the Commonwealth by this bill becoming law. On the contrary, I can see that the Commonwealth might suffer disadvantage. Nor is any public benefit to political subdivisions apparent.

For these reasons, the bill is not approved.

EDWARD MARTIN.

APPROVED AND SIGNED SENATE CONCURRENT RESOLUTION RECALLING SENATE BILL No. 123, PRINTER'S No. 110

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 28, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Concurrent Resolution recalling from the Governor Senate Bill No. 123, Printer's No. 110, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

EDWARD MARTIN.

HOUSE MESSAGES

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR, SENATE BILL No. 230

The Clerk of the House of Representatives being introduced presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, March 27, 1945.

Resolved (if the House of Representatives concur) That Senate Bill No. 230, entitled:

An Act to amend the title and the act approved the thirtieth day of April one thousand nine hundred and forty-three (P. L. 145) entitled "An act providing for and regulating the accumulation investment and expenditure by counties cities boroughs incorporated towns and townships of funds for post war projects" extending the provisions of said act to school districts and defining the term "post war period"

be recalled from the Governor for the purpose of amendment.

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR, SENATE BILL No. 25

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, March 27, 1945.

Resolved (if the House of Representatives concur), That Senate Bill No. 25, entitled:

An Act to amend the first paragraph of section one of the act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521), entitled as amended "An act to further amend the title to reenact and further amend paragraph (e) of section one and to further amend section thirty-nine of the act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended 'An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent, until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal' by defining as a transfer and taxing the right of survivorship in property as to which such right exists and providing for the extension of the Commonwealth's lien on real property for a further period of time" by exempting military pay due deceased service persons and veterans from the taxes herein imposed

be recalled from the Governor for the purpose of further consideration and amendment.

HOUSE CONCURS IN SENATE BILL No. 188

He also returned to the Senate, Senate Bill No. 188, entitled:

An Act to amend section four hundred twenty as added to the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by including annuity policy contracts

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 243

He also returned to the Senate, Senate Bill No. 243, entitled:

An Act to amend section one hundred three, and to further amend section two hundred one of the act, approved the eleventh day of July, one thousand nine hundred twenty-three (P. L. 998), entitled "An act for the prevention and treatment of mental diseases, mental defect, epilepsy, and inebriety; regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics; governing the transfer, discharge, interstate rendition, and deportation of mental patients; providing for the payment by individuals, counties, or the Commonwealth of the cost of the admission, care, and discharge of mental patients; and imposing penalties," requiring persons, copartnerships, associations and corporations, who undertake the care of mental patients to make application and obtain a license from the Department of Welfare

with the information that the House has passed the same without amendments.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 51, entitled:

An Act providing for the health and safety of persons employed in and about the coal mines of the Commonwealth of Pennsylvania the protection and preservation of property connected therewith the appointment of electrical inspectors by the Secretary of Mines with the consent and approval of the Governor the fixing of their salaries and necessary expenses incurred in the performance of their duties and the fixing of the qualifications which shall be possessed by persons appointed to the position of Electrical Inspector

Which was committed to the Committee on Mines and Mining.

House Bill No. 86, entitled:

An Act making an appropriation to the several fire companies of the City of Harrisburg Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 87, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania located at East Falls Philadelphia Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 88, entitled:

An Act making an appropriation to the Cresson Volunteer Fire Company for the protection of State property

Which was committed to the Committee on Appropriations.

House Bill No. 90, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to school

Which was committed to the Committee on Appropriations.

House Bill No. 91, entitled:

An Act making an appropriation to the National Farm School at Doylestown Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 112, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Indiana State Teachers' College to acquire a certain tract of land for the use of said school and making an appropriation therefor

Which was committed to the Committee on Education.

House Bill No. 141, entitled:

An Act making an appropriation to Sleighton Farm School for Girls situate in Delaware County Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 145, entitled:

An Act making an appropriation to The Glen Mills Schools situate in Delaware County Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 151, entitled:

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 153, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 158, entitled:

An Act making an appropriation to the Trustees of the College of Lincoln University Chester County

Which was committed to the Committee on Appropriations.

House Bill No. 160, entitled:

An Act making an appropriation to the Department of Forests and Waters for the use of the Vallege Forge Park Commission for payment of lands acquired by condemnation and of the necessary expenses incurred incident thereto

Which was committed to the Committee on Appropriations.

House Bill No. 168, entitled:

An Act making an appropriation for aid to free public nonsectarian county libraries and for the purchase and transportation of books

Which was committed to the Committee on Appropriations.

House Bill No. 214, entitled:

An Act making an appropriation to the Franklin Institute of the State of Pennsylvania at Philadelphia

Which was committed to the Committee on Appropriations.

House Bill No. 215, entitled:

An Act making an appropriation to the Orlando S. Johnson Industrial School of Scranton Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 216, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 494, entitled:

An Act making an appropriation to the Local Government Commission to continue its work

Which was committed to the Committee on Appropriations.

House Bill No. 511, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of maintaining dikes along Darby Creek in Tinicum and Darby Townships Delaware County and in Philadelphia

Which was committed to the Committee on Appropriations.

House Bill No. 517, entitled:

An Act increasing the fees of Justices of the Peace and Aldermen in cases of summary conviction relating to motor vehicles

Which was committed to the Committee on Judiciary General.

House Bill No. 522, entitled:

An Act to further amend the title and sections one, three, eight, eleven, sixteen, eighteen and nineteen of, and to add section ten point one to, the act approved the twenty-eighth day of May, one thousand nine hundred fifteen (P. L. 587), entitled "Meat and Meat Food Products Law," including poultry within the provisions of the act; providing for the licensing of establishments; making possession of unwholesome meat or meat-food products prima facie evidence of intention to sell; and prescribing additional penalties.

Which was committed to the Committee on Agriculture.

House Bill No. 633, entitled:

An Act to add section 1402.1, and to further amend section 2556 of the act approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "Third Class City Law," providing that the city treasurer shall appoint the assistants and employes of his office, and requiring the various taxing authorities to pay the cost of insuring the city treasurer against losses of money through no fault of his own.

Which was committed to the Committee on Municipal Government.

House Bill No. 846, entitled:

An Act to amend sections one thousand seventeen and one thousand two hundred seven of the act approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "Third Class City Law,"

removing the maximum limits on salaries of councilmen and mayors.

Which was committed to the Committee on Municipal Government.

House Bill No. 869, entitled:

An Act making an appropriation to the Trustees of the George Jr. Republic Association Grove City Pennsylvania for the payment of costs of new construction and repairs

Which was committed to the Committee on Appropriations.

House Bill No. 917, entitled:

An Act to validate certain acknowledgments and to regulate the effect thereof

Which was committed to the Committee on Judiciary General.

House Bill No. 984, entitled:

An Act to amend section one thousand eighty of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "General Borough Act," authorizing collection by the tax collector of moneys other than taxes levied or assessed against real property.

Which was committed to the Committee on Municipal Government.

House Bill No. 1087, entitled:

An Act to amend section one of the act approved the eighteenth day of March one thousand eight hundred seventy-five (P. L. 32) entitled "An act requiring recorders of deeds to prepare and keep in their respective offices general direct and ad sectum indexes of deeds and mortgages recorded therein prescribing the duty of said recorders and declaring that the entries in said general indexes shall be notice to all Persons" further prescribing the entries to be made by recorders of deeds in the indexes for deeds and indexes for mortgages

Which was committed to the Committee on County Government.

House Bill No. 1098, entitled:

An Act authorizing cities of the third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities

Which was committed to the Committee on Municipal Government.

House Bill No. 1111, entitled:

An Act to amend section one thousand two hundred two of the act approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "General Borough Act," authorizing borough councils to make appropriations of certain sums for community nursing and ambulance service.

Which was committed to the Committee on Municipal Government.

House Bill No. 1170, entitled:

An Act making an appropriation to the Department of Property and Supplies for the installation of an electric roll call system in the Hall of the House of Representatives

Which was committed to the Committee on State Government.

House Bill No. 1172, entitled:

An Act to further amend the first six paragraphs of section four hundred seven of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," increasing the membership of the Pennsylvania Aeronautics Commission.

Which was committed to the Committee on Aeronautics.

COMMUNICATIONS

The Chair cleared his table and laid before the Senate communication from Rue J. Alexander, Secretary of State, state of Indiana, dated March 26, 1945, enclosing exemplified copy of enrolled concurrent resolution No. 13, Senate Acts 1945, Chapter 379, receipt of which is noted in the Legislative Journal.

PERMISSION TO ADDRESS SENATE

Mr. BARR asked and obtained unanimous consent to address the Senate.

Mr. BARR. Mr. President, I am in receipt of a communication dated March 24, 1945 from the Honorable Joseph F. Guffey, of the United States Senate. The communication is as follows:

"March 24, 1945.

"Honorable Joseph M. Barr,
c/o The State Senate,
The Capitol,
Harrisburg, Pennsylvania.

"My dear Senator:

"I have before me extracts of statements made on the Senate Floor by M. Harvey Taylor, President Pro Tempore of the State Senate, and a copy of a statement released to the press by him on March 20th, after you had urged that the Legislature should enact a law limiting the amount of money to be spent by any political party in any election.

"Harvey Taylor stated on the Senate Floor that "I will take this up with Senator Guffey when he and I get together—I think we can settle all these affairs."

"I have never met Harvey Taylor and have never discussed any matter with him and he knows that he will not get together with me and settle the matter of the holdover slush fund now available to the Republicans in Pennsylvania.

"Harvey Taylor stated in his release to the press that if the Pennsylvania Republican Party has as much money in the Treasury as you and I say, he could assure both of us that it would be spent judiciously. I do not know what meaning Harvey Taylor attaches to the word "judiciously", but I do know from Harvey Taylor's reputation as a political operator that this tremendous slush fund will not be spent in accordance with the dictionary's meaning of the word "judiciously".

"Records duly filed in accordance with law show that Republican Organizations in the State collected $3,242,747.76 and that these same Organizations expended $2,367,539.12. This leaves a balance on hand available to the Republican Organization of $875,208.64 and that balance having once been reported, in accordance with law, will not again be reported by Harvey Taylor and his Organization. In my judgment, it will be used for political corruption purposes. It will be used to print and distribute state-wide scurrilous and libelous pamphlets against innocent men. Harvey Taylor engaged in those tactics in last Fall's Election, having admitted before a United States Senate Committee that he issued

the orders for the printing of such a pamphlet and for its distribution. Of course, he saw that the pamphlet was paid for. Harvey Taylor will find that it does not pay to issue such scurrilous and libelous pamphlets in his efforts to win an election. Taylor will have an opportunity to defend those tactics in the Federal Courts of our Land."

Sincerely,

JOSEPH F. GUFFEY."

REPORTS FROM COMMITTEES

Mr. WALKER, from the Committee on Forests and Waters, Game and Fish, reported as amended, Senate Bill No. 577, entitled:

An Act to amend section seven hundred eighth and to further amend clause (f) of section seven hundred thirty-one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending, revising, consolidating and changing the law relating thereto," by changing the time limitation for tagging big game, controlling the removal and transportation thereof, requiring report of such killing, and providing penalties.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 448, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of California State Teachers' College, to acquire a tract of land for the use of California State Teachers' College; and making an appropriation therefor.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 40, entitled:

An Act to amend or further amend the title and sections one, five, seven, nine and ten of the act approved the eighth day of June, one thousand nine hundred seven (P. L. 496), entitled "An act to establish a Board of Commissioners of Navigation for the river Delaware and its navigable tributaries; regulating their jurisdiction over ships, vessels, and boats, and wharves, piers, bulkheads, docks, slips, and basins; and exempting cities of the first class from certain of its provisions; and making an appropriation therefor," changing the membership of the Navigation Commission for the Delaware River and its navigable tributaries; and excepting the Port of Chester from certain provisions of said act.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 527, entitled:

An Act providing for the indexing of the Legislative Journal; and fixing the sum allowed therefor.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 452, entitled:

An Act to add section two thousand three hundred twenty-two to the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards, and commissions shall be determined," by imposing upon the Department of Welfare the duty to investigate the subject of crime prevention, and to stimulate, develop, and coordinate crime prevention activities in this Commonwealth.

Mr. MALLERY, from the Committee on Constitutional Changes, reported as committed, Senate Bill No. 570, entitled:

A Joint Resolution proposing an amendment to article nine, section eight, of the Constitution of the Commonwealth of Pennsylvania.

Mr. SNOWDEN, from the Committee on Corporations, reported as committed, Senate Bill No. 574, entitled:

An Act to amend section three of the act approved the fourth day of June one thousand nine hundred and fifteen (P. L. 828) entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations, co-partnership associations, and joint-stock associations; providing the manner of collecting such tax, and prescribing penalties," by providing an alternative method of collection of such tax.

He also, from the Committee on Corporations, reported as committed, Senate Bill No. 573, entitled:

An Act to further amend section one of the act, approved the fourth day of June, one thousand nine hundred fifteen (P. L. 828), entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock, and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations, co-partnership associations, and joint-stock associations; providing the manner of collecting such tax, and prescribing penalties," by modifying the rates of tax imposed by the said act.

Mr. CARR on behalf of Mr. LETZLER, from the Committee on Public Health, reported as committed, Senate Bill No. 579, entitled:

An Act to safeguard human life prohibiting the performance of operations previous to the making of certain pre-operative studies and tests and the inspection thereof by the person performing the operation, except an emergency operation; defining an emergency operation and a pre-operative study and providing penalties.

Mr. BERGER, from the Committee on Public Health, reported as committed, House Bill No. 171, entitled:

An Act providing for the complete medical and dental examination of all children of school age and teachers in the Commonwealth and imposing certain duties upon the Department of Health.

which was re-referred to the Committee on Appropriations.

He also, from the Committee on Public Health, reported as committed, House Bill No. 470, entitled:

An Act to further amend section four of the act, approved the eighth day of May, one thousand nine hundred nine (P. L. 470), entitled "An act to prevent the manufacture and sale of adulterated or misbranded drugs; defining the word 'drug'; prescribing penalties for violation of this act, and the method of its enforcement"; by further defining what shall constitute misbranding of drugs.

He also, from the Committee on State Government, reported as committed, House Bill No. 942, entitled:

An Act to amend the act approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 439), entitled "An act authorizing the Governor of the Commonwealth of Pennsylvania, with the advice of the Attorney General and the approval of certain members of the General Assembly, for a limited period of time, to suspend or modify laws, either in whole or in part, under certain circumstances, during the existence of the present war," by extending the effective period of the act.

He also, from the Committee on State Government, reported as committed, House Bill No. 493, entitled:

A Supplement to the act approved the fourth day of June one thousand nine hundred and forty-three (Appropriation Acts page fifty-nine) entitled 'An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-three" providing for a deficiency in the appropriation made by said act to the Department of the Auditor General for the fiscal biennium ending May thirty-first one thousand nine hundred and forty-five.

Mr. JAMES, from the Committee on Appropriations, reported as committed, Senate Bill No. 67, entitled:

An Act making an appropriaition for the maintenance, repair and improvement of the Port of Philadelphia.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 9, entitled:

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of costs incurred by that Department in acting as purchasing agent for the Department of Highways.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 60, entitled:

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 493, entitled:

An Act to repeal the special acts, approved the twelfth day of March, one thousand eight hundred sixty-six (P. L. 171), and the fourteenth day of February, one thousand eight hundred sixty-seven (P. L. 207), relating to the fees of the sheriff, prothonotary, register, recorder, clerk of courts and district attorney in Washington County.

Mr. KEPHART, from the Committee on Public Health, reported as committed, House Bill No. 204, entitled:

An Act to amend sections fourteen and twenty of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 414), entitled "An act relating to vital statistics and to make uniform the law with reference thereto," by changing the conditions under which information or records may be furnished and certified copies of birth certificates shall be issued.

He also, from the Committee on Public Health, reported as amended, Senate Bill No. 387, entitled:

An Act to further amend section fourteen of the act approved the nineteenth day of March, one thousand nine hundred nine (P. L. 46), entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania; to provide for the establishment of a State Board of Osteopathic Examiners; to define the powers and duties of said Board of Osteopathic Examiners; to provide for the examining and licensing of osteopaths in this State; and to provide penalties for the violation of this act," by further regulating grounds for refusal, revocation, or suspension of the right to practice osteopathic medicine in the State of Pennsylvania.

He also, from the Committee on Public Health, reported as amended, House Bill No. 472, entitled:

An Act prohibiting the sale of drugs, chemicals and preparations thereof without a label bearing certain information; and prescribing a penalty.

He also, from the Committee on Public Health, reported as amended, House Bill No. 315, entitled:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drug' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" providing that persons who have served as registered assistant pharmacists for ten years or longer shall be qualified for examination as pharmacists

Mr. THOMAS, from the Committee on Forests and Waters, Game and Fish, reported as amended, House Bill No. 412, entitled:

An Act to amend subdivision five of the Compact contained in the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1664) entitled "An act to ratify and adopt a compact or agreement negotiated by commissioners designated by the Governor of the Commonwealth of Pennsylvania and commissioners designated by the Governor of the State of Ohio relative to the development use and control of the Pymatuning Lake and the State owned land surrounding said lake for fishing hunting recreational and park purposes" so as to permit the operation on portions thereon of boats equipped with motors of six horsepower or less

Mr. WADE, from the Committee on State Government, reported as committed, Senate Bill No. 293, entitled:

An Act to amend section one of the act, approved the seventeenth day of May, one thousand nine hundred twenty-nine (P. L. 1798-No. 591), entitled "An act providing a fixed charge, payable by the Commonwealth, on lands acquired by the State and the Federal Government for forest reserves, or for the purpose of preserving and perpetuating a portion of the original forests of Pennsylvania, and preserving and maintaining the same

as public places and parks; and the distribution of the same for county, school, township, and road purposes in the counties, school districts, and townships where such forests are located; and making an appropriation," increaing the amount which the counties will receive from the State for reserve purposes.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 465, entitled:

An Act to further amend section one of the act approved the nineteenth day of July, one thousand nine hundred thirty-five (P. L. 1356), entitled "An act to regulate the sale and delivery of solid fuel, as herein defined; providing for appointment of licensed weighmasters; prescribing their powers and duties; authorizing substitute licensed weighmasters; imposing certain duties on the Department of Internal Affairs; and providing penalties," by defining the word "vehicle."

He also, from the Committee on State Government, reported as committed, House Bill No. 719, entitled:

An Act to amend section one of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 558), entitled "An act authorizing the Department of Property and Supplies to sell and convey a lot or piece of land in Delaware County," correcting an erroneous measurement.

Mr. JONES, from the Committee on Public Health, reported as committed, Senate Bill No. 544, entitled:

An Act to regulate the sale and possession of penicillium (penicillin) and its derivatives, preparations and compounds in the interest of public health.

Mr. KLEIN, from the Committee on Public Health, reported as committed, House Bill No. 108, entitled:

An Act to provide assistance for Typhoid Fever carriers and persons having typhoid fever carriers in their households and imposing certain responsibilities upon the Secretary of Health, the Secretary of Public Assistance and the Secretary of Welfare in connection therewith.

Mr. BOWERS, from the Committee on Forests and Waters, Game and Fish, reported as committed, House Bill No. 662, entitled:

An Act to promote interstate cooperation for the conservation and protection of water resources in the Delaware River Basin.

Mr. RUTH, from the Committee on Public Health, reported as committed, Senate Bill No. 239, entitled:

An Act to promote the public welfare and to protect mental defectives by prescribing circumstances under which selective sterilization of certain types of individuals may be performed without civil or criminal liability; and providing penalties.

He also, from the Committee on State Government, reported as committed, House Bill No. 420, entitled:

An Act to amend the act approved the twelfth day of May, one thousand nine hundred and forty-three (P. L. 259), entitled "An act providing for the payment by the State Treasurer, of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies, to the treasurers of the several cities, boroughs, towns and townships, and for the payment thereof into police pension funds, and in certain cases into the Municipal Employes' Retirement System, and in certain other cases into the State Employes' Retirement Fund, for certain purposes," by providing for allocation and distribution of such moneys and further prescribing their use.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 519, entitled:

An Act to amend section eight of the act, approved the third day of June, one thousand nine hundred nineteen (P. L. 366), entitled "An act reorganizing the Department of State Police; creating therein a Bureau of Fire Protection; providing for a State Police Force, and defining the powers and duties of the same, including the enforcement of laws relating to game, fish, forestry, and water supply, and certain other laws, and including the collection of information useful for the detection of crime, and the apprehension of criminals; providing for the equipment, maintenance, and transportation of such police; providing for barracks and substations therefor; and prescribing penalties," by providing for and requiring additional credit in examinations of honorably discharged persons who served in the armed forces of the United States during any war in which the United States was engaged.

Mr. DiSILVESTRO, from the Committee on Public Health, reported as committed, House Bill No. 134, entitled:

An Act to further amend section eleven of the act, approved the thirteenth day of May, one thousand nine hundred twenty-seven (P. L. 988), entitled "An act providing for and regulating the State registration of nurses and licensed attendants, the annual recording of registration certificates; and regulating the profession of nursing; and repealing certain existing laws," by setting forth specific grounds for the suspension or revocation of certificates of registration of registered nurses and licensed attendants; and providing for the reissue of such certificates.

Mr. BARR, from the Committee on Corporations, reported as committed, Senate Bill No. 532, entitled:

An Act to amend section two of the act approved the thirtieth day of April one thousand nine hundred and twenty-nine (P. L. 903) entitled "An act relating to corporations providing methods of determining what stockholders shall be entitled to vote at meetings or to receive dividends or allotments of rights or to exercise rights and the effect thereon of transfers of stock within sixty days of any election or meeting" by making further provision for such determination in lieu of closing the stock transfer books.

REPORT OF COMMITTEE ON FORESTS AND WATERS, GAME AND FISH

Mr. CROWE. Mr. President, from the Committee on Forests and Waters, Game and Fish, I submit a report of the Committee, which I, in pursuance to Senate Resolution Serial Number 36, held a public hearing on March 13, 1945, in the Senate Caucus room, in regard to a complaint against the Game Commission by the North Central Division of Sportsmen's Clubs, on the matter of an antlerless deer season in Cameron County. I ask that this report be spread upon the Legislative Journal.

The ACTING PRESIDENT PRO TEMPORE. If there is no objection the request is granted.

REPORT PURSUANT TO SENATE RESOLUTION No. 36

Mr. CROWE. The Senate Committee on Forests and Waters, Game and Fish conducted a Hearing in the Senate Caucus Room at 10:00 a. m. on March 13, 1945, pursuant to the above resolution, at which a majority of the Committee were present.

There were present representatives of the North Cen-

tral Division of the Pennsylvania Federation of Soprtsmen's Clubs who were the complainants, and Seth Gordon, the Executive Director, and other personnel of the Pennsylvania Game Commission.

The holders of resident hunting licenses in Cameron County had gotten together a petition pursuant to the provisions of the Game Law to abrogate the season for the hunting of antlerless deer in 1943, which petition the Game Commission found was inadequate to comply with the provisions of Clause (d) of Section 501 of the Game Law, as amended by the Act approved June 24, 1939, P. L. 810. After hearing the testimony, the Committee has come to the following conclusions:

1. It is our opinion that the Game Commission acted in good faith throughout in this matter but that the petitioners should have obtained a surplus of names in order to take care of possible disqualifications and subsequent withdrawals. This had been suggested by the Game Commission for the protection of the Petitioners.
2. That the wording of the Law is not clear as to the functions or responsibilities of the Game Commission in connection with checking and certifying the Petitions, or as to the number of names required to abrogate an antlerless deer season. Under the present wording it is difficult for any agency to supply accurate information to sponsors of petitions with reference to the number of signatures required without exhaustive check. This makes it difficult for the Petitioners to proceed intelligently to attain their objective.
3. We feel that when representatives of the Petitioners appeared at the headquarters of the Game Commission to check the names disqualified, that in spite of advice from the office of the Attorney General to the contrary, the records were public and should have been available. While the records were made available to the representatives of the Petitioners for inspection such representatives should have been allowed to copy the names and addresses of the signers who had been disqualified, regardless of the impression that this information might have been used to the embarrassment of Petitioners who through ignorance signed the names of sons in service and other relatives.
4. That the Committee regards the local Game Protector as having been overzealous in his activity by issuing hand bills and publishing advertisements in the local newspapers, and that he should have maintained a neutral attitude and guided the Petitioners in any way possible so that they might have filed a proper petition.
5. That by the above actions the spirit of Section 501 "D" of the Pennsylvania Game Code was violated, although the Committee is of the opinion that this violation was not on the part of the Commission, and that the Game Protector was not acting under their order.
6. The Committee recommends that the Pennsylvania Game Commission adopt as a Rule of Policy that when a petition has been filed in accordance with Section 501 "D" of the Game Code, neither the Commission nor any of its personnel shall take any action whatsoever to oppose the desires of the Petitioners, but shall confine its functions to administrative matters designed to carry into effect the provisions of the Law. Further, that the Commission instruct its personnel before any employees issue broadsides or other statements in their official capacity that the Commission must approve same prior to the circulation thereof. The responsibility for such material or information should rest with the Game Commission.
7. That this provision of the Law should either be repealed or amended and clarified. We submit for consideration a suggested amendment reading as indicated below:

SUGGESTED AMENDMENT TO CLAUSE (d) OF SECTION 501, AS AMENDED BY THE ACT APPROVED JUNE 24, 1939, P. L. 810

If at any time the commission shall, by resolution, declare an open season for antlerless deer throughout the Commonwealth or in any given county or part thereof, such open season shall be abrogated in any [such] county if there is filed with the commission a petition opposing [such] said antlerless deer season, signed by a number of residents of that county, who, except in the case of farmers, held Pennsylvania resident hunting licenses the previous year, equal to fifty per centum of the total number of licenses issued within that county to residents of [that county] the Commonwealth for the previous year. A minimum of one-third of the petitioners shall be resident farmers, within the county, sixteen years of age or older, who regularly reside upon and cultivate farms or orchards as a principal means of gaining a livelihood, whether they were holders of resident hunting licenses the previous year or not.

Each petitioner shall legibly affix his own signature, and supply his post office address, resident hunter's license number of the previous year, unless he was an unlicensed farmer, and his occupation. If a petitioner, other than an unlicensed farmer, is unable to furnish the correct hunting license number at the time of signing, the sponsors of the petition shall insert said number from hunter's license records before filing it. Furnishing a false license number shall invalidate the signature.

Said petition must be filed [at least thirty days prior to the opening of the proposed antlerless deer season] not later than forty-five days following the date of the final publication in said county of legal notices of the commission's action as required by this act. Upon receipt thereof, the commission shall proceed promptly, under such rules and regulations of procedure as it may have established prior thereto, to determine whether the petitioners have met the legal requirements, and to certify the findings on its official minutes, and make public announcement thereof.

Any person signing such a petition who is not [a resident of the county to which such petition relates or who did not hold a resident hunting license for the previous year] qualified to sign it, or who signs more than once, shall, upon summary conviction thereof, be sentenced to pay a fine of ten dollars and costs of prosecution, and upon default thereof shall be imprisoned for a period of five days.

The amendments suggested above would enable the Game Commission to give prospective petitioners definite advice promptly as to the total number of signers required without extensive clerical work; it would clear up any doubt relative to individual signatures and define the information they shall supply; it would permit farmers to express their wishes and overcome complaints that the present law ignores their views concerning antlerless deer seasons; it would more clearly define the filing date for petitions, with a minimum of two months after the Commission declares an antlerless deer season to file them.

It also would clearly fix the Game Commission's responsibility to determine the validity of petitions and provide for specific rules of procedure, with sufficient time to do the work in an unhurried manner. It is felt that the amendments above suggested would prevent recurrence of the misunderstandings which occurred in the case of the Cameron County petitions in 1943.

BILLS INTRODUCED AND REFERRED

Mr. BLASS read in his place and presented to the Chair Senate Bill No. 614, entitled:

An Act to amend section four hundred nineteen of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by permitting certain additional stock insurance companies to come within the provisions thereof.

Which was committed to the Committee on Insurance.

Mr. WALKER read in his place and presented to the Chair Senate Bill No. 615, entitled:

An Act to amend section two thousand two of the act approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," regulating the fining, suspension and discharge of certain police officers and other employes of the police bureau.

Which was committed to the Committee on Municipal Government.

Mr. HALUSKA read in his place and presented to the Chair Senate Bill No. 616, entitled:

An Act to further amend section two thousand one hundred three of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto"; permitting additional hours of service by firemen for the duration of the present war and providing for overtime pay for such work.

Which was committed to the Committee on Municipal Government.

PERMISSION TO ADDRESS SENATE

Mr. COX asked and obtained unanimous consent to address the Senate.

Mr. COX. Mr. President, on March 5 the Senate considered the Christmas tree bill which was introduced by Senator Dent and Senator Thomas. At that time I made a statement that I would introduce a bill which would properly regulate strip mining, and I am presenting that bill at this time, with the hope that the members of the Senate, or any other person in the Commonwealth who is interested in the regulation of strip mining, will make any suggestions or recommendations that will make this bill a better bill.

BILLS INTRODUCED AND REFERRED

Mr. COX read in his place and presented to the Chair Senate Bill No. 617, entitled:

An Act relating to the regulation and control of strip mining of bituminous coal, and to the collection of bond forfeiture and the disposition thereof, and the rehabilitation of the land affected by strip mining operations; and providing penalties.

Which was committed to the Committee on Mines and Mining.

Mr. THOMAS read in his place and presented to the Chair Senate Bill No. 618, entitled:

An Act relating to and regulating the practice of the profession of engineering including civil engineering, mechanical engineering, electrical engineering, mining engineering, chemical engineering, surveying and constituent parts and combinations thereof as herein defined; providing for the licensing and registration of persons practicing said profession and the certification of engineers in training and the suspension and revocation of said licenses, registrations and certifications for violation of this act; prescribing the powers and duties of the State Registration Board for Professional Engineers, the Department of Public Instruction and the courts; prescribing penalties; and repealing existing laws.

Which was committed to the Committee on State Government.

He also read in his place and presented to the Chair Senate Bill No. 619, entitled:

An Act to preserve the purity of the waters of the Commonwealth and relating to and regulating the sealing of coal mines, providing for the sealing of coal mines by the Sanitary Water Board and the payment of the costs thereof by the Commonwealth in certain cases, conferring powers and imposing duties on the Sanitary Water Board, imposing duties on the owners, operators and lessees of coal mines, and imposing penalties.

Which was committed to the Committee on Mines and Mining.

Mr. JONES read in his place and presented to the Chair Senate Bill No. 620, entitled:

An Act authorizing the treasurer in counties of the third class to appoint a solicitor, prescribing the duties and qualifications of such solicitor, fixing his term, and providing for the fixing of his salary, and the payment thereof by the county.

Which was committed to the Committee on Municipal Government.

PERMISSION TO ADDRESS SENATE

Mr. RUTH asked and obtained unanimous consent to address the Senate.

Mr. RUTH. Mr. President, Berks County has a native son of whom Berks County is very proud and the State of Pennsylvania can be very proud. When this man was not quite fourteen years of age he graduated from high school and worked his way through preparatory school and at the same time ran a county newspaper for his father, who had been injured in a fire. He was appointed to West Point Military Academy and his record has been known to the world ever since that day.

Therefore, in behalf of Senator Stiefel and myself, I offer the following resolution and ask for its immediate adoption.

RESOLUTIONS

URGING THAT ROUTE 322 BE KNOWN AS THE CARL SPAATZ HIGHWAY

Messrs. RUTH and STIEFEL offered the following resolution which was twice read as follows:

In the Senate, March 28, 1945.

Whereas in the galaxy of great American military leaders shaping the victory of our arms in the present global war, Lieutenant-General Carl Spaatz, of Boyertown, Berks County, Pennsylvania, is considered as a brillian military scientist, heroic soldier, skillful aviator, efficient administrator and inspiring commander of men, and

Whereas the rise of Carl Spaatz from a first-lieutenancy on July 1, 1916 to the rank of lieutenant-general (temporary) on March 12, 1943, was attained through an impeccable record of service during war and peace, crowned with his present task of Commanding-General of the United States strategic Air Force in the European Theater of Operations and

Whereas the military exploits of Lieutenant-General Carl Spaatz fill more than a quarter-century of gallant services including inter alia:

Service during World War I with American Expeditionary Forces first as a pursuit pilot in the 13th Squadron of the 2nd Pursuit Group and participation in several aerial combats during the St. Mihiel and Meuse-Argonne Offensives.

Expanding in 1917-1918 the American Aviation School at Issoudun, France from a few buildings to one of the world's largest aviation schools at that time.

Charge of a Flying Circus on April 10, 1919 to assist in the Victory Loan drive.

Participation in the Trans-continental Reliability and Endurance Test from California to New York City from October 8th to 11th, 1919.

Command of Kelly Field, Texas from October 5, 1920, to February, 1921.

Command of the 1st Pursuit Group, first at Ellington Field, Texas, then Selfridge Field, Michigan to September 24, 1924.

Command of the Army plane "Question Mark" in its historic refueling endurance flight over Los Angeles and vicinity, January 1-7, 1929.

Command of several Bombardment Groups from May 1, 1929, until June 10, 1933.

Service in the Office of the Chief of the Air Corps, Washington, D. C.

Assignment on January 26, 1942, as Chief of the Air Force Combat Command, Washington, D. C.

Command of Eighth Air Force Command of the Northwest African Air Force.

Command of all United States Army Air forces in the North African Theater of Operation.

Command of the United States Strategic Air Force in the European Theater of Operations.

And Whereas one of the many citations of Lieutenant-General Spaatz summarizes his attainments by stating that "his indomitable will and outstanding technical ability overcame directly or through his inspired subordinates the many problems which, upon first view, often seemed insurmountable."

And Whereas the entire Nation and the citizenry of Pennsylvania are viewing with great admiration the contributions of Lieutenant-General Carl Spaatz to the cause of victory

And Whereas Route 322, known as the "Lake to Sea" Route is running diagonally through the major portion of the Commonwealth and is thus one of the most representative arteries of the State,

Now Be It Resolved (if the House of Representatives concur) that the part of Route 322 passing through Pennsylvania shall henceforth be known as the "Carl Spaatz Highway"

And Be It Further Resolved that the Secretary of the Senate forward copy of this Resolution to Lieutenant-General Carl Spaatz

And Be It Further Resolved that the Secretary of the Senate forward copies of this Resolution to the members of the Congressional delegation from Pennsylvania.

REQUEST TO SUSPEND RULE 39

Mr. RUTH. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

The PRESIDENT. Is there objection?

Mr. HEYBURN. Mr. President, I object.

Mr. HEYBURN. Mr. President, I object to immediate consideration for the sole reason that this proposes to give a name to a highway, and there are several heroes of this war and several members who would like to have highways named after them. I know, as a matter of fact, that Senator Stiefel has a bill on the Calendar right now dealing with this very thing.

Therefore, Mr. President, I suggest that the resolution be referred to a committee in order that some study can be given to the matter.

The ACTING PRESIDENT PRO TEMPORE. The resolution is referred to the Committee on Rules.

EMPLOYE OF THE SENATE

Mr. TALLMAN offered the following resolution which was twice read, considered and agreed to:

In the Senate, March 28, 1945.

Resolved, that the following person be elected officer and employee of the Senate, as is provided for by the Act of Assembly:

CLERK TO COMMITTEE

Faye K. Edgely, Elizabethville, Pa., vice Ruth Trump, resigned.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. EALY. Mr. President, I move that the Senate do

now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on March 28, 1945.

Mr. CHAPMAN. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 28, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

PHILADELPHIA COUNTY

Thos. McGowan, Jr., Phila., 813 E. Allegheny Ave., March 30, 1945.

FAYETTE COUNTY

W. T. Dunlop, Jefferson Twp., Newell, April 2, 1945.

LEBANON COUNTY

Mrs. Verna M. Miller, Myerstown, April 2, 1945.

PHILADELPHIA COUNTY

Mrs. B. M. Snover, Phila., Law School Bldg., 3400 Chestnut St. (4) April 8, 1945.

ALLEGHENY COUNTY

Mrs. Eleanor L. Ley, Pittsburgh, 818 E. Ohio St., April 13, 1945.

Miss Jane M. Heckathorne, Pittsburgh, 406 Law and Finance Bldg. (19), April 14, 1945.

Ross M. Blair, Pittsburgh, 434 Blvd. of the Allies, April 16, 1945.

BEDFORD COUNTY

Miss Elizabeth Madore, Bedford, April 16, 1945.

LANCASTER COUNTY

Miss Beula G. Sweet, Lancaster, April 16, 1945.

LUZERNE COUNTY

Miss Mildred A. Miller, Wilkes-Barre, April 16, 1945.

NORTHAMPTON COUNTY

Miss Anna M. Staffieri, Bethlehem, April 16, 1945.

PHILADELPHIA COUNTY

Thomas J. Burke, Phila., 1804 Finance Bldg. (2), April 16, 1945.

Harvey G. Eshleman, Phila., 5337 Greene St., April 16, 1945.

Nathan Goldsmith, Phila., 615 Snyder Ave. (48), April 16, 1945.

Charles J. W. Kreuzer, Phila., 505 W. Tabor Rd., April 16, 1945.

WESTMORELAND COUNTY

Glenn G. Martin, Jr., Jeannette, April 16, 1945.

ALLEGHENY COUNTY

Miss Mabel E. Lewis, Pittsburgh, 125 De Soto St., April 17, 1945.

Miss Bessie L. McGratty, Pittsburgh, Frick Bldg. Annex, Diamond St., April 17, 1945.

LACKAWANNA COUNTY

Miss Ethel P. Becker, Scranton, April 17, 1945.

PHILADELPHIA COUNTY

Kemper P. Muench, Sr., Phila., 847 N. Ringgold St., April 17, 1945.

Alfred H. Pfeffer, Phila., 502 N. 19th St. (30), April 17, 1945.

Miss Helen F. Weagle, Phila., 1529 Walnut St. (2), April 17, 1945.

ALLEGHENY COUNTY

Mrs. Mary Fusca, Pittsburgh, 511 Bakewell Bldg., Grant St., April 18, 1945.

LACKAWANNA COUNTY

Miss Ethel M. Wilkins, Scranton, April 18, 1945.

LANCASTER COUNTY

Miss Miriam C. Hess, Lancaster, April 18, 1945.

LEHIGH COUNTY

Mrs. Marie C. Wagner, Bethlehem, April 18, 1945.

McKEAN COUNTY

Miss Mary Hanlon, Port Allegany, April 18, 1945.

PHILADELPHIA COUNTY

Alexander Ehrlich, Phila., 541 N. 6th St., April 18, 1945.

Samuel Kivitz, Phila., NE Cor. 15th and York Sts., April 18, 1945.

WESTMORELAND COUNTY

R. Grey Smith, Suterville, April 18, 1945.

ERIE COUNTY

Mrs. Nolene Houtz, Erie, April 19, 1945.

ALLEGHENY COUNTY

Geo. D. Campbell, Bellevue, April 21, 1945.

Orrin C. Harmon, Pittsburgh, 4761 Liberty Ave, April 21, 1945.

BEAVER COUNTY

Miss Mary Bur, Aliquippa, April 21, 1945.

PHILADELPHIA COUNTY

Mrs. Ursula J. Coleman, Phila., 9th St. and Rising Sun Ave. (40), April 21, 1945.

Thomas E. Peacock, Phila., 916 W. Dakota St., April 21, 1945.

Miss Florence H. Shotwell, Phila., 250 S. Van Pelt St. (3), April 21, 1945.

SCHUYLKILL COUNTY

Mrs. Clara R. Stack, Girardville, April 21, 1945.

PHILADELPHIA COUNTY

Miss Katherine D. McDowell, Phila., Otis Bldg., 112 S. 16th St. (2), April 22, 1945.

WARREN COUNTY

Joseph H. Goldstein, Warren, April 22, 1945.

ALLEGHENY COUNTY

Ernest H. Loveday, Penn Twp., Universal, April 23, 1945.

BERKS COUNTY

Chester A. Mohn, Shillington, April 23, 1945.

GREENE COUNTY

George R. Kramer, Greensboro, April 23, 1945.

PHILADELPHIA COUNTY

Paul J. Johnson, Phila., 2007 S. Bucknell St. (45), April 23, 1945.

ERIE COUNTY

Frank B. Quinn, Erie, April 24, 1945.

BEAVER COUNTY

Miss Almira M. Parks, Beaver Falls, April 25, 1945.

DAUPHIN COUNTY

John H. Aldicks, Harrisburg, April 25, 1945.

WESTMORELAND COUNTY

Miss Ottilie Walthour, Greensburg, April 25, 1945.

CARBON COUNTY

Frank Lench, Banks Twp., Tresckow, April 26, 1945.

EDWARD MARTIN.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 28, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

William A. Fabricius, Pittsburgh, 525 William Penn Place.

Miss Rose Mary Ley, Pittsburgh, 818 E. Ohio St.

Miss Elizabeth B. Thompson, Collier Twp., P. O. Box No. 233, Bridgeville.

BEAVER COUNTY

Miss Theressa L. Carnelly, New Brighton.

BERKS COUNTY

Samuel D. Butz, Kutztown.

CLARION COUNTY

Miss B. J. Fraser, New Bethlehem.

COLUMBIA COUNTY

Miss Mary Ann Piscorik, Berwick.

ERIE COUNTY

Arthur A. Obert, Lawrence Park Twp., General Electric Co., 2901 E. Lake Road, Erie (2).

FAYETTE COUNTY

Miss Jeane Litman, Uniontown.

LANCASTER COUNTY

Mrs. Violet M. Eshleman, Quarryville.

LEHIGH COUNTY

Mrs. Jean D. Gross, Allentown.

LUZERNE COUNTY

Mrs. Stella M. Aleksa, Swoyerville.

PHILADELPHIA COUNTY

Wm. W. Jackson, Phila., 4747 N. Broad St. (41).

Charles Ritter, Phila., 1420 E. Johnson St. (38).

EDWARD MARTIN.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. EALY and Mr. CHAPMAN,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Taylor,
Becker,	Farrell,	Leader,	Thomas,
Berger,	Geltz,	Mallery,	Troutman,
Glass,	Gourley,	Margie,	Tyler,
Bowers,	Haluska,	McCreesh,	Wade,
Carr,	Heyburn,	McGinnis,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Coleman,	Homsher,	Ruth,	Wilson,
Cox,	James,	Scarlett,	Woodring,
Crider,	Jaspan,	Snowden,	Woodward,
Crowe,	Jones,	Stevenson,	Letzler,
Dent,	Kephart,	Stiefel,	Acting
DiSilvestro,		Tallman,	Pres. Pro. Tem.

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

SENATE BILL No. 123, RECALLED FROM THE GOVERNOR TAKEN FROM THE TABLE

Mr. TALLMAN. Mr. President, I call from the table Senate Bill No. 123, recalled from the Governor.

RECONSIDERATION OF SENATE BILL No. 123

Mr. TALLMAN. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 123, entitled:

An Act to repeal Section one thousand thirty-three (1033) of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justice of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns township within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the Act approved May twenty-first one thousand nine hundred forty-three (P. L. 559)

was passed finally.

The ACTING PRESIDENT PRO TEMPORE. How did the Senator vote?

Mr. TALLMAN. Mr. President, I voted "aye."

Mr. WALKER. Mr. President, I second the motion.

The ACTING PRESIDENT PRO TEMPORE. How did the Senator vote?

Mr. WALKER. Mr. President, I voted "aye."

The motion was agreed to.

And the question recurring.

Shall the bill pass finally?

Mr. TALLMAN. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The ACTING PRESIDENT PRO TEMPORE. How did the Senator vote?

Mr. TALLMAN. Mr. President, I voted "aye."

Mr. WALKER. Mr. President, I second the motion.

The ACTING PRESIDENT PRO TEMPORE. How did the Senator vote?

Mr. WALKER. Mr. President, I voted "aye."

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. TALLMAN. Mr. President, I ask unanimous consent to offer amendments at this time on behalf of Mr. Dent and myself.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend page 1, line 1 of the title, by inserting after the word "repeal" and before the word "Section" the following: "paragraphs (a) (b) and (d) of"; Amend page 2, lines 10, 11 and 12 of the title, by striking out the following: "[as last amended by the Act approved May twenty-first one thousand nine hundred forty-three (Pamphlet Laws 559)]"; and inserting in lieu thereof the following: "and all amendments to said paragraphs (a) (b) and (d)"; Amend Section 1, page 2, line 1 by inserting after the word "That" and before the word "section" the following: "paragraphs (a) (b) and (d) of"; Amend Section 1, page 3, line 12 by striking out after "(Pamphlet Laws 559)" and before the word "hereby" the word: "[is]"; and inserting in lieu thereof the following: "and all amendments to said paragraphs (a) (b) and (d) are"; Amend Section 2, page 3, by striking out lines 13 and 14; Amend Section 3, page 3, line 15 by striking out after the word "Section" and before the word "This" the numeral: "[13]"; and inserting in lieu thereof the numeral: "2."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing on final passage.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 18, entitled:

An Act to amend sections one and two of the act approved the eighteenth day of July, one thousand nine hundred thirty-five (P. L. 1303), entitled "An act to regulate the sale of certain hypnotic, analgesic, and body-weight reduction drugs, in the interest of public health," by redefining the meaning of "other hypnotic drug, or analgesic drug or body-weight reducing drug" and adding "inhalers" to the remedies permitted to be sold at retail

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution.

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Taylor,
Becker,	Farrell,	Leader,	Thomas,
Berger,	Geltz,	Mallery,	Troutman,
Blass,	Gourley,	Margie,	Tyler,
Bowers,	Haluska,	McCreesh,	Wade,
Carr,	Heyburn,	McGinnis,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Coleman,	Homsher,	Ruth,	Wilson,
Cox,	James,	Scarlett,	Woodring.
Crider,	Jaspan,	Snowden,	Woodward,
Crowe,	Jones,	Stevenson,	Letzler,
Dent,	Kephart,	Stiefel,	Acting
DiSilvestro,		Tallman,	Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL OVER IN ORDER

Mr. JASPAN. Mr. President, I ask unanimous consent that Senate Bill No. 36, on final passage, entitled:

An Act to add section seven hundred thirty-four to the act approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," making wilful abandonment or nonsupport of an aged or indigent person a misdemeanor; and prescribing penalties

go over in its order.

This bill calls for modification of our penal code. The district attorney of Philadelphia called me up and said he wants to study this over the week-end. I think the sponsor may go along with me as to that.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 238, on final passage, entitled:

An Act to amend section nine hundred ten, and subsection (e) of section nine hundred fifty-one of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" changing the requirements for affidavits of candidates for judge of a court of record who are in the armed forces of the United States and whose whereabouts is unknown or who is out of the country

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 434, as follows:

An Act to further amend sections twenty-one and thirty-one of and to add section twenty-one and one tenth to the act approved the sixth day of August one thousand nine hundred forty-one (P. L. 861) entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the 'Pennsylvania Board of Parole' conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases providing for the method of appointment of its members regulating the appointment removal and discharge of its officers clerks and employes dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the board and of certain other officers and employes thereof making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation" by further defining the jurisdiction duties powers and functions of the Pennsylvania Board of Parole

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twenty-one of the act approved the sixth day of August one thousand nine hundred forty-one (P. L. 861) entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the 'Pennsylvania Board of Parole' conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases providing for the method of appointment of its members regulating the appointment removal and discharge of its officers clerks and employes dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the board and of certain other officers and employes thereof making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation" as last amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-three (P. L. 767) is hereby further amended to read as follows

Section 21 The board is hereby authorized to release on parole any convict confined in any penal institution of this Commonwealth as to whom power to parole is herein granted to said board except convicts condemned to death or serving life imprisonment whenever in its opinion the best interests of the convict justify or require his being paroled and it does not appear that the interests of the Commonwealth will be injured thereby If at the time a person is paroled he has been imprisoned for a period in excess of the minimum term of imprisonment to which he shall have been sentenced the period of parole may be extended by the board up to but not beyond the maximum term imposed The power to parole herein granted to the Board of Parole may not be exercised in the board's discretion at any time before but only after the expiration of the minimum term of imprisonment fixed by the court in its sentence or by the Pardon Board in a sentence which has been reduced by commutation Provided however That if the Board of Parole refuse to parole the prisoner at the expiration of any minimum term fixed by the Pardon Board it shall within ten days after the date when the minimum term expired transmit to the Pardon Board a written statement of the reasons for refusal to parole the prisoner at the expiration of the minimum term fixed by the Pardon Board Thereafter the Pardon Board may either accept the action of the Board of Parole or order the immediate release of the prisoner on parole under the supervision of the Board of Parole And further provided that no person who has been sentenced to the Industrial Home for Women at Muncy Pennsylvania who was under the age of twenty-two years at the date of sentence may be paroled from that institution by the Board of Parole within three (3) years of the effective date of the said sentence unless upon the recommendation of the trustees of that institution Said board shall have the power during the period for which a person shall have been sentenced to recommit one paroled for violation of the terms and conditions of his parole and from time to time to reparole and recommit in the same manner and with the same procedure as in the case of an original parole or recommitment if in the judgment of the said board there is a reasonable probability that the convict will be benefited by again according him liberty and it does not appear that the interests of the Commonwealth will be injured thereby

Section 2 Said act is hereby amended by adding thereto after section twenty-one a new section to read as follows

Section 21.1 (a) Convicted Violators Any parolee under the jurisdiction of the Pennsylvania Board of Parole released from any Penal Institution of the Commonwealth who during the period of parole or while delinquent on parole commits any crime punishable by imprisonment for which he is convicted or to which he pleads guilty at any time thereafter in a Court of Record may at the discretion of the Board be recommitted as a parole violator to the Penal Institution from which he was paroled or to any other institution to which legally transferred If his recommitment is so ordered he shall be reentered to serve the remainder of the term which said parolee would have been compelled to serve had he not been paroled and he will be given no credit for the time at liberty on parole He would be subject to the power of the Board to reparole whenever in its opinion the best interest of the prisoner justify or require his release on parole and it does not appear that the interest of the Commonwealth will be injured thereby If a new sentence is imposed upon him to be served in the same institution from which paroled then the service of the balance of said term originally imposed shall precede the commencement of the new term imposed for the latter crime If a new sentence is imposed upon him to be served in any institution other than the one from which paroled then the service of the new term for the latter crime shall precede the commencement of the balance of the term originally imposed The period of time for which the parole violator is required to serve shall be computed from and begin on the date that he is taken into custody to be returned to the institution as a parole violator

(b) Technical Violators Any parolee under the jurisdiction of the Pennsylvania Parole Board released from any Penal Institution in the Commonwealth who during

the period of parole violates the terms and conditions of his parole other than the commission of a new crime of which he is convicted or to which he pleads guilty in a Court of Record may at the discretion of the Board be recommitted to the institution from which he was paroled or to any other institution to which legally transferred as a parole violator If he is so recommitted he shall be given credit for the time served on parole in good standing and be reentered to serve the remainder of his original sentence or sentences Said remainder shall be computed from the time his delinquent conduct occurred to the date of the possible maximum expiration and this period shall begin to run from the date the parolee is taken into custody for return to the institution as a parole violator Such prisoners shall be subject to reparole by the Board whenever in its opinion the best interest of the prisoner justify or require his being reparoled and it does not appear the interest of the Commonwealth will be injured thereby

Section 3 Section thirty-one of said act as last amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-three (P. L.767) is hereby further amended to read as follows

Section 31 Anything herein contained to the contrary notwithstanding this act shall not apply to persons committed to the Pennsylvania Training School houses of refuge for boys or girls institutions for the discipline or correction of juveniles as defined by existing laws or persons imprisoned in any county jail workhouse or other penal or correctional institution under sentence by an alderman justice of the peace or magistrate or committed in default of payment of any fine or of bail

This act shall apply to inmates confined in the Pennsylvania Industrial School (White Hill) situate at Camp Hill Pennsylvania [the Industrial Home for Women at Muncy Pennsylvania] and the Pennsylvania Industrial School at Huntingdon Pennsylvania when the maximum sentence which could have been imposed for the crime of which the prisoner was convicted equals or exceeds two years including juveniles under 18 years of age serving sentence in the above named institutions and it shall apply to inmates confined in the Industrial Home for Women at Muncy Pennsylvania in all cases where the maximum period of incarceration might equal or exceed two years regardless of the maximum sentence which could have been imposed for the crime of which the prisoner was convicted including juveniles under 18 years of age serving sentence in this institution but exclusive of juvenles committed [to said institutions] thereto

Section 4 This act shall become effective immediately upon its final enactment

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29

Becker,	Ealy,	Kephart,	Troutman,
Berger,	Farrell,	Mallery,	Wade,
Blass,	Geltz,	Scarlett,	Walker,
Bowers,	Heyburn,	Snowden,	Wilson,
Carr,	Homsher,	Stevenson,	Letzler,
Chapman,	James,	Tallman,	Acting
Crider,	Jaspan,	Taylor,	Pres. Pro. Tem.
Crowe,	Jones,	Thomas,	

NAYS—16

Barr,	DiSilvestro,	Klein,	McGinnis,
Coleman,	Gourley,	Leader,	Ruth,
Cox,	Haluska,	Margie,	Stiefel,
Dent,	Holland,	McCreesh,	Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 281, on third reading, entitled:

An Act to amend section two thousand twenty-two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" authorizing township commissioners to record certificates denying responsibility for certain roads streets lanes alleys or drainage facilities in connection therewith

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 333, as follows:

An Act to reenact sections five hundred one five hundred two five hundred three five hundred four five hundred five and five hundred six of the act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections"

Whereas section eleven article eight of the Constitution of the Commonwealth was amended to provide that election districts should be formed and be divided in such manner as may be provided by law therefore

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections five hundred one five hundred two five hundred three five hundred four five hundred five and five hundred six of the act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" are hereby reenacted as follows

Section 501 Townships Boroughs and Wards to Constitute Election Districts Each borough and township not divided into wards and each ward of every city borough and township now existing or hereafter created shall constitute a separate election district unless divided into two or more election districts as hereinafter provided

Section 502 Court to Create New Election Districts Subject to the provisions of section 501 of this act the court of quarter sessions of the county in which the same are located may divide or redivide any borough township or ward into two or more election districts of compact and contiguous territory or alter the bounds of any election district or form an election district out of two or more adjoining districts or parts of districts or consolidate adjoining election districts so as to suit the convenience of the electors and to promote the public

interests Election districts formed in boroughs townships and wards in which voting machines are used shall contain between six hundred (600) and eight hundred (800) registered electors as nearly as may be No election district shall be formed that shall contain less than one hundred (100) registered electors

Section 503 Petitions for New Election Districts Reference to County Board of Elections Report Upon the petition of twenty registered electors of any township borough ward or election district to the court of quarter sessions of the proper county praying for the division or redivision of such township borough ward or election district into two or more election districts or for the alteration of the bounds of any election district or for the formation of one or more election districts out of two or more existing election districts or parts thereof or for the consolidation of adjoining election districts the said court shall refer the said petition to the county board of elections which shall make a full investigation of the facts and shall report to the next term of the court its findings and recommendations as to the division redivision alteration formation or consolidation of election districts prayed for If the county board shall find that a division redivision alteration formation or consolidation of election districts will promote the convenience of the electors and the public interests it shall recommend a proper division redivision alteration formation or consolidation of election districts and shall accompany its report with a map plot or draft of the new election district or districts proposed by it if the same cannot be fully designated by natural lines Such petitions may specify the boundaries desired by the petitioners and may be accompanied by a map setting forth such boundaries

Section 504 Petitions by County Board Action by Court of Quarter Sessions on Petition or Report The county board of elections may also petition the court of quarter sessions for the division or redivision of any township borough ward or election district into two or more election districts or for the alteration of the bounds of any election district or for the formation of one or more election districts out of two or more existing election districts or parts thereof or for the consolidation of adjoining election districts accompanying its petition by a description of the proposed new election districts and by a map plot or draft thereof if the same cannot be fully designated by natural lines Upon the presentation of any such petition by the county board or upon the filing by the board of its report and recommendations as to any petition presented by qualified electors under the provisions of section 503 of this act the court of quarter sessions may make such order for the division redivision alteration formation or consolidation of election districts as will in its opinion promote the convenience of electors and the public interests Provided however That the court shall not make any final order for the division redivision alteration formation or consolidation of election districts until at least ten days after notice shall have been posted in at least five public and conspicuous places in the district or districts to be affected thereby one of which notices shall be posted on or in the immediate vicinity of the polling place in each such district Such notice shall state in brief form the division redivision alteration formation or consolidation of election districts recommended by the county board and the date upon which the same will be considered by the court and shall contain a warning that any person objecting thereto must file his objections with the clerk of the court prior to such date Upon the making of any such final order by the court a copy thereof shall be certified by the clerk to the county board of elections

Section 505 Court in its Order to Appoint Election Officers In all cases in which any court of quarter sessions shall make a final order for the division redivision alteration formation or consolidation of an election district or districts said court shall in its order appoint the district election board or boards for holding elections in said district or districts until an election board shall have been elected according to law

Section 506 Cost of Proceedings In all cases of the division redivision alteration formation or consolidation of election districts by the court of quarter sessions the costs of the proceedings shall be paid by the county

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Leader,	Taylor,
Becker,	Farrell,	Mallery,	Thomas,
Berger,	Geltz,	Margle,	Troutman,
Blass,	Gourley,	McCreesh,	Tyler,
Bowers,	Haluska,	McGinnis,	Wade,
Carr,	Heyburn,	Rosenfeld,	Wagner,
Chapman,	Holland,	Ruth,	Walker,
Coleman,	Homsher,	Scarlett,	Wilson,
Cox,	James,	Snowden,	Woodring,
Crider,	Jaspan,	Stevenson,	Woodward,
Crowe,	Jones,	Stiefel,	Letzler,
Dent,	Kephart,	Tallman,	Acting
DiSilvestro,	Klein,		Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 344, on third reading, entitled:

An Act to further amend section five hundred and forty of the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" further defining the duties of the secretary to the board of supervisors and providing for the preservation and turning over to the successor in office of township records and for the destruction of certain records

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 382, on third reading, entitled:

An Act to amend section seven hundred two of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by authorizing such townships to regulate parking

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 414, on third reading, entitled:

An Act to provide protection in all cases secured or to be secured by individual surety or sureties in courts of record or proceedings therein by specifying the requirements of such suretyship and the qualifications of such surety

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 425, on third reading, entitled:

An Act authorizing individual co-fiduciaries, in certain cases to consent to holding of investments in the name of their corporate co-fiduciaries' nominee, and validating such consent heretofore given

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 435, as follows:

An Act to repeal certain sections of the act approved the nineteenth day of June one thousand nine hundred eleven (P. L. 1055) entitled "An act authorizing the release on probation of certain convicts instead of imposing sentences the appointment of probation and parole officers and the payment of their salaries and expenses regulating the manner of sentencing convicts in certain cases and providing for their release on parole their conviction of crime during parole and their rearrest and reconviction for breach of parole and extending the powers and duties of boards of prison inspectors of penitentiaries" as amended and supplied

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections eight nine ten eleven twelve thirteen fourteen fifteen and seventeen of the act approved the nineteenth day of June one thousand nine hundred eleven (P. L. 1055) entitled "An act authorizing the release on probation of certain convicts instead of imposing sentences the appointment of probation and parole officers and the payment of their salaries and expenses regulating the manner of sentencing convicts in certain cases and providing for their release on parole their conviction of crime during parole and their rearrest and reconviction for breach of parole and extending the powers and duties of boards of prison inspectors of penitentiaries" as amended and supplied are hereby repealed

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Farrell,	Mallery,	Thomas,
Becker,	Geltz,	Margie,	Troutman,
Berger,	Gourley,	McCreesh,	Tyler,
Blass,	Haluska,	McGinnis,	Wade,
Bowers,	Heyburn,	Rosenfeld,	Wagner,
Carr,	Holland,	Ruth,	Walker,
Chapman,	Homsher,	Scarlett,	Wilson,
Coleman,	James,	Snowden,	Woodring,
Cox,	Jaspan,	Stevenson,	Woodward,
Crider,	Jones,	Stiefel,	Letzler,
Crowe,	Kephart,	Tallman,	Acting
Dent,	Klein,	Taylor,	Pres. Pro. Tem.
DiSilvestro,	Leader,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 456, entitled:

An Act authorizing and empowering minors seventeen years of age or older to contract for and to make loans in accordance with the provisions of the act of Congress known as the "Servicemen's Readjustment Act of 1944" or any agency of the Commonwealth hereinafter created and saving and relieving the parents guardians and trustees of such minors from any liability therefor unless joining therein

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

RECONSIDERATION OF HOUSE BILL No. 456

Mr. GOURLEY. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 456 passed third reading.

The ACTING PRESIDENT PRO TEMPORE. How did the Senator vote?

Mr. GOURLEY. Mr. President, I voted "aye."

Mr. WALKER. Mr. President, I second the motion.

The ACTING PRESIDENT PRO TEMPORE. How did the Senator vote?

Mr. WALKER. Mr. President, I voted "aye."

The motion was agreed to.

Mr. GOURLEY. Mr. President, I ask unanimous consent to offer amendments at this time.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend title, page 1, line 5, by striking out after the word "Commonwealth" the word "hereinafter" and inserting in lieu thereof the word "hereafter"; Amend Section 1, page 2, line 3, by striking out after the word "Commonwealth" and before the word "created" the word "hereinafter" and inserting in lieu thereof the word "hereafter."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing on final passage.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 457, on third reading, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" further revising and changing the penal laws of the Commonwealth

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 459, on third reading, entitled:

An Act to amend section six of the act approved the twelfth day of June one thousand eight hundred seventy-eight (P. L. 196) entitled "An act to consolidate revise and amend the penal laws of this Commonwealth" by fixing the time for the commencement and prosecution of indictments for certain felonies committed by certain persons

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 462, on third reading, entitled:

An Act establishing a mode of selecting and drawing jurors for counties of the first class and imposing penalties

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 523 on third reading, entitled:

An Act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 530, on third reading, entitled:

An Act authorizing the Department of Justice to prescribe rules of practice for administrative departments, departmental admininstrative boards and commissions, independent administrative boards and commissions, officers and other agencies of the Commonwealth; authorizing such agencies to adopt rules; providing for the appointment of an Administrative Rules Committee and fixing its powers and duties; and imposing certain duties upon State officers and agencies

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 38, entitled:

An Act to further amend section four hundred twenty-one of the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," broadening the definition of the term 'deceased service persons' to include members of any women's organization officially connected with any of the armed forces of the United States, and requiring county commissioners of each county to contribute to the funeral expenses of such persons.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 46, entitled:

An Act to further amend section one of the act approved the thirteenth day of May, one thousand nine hundred twenty-five (P. L. 676), entitled as amended, "An act providing for the burial of certain persons who are, have been, or shall be, soldiers, sailors, marines, or members of the enlisted nurse corps, designated as 'deceased service men'; defining the term 'deceased service men'; authorizing county commissioners to provide markers and burial plots for such deceased service men at the expense of such county in which they shall die or have a legal residence at the time of their death; and providing for the burial of widows of soldiers, sailors, or marines," broadening the definition of the term "deceased service men" to include members of any women's organization officially connected with any of the armed forces of the United States, and requiring county commissioners of each county to contribute to the funeral expenses of such persons.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 72, entitled:

An Act to prohibit the unlawful wearing of uniforms of the armed forces or branches thereof and imposing penalties for violation thereof.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 170, on second reading, entitled:

An Act to amend section seven hundred one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" abolishing capital punishment in the case of murder of the first degree

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 207, entitled:

An Act to provide for the receiving as evidence in any court office or other place in this State official findings records reports or certified copies thereof of death presumed death missing or other status issued by the Secretaries of War and Navy and other Federal officers and employees

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 219, entitled:

An Act authorizing the Department of Military Affairs to collect and to preserve the selective service and war records of the Commonwealth of Pennsylvania authorizing the storage of such records is available buildings or the construction of a new building to accommodate them if necessary and making an appropriation therefor

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILLS RECOMMITTED

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 219, the bill just read, be recommitted to the Committee on Appropriations.

Mr. BECKER. Mr. President, I second the motion.

The motion was agreed to.

Mr. WALKER. Mr. President, I move that Senate Bill No. 248, on second reading, entitled:

An Act to authorize certain persons to take affidavits and acknowledgments in connection with the administration of the affairs of veterans and their dependents making certain offenses punishable as perjury and imposing penalties

be recommitted to the Committee on Military Affairs.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 270, entitled:

An Act to amend section three hundred two of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by exempting for the duration of the present war any resident of the Commonwealth who is in service with the Armed Forces of the United States or any of its Allies, from the payment of a fee to the Commonwealth for a Resident Hunter's License.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 284, entitled:

An Act to amend section one of the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 270) entitled "An act appropriating moneys received from the Federal Government for housing and maintaining naval military or other personnel at the Soldiers' and Sailors' Home at Erie to the Department of Military Affairs for the maintenance and operation of said home" by including moneys received for the housing and maintaining of certain discharged service men

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 296, on second reading, entitled:

An Act providing that taxes levied by political subdivisions of the Commonwealth on real estate of service persons shall not bear interest or be subject to penalties and providing for abatement of certain accrued interest and penalties

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 317, on second reading, entitled:

An Act to amend Section One of an act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 403) entitled "An act relating to the form execution revocation and interpretation of wills to nuncupative wills to the appointment of testamentary guardians to spendthrift trusts to forfeiture of devise or legacy in case of murder of testator to elections to take under or against wills and to the recording and registering of such elections and of decrees relative thereto and to the fees therefor" by authorizing members of or persons called for induction into the armed forces of the United States or of any allied or associated power who have attained the age of seventeen years to dispose of real and personal estate by will

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 341, entitled:

An Act to repeal except as to counties of the first class clause (b) 1 of section one of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 415) entitled "An act relating to the qualification juris-

diction powers and duties of registers of wills and regulating proceedings before said registers and the costs thereof the effects of their acts and appeals therefrom"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 342, entitled:

An Act to amend section two hundred thirty-two of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" requiring each register of wills to give a joint and several bond approved by the judges of the orphans' court and by the Governor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 375, on second reading, entitled:

An Act to amend sections one thousand one hundred five one thousand one hundred twenty-one one thousand one hundred twenty-seven one thousand one hundred thirty-four and one thousand one hundred thirty-seven of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further providing for the term of office and the election of county superintendents assistant county superintendents district superintendents and assistant district superintendents in all second third and fourth class school districts of the Commonwealth

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 418, entitled:

An Act authorizing the common pleas judges and the county commissioners jointly to create medical clinics for the examination of certain persons convicted of the commission of a crime prior to the sentencing thereof as a means of decreasing the number of habitual offenders providing for the creation of joint medical clinics among the several counties and imposing the costs of maintaining and operating such clinics upon the county or counties creating the same

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 475, on second reading, entitled:

An Act requiring cities boroughs towns and townships to notify adjacent political subdivisions of proposed streets roads and highways leading into them

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 524, entitled:

An Act to amend the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 635) entitled "An act creating a commission to study the methods of maintaining and supporting public schools and the method of participation by the Commonwealth and local school districts in the maintentnce of a thorough and efficient public school system prescribing its powers and duties and making an appropriation" continuing such commission changing its purpose and making an appropriation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 524, the bill just read, be recommitted to the Committee on Appropriations.

Mr. JAMES. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 548, on second reading, entitled:

An Act relating to chattel mortgages on any chattel or chattels of any kind or description including among other things livestock poultry farm machinery farm equipment and crops grown growing or to be grown designating the operation and effect of the lien of such mortgages providing for the filing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states regulating the assignment release satisfaction and extension of the lien of such mortgages prescribing methods of foreclosure defining defaults and violations and fixing penalties

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 548, on second reading, entitled:

An Act providing that when the contract of a fiduciary is made by him or approved by court inadequacy of price or an offer to deal on other terms, shall not relieve the fiduciary of his obligation or constitute ground for any court to set aside the contract or to refuse to enforce it

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 571, on second reading, entitled:

An Act providing for the naming of state bridge and parks in honor of American heroes of World War II by the Governor Adjutant General and the county commissioners of the county where such site is located

go over in its order.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 727, entitled:

An Act providing for the issuance of certified copies of birth, death and marriage certificates by the proper city and county officers in cities of the first class to disabled war veterans and their dependents in death and compensation cases, free of charge.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 771, entitled:

An Act to further amend clause (b), section six of the act, approved the fifth day of May, one thousand nine hundred eleven (P. L. 198), entitled "An act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof," by conferring the authority to issue writs of habeas corpus in desertion and non-support cases.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 780, entitled:

An Act to further amend section six of the act, approved the fifth day of May, one thousand nine hundred eleven (P. L. 198), entitled "An act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof," by extending jurisdiction to cases for support of illegitimate children where the putative father admits parentage.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

REPORTS FROM COMMITTEES

Mr. JAMES. Mr. President, I ask unanimous consent to make report from Committee at this time.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. JAMES, from the Committee on Corporations, reported as committed, House Bill No. 321, entitled:

An Act to amend the title and section one of the act approved the eleventh day of May one thousand eight hundred ninety-nine (P. L. 289) entitled "An act providing for the payment to the county or counties of the moneys or bonus which any foreign railway corporation is required to pay into the State Treasury for the right to pass through the said county or counties and by which payment such foreign railway corporation is relieved from local taxation" by providing for payments to counties irrespective of whether relief from payment of local taxes results from payment of the bonus

Mr. COLEMAN. Mr. President, I ask unanimous consent to make report from Committee at this time.

The ACTING PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. COLEMAN, from the Committee on Elections, reported as committed, Senate Bill No. 538, entitled:

An Act to amend section eight of the act, approved the eighth day of May, one thousand nine hundred forty-four (Act No. 2), entitled "A supplement to the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled 'An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections,'" by further regulating the disposition of military files

He also, from the Committee on Elections, reported as committed, Senate Bill No. 539, entitled:

An Act to amend Section nine of the Act approved the fifth day of May, one thousand nine hundred forty-four (Act No. 1) entitled, "A Supplement to the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled 'An act concerning elections, including general municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections,'" further regulating the disposition of military files.

BILLS ON FIRST READING

Mr. HEYBURN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 9, entitled:

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of costs incurred by that Department in acting as purchasing agent for the Department of Highways.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 40, entitled:

An Act to amend or further amend the title and sections one, five, seven, nine and ten of the act approved the eighth day of June, one thousand nine hundred seven (P. L. 496), entitled "An act to establish a Board of Commissioners of Navigation for the river Delaware and its navigable tributaries; regulating their jurisdiction over ships, vessels, and boats, and wharves, piers, bulkheads, docks, slips, and basins; and exempting cities of the first class from certain of its provisions; and making an appropriation therefor," changing the membership of the Navigation Commission for the Delaware River and its navigable tributaries; and excepting the Port of Chester from certain provisions of said act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 60, entitled:

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 67, entitled:

An Act making an appropriation for the maintenance, repair and improvement of the Port of Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 108, entitled:

An Act to provide assistance for typhoid fever carriers and persons having typhoid fever carriers in their households and imposing certain responsibilities upon the Secretary of Health and the Secretary of Public Assistance and the Secretary of Welfare in connection therewith

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 134, entitled:

An Act to further amend section eleven of the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 988) entitled "An act providing for and regulating the State registration of nurses and licensed attendants the annual recording of registration certificates and regulating the profession of nursing and repealing certain existing laws" by setting forth specific grounds for the suspension or revocation of certificates of registration of registered nurses and licensed attendants and providing for the reissue of such certificates

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 204, entitled:

An Act to amend sections fourteen and twenty of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 414) entitled "An act relating to vital statistics and to make uniform the law with reference thereto" by changing the conditions under which information or records may be furnished and certified copies of birth certificates shall be issued

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 239, entitled:

An Act to promote the public welfare and to protect mental defectives by prescribing circumstances under which selective sterilization of certain types of individuals may be performed without civil or criminal liability; and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 293, entitled:

An Act to amend section one of the act, approved the seventeenth day of May, one thousand nine hundred twenty-nine (P. L. 1798—No. 591) entitled "An act providing a fixed charge, payable by the Commonwealth, on lands acquired by the State and the Federal Government for forest reserves, or for the purpose of preserving and perpetuating a portion of the original forests of Pennsylvania, and preserving and maintaining the same as public places and parks; and the distribution of the same for county, school, township, and road purposes in the counties, school districts, and townships where such forests are located; and making an appropriation," increasing the amount which the counties will receive from the State for forest reserves.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 315, entitled:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208), entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drug' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" providing that persons who have served as registered assistant pharmacists for ten years or longer shall be qualified for examination as pharmacists.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 321, entitled:

An Act to amend the title and section one of the act approved the eleventh day of May one thousand eight hundred ninety-nine (P. L. 289) entitled "An act providing for the payment to the county or counties of the moneys or bonus which any foreign railway corporation is required to pay into the State Treasury for the right to pass through the said county or counties and by which payment such foreign railway corporation is relieved from local taxation" by providing for payments to counties irrespective of whether relief from payment of local taxes results from payment of the bonus.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 387, entitled:

An Act to further amend section fourteen of the act approved the nineteenth day of March one thousand nine hundred nine (P. L. 46) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" by further regulating grounds for refusal revocation or suspension of the right to practice as osteopaths in the State of Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 412, entitled:

An Act to amend subdivision five of the Compact contained in the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1664) entitled "An act to ratify and adopt a compact or agreement negotiated by commissioners designated by the Governor of the Commonwealth of Pennsylvania and commissioners designated by the Governor of the State of Ohio relative to the development use and control of the Pymatuning Lake and the State owned land surrounding said lake for fishing hunting recreational and park purposes" so as to permit the operation on portions thereon of boats equipped with motors of six horsepower or less

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 420, entitled:

An Act to amend the act approved the twelfth day of May one thousand nine hundred forty-three (P. L. 259) entitled "An act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employes Retirement System and in certain other cases into the state Employes' Retirement Fund for certain purposes" by providing for allocation and distribution of such moneys and further prescribing their use.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 448, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of California State Teachers' College, to acquire a tract of land for the use of California State Teachers' College; and making an appropriation therefor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 452, entitled:

An Act to add section two thousand three hundred twenty-two to the act, approved the ninth day of April, one thousand nine hundred twenty-nine, (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trutsees of State Normal Schools, or Teachers Colleges; abolishing, creating reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards, and commissions shall be determined," by imposing upon the Department of Welfare the duty to investigate the subject of crime prevention, and to stimulate, develop, and coordinate crime prevention activities in this Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 465, entitled:

An Act to further amend section one of the act approved the nineteenth day of July, one thousand nine hundred thirty-five (P. L. 1356), entitled "An act to regulate the sale and delivery of solid fuel, as herein defined; providing for appointment of licensed weighmasters; prescribing their powers and duties; authorizing substitute licensed weighmasters; imposing certain duties on the Department of Internal Affairs; and providing penalties," by defining the word "vehicle".

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 470, entitled:

An Act to further amend section four of the act approved the eighth day of May one thousand nine hundred nine (P. L. 470) entitled "An act to prevent the man-

ufacture and sale of adulterated or misbranded drugs defining the word 'drug' prescribing penalties for violation of this act and the method of its enforcement" by further defining what shall constitute misbranding of drugs

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 472, entitled:

An Act prohibiting the sale of drugs chemicals and preparations thereof without a label bearing certain information and prescribing a penalty.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 493, entitled:

An Act to repeal the special acts, approved the twelfth day of March, one thousand eight hundred sixty-six (P. L. 171), and the fourteenth day of February one thousand eight hundred sixty-seven (P. L. 207), relating to the fees of the sheriff, prothonotary, register, recorder, clerk of courts and district attorney in Washington County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 493, entitled:

A Supplement to the act approved the fourth day of June one thousand nine hundred and forty-three (Appropriation Acts page fifty-nine) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-three" providing for a deficiency in the appropriation made by said act to the Department of the Auditor General for the fiscal biennium ending May thirty-first one thousand nine hundred and forty-five.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 519, entitled:

An Act to amend section eight of the act, approved the third day of June, one thousand nine hundred nineteen (P. L. 366), entitled "An act reorganizing the Department of State Police; creating therein a Bureau of Fire Protection; providing for a State Police Force, and defining the powers and duties of the same, including the enforcement of laws relating to game, fish, forestry, and water supply and certain other laws, and including the collection of information useful for the detection of crime, and the apprehension of criminals; providing for the equipment, maintenance, and transportation of such police; providing for barracks and substations therefor; and prescribing penalties," by providing for and requiring additional credit in examinations of honorably discharged persons who served in the armed forces of the United States during any war in which the United States was engaged.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 527, entitled:

An Act providing for the indexing of the Legislative Journal; and fixing the sum allowed therefor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 532, entitled:

An Act to amend section two of the act approved the thirtieth day of April one thousand nine hundred and twenty-nine (P. L. 903) entitled "An act relating to corporations providing methods of determining what stockholders shall be entitled to vote at meetings or to receive dividends or allotments of rights or to exercise rights and the effect thereon of transfers of stock within sixty days of any election or meeting" by making further provision for such determination in lieu of closing the stock transfer books.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 538, entitled:

An Act to amend section eight of the act, approved the eighth day of May, one thousand nine hundred forty-four (Act No. 2), entitled "A supplement to the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled 'An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections,'" by further regulating the disposition of military files.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 539, entitled:

An Act to amend Section nine of the Act approved the fifth day of May, one thousand nine hundred forty-four (Act No. 1) entitled, "A Supplement to the act, approved the third day of June, one thousand nine hundred thirty-seven (Pamphlet Laws, one thousand three hundred thirty-three), entitled 'An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections,'" further regulating the disposition of military files.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 544, entitled:

An Act to regulate the sale and possession of penicillium (penicillin) and its derivatives, preparations and compounds in the interest of public health.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 570, entitled:

A Joint Resolution proposing an amendment to article nine, section eight, of the Constitution of the Commonwealth of Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 573, entitled:

An Act to further amend section one of the act, approved the fourth day of June, one thousand nine hundred fifteen (P. L. 828), entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock, and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations, co-partnership associations, and joint-stock associations; providing the manner of collecting such tax, and prescribing penalties," by modifying the rates of tax imposed by the said act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 574, entitled:

An Act to amend section three of the act approved the fourth day of June one thousand nine hundred and fifteen (P. L. 828) entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations, co-partnership associations, and joint-stock associations; providing the manner of collecting such tax, and prescribing penalties", by providing an alternative method of collection of such tax.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 577, entitled:

An Act to amend section seven hundred eight and to further amend clause (f) of section seven hundred thirty-one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by changing the time limitation for tagging big game controlling the removal and transportation thereof requiring report of such killing and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 579, entitled:

An Act to safeguard human life prohibiting the performance of operations previous to the making of certain pre-operative studies and tests and the inspection thereof by the person performing the operation, except an emergency operation; defining an emergency operation and a pre-operative study and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 662, entitled:

An Act to promote interstate cooperation for the conservation and protection of water resources in the Delaware River Basin.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 719, entitled:

An Act to amend section one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 558) entitled "An act authorizing the Department of Property and Supplies to sell and convey a lot or piece of land in Delaware County" correcting an erroneous measurement.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 942, entitled:

An Act to amend the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 439) entitled "An act authorizing the Governor of the Commonwealth of Pennsylvania with the advice of the Attorney General and the approval of certain members of the General Assembly for a limited period of time to suspend or modify laws either in whole or in part under certain circumstances during the existence of the present war" by extending the effective period of the act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. HEYBURN. Mr. President, I move that the Senate do now adjourn until Thursday, March 29, 1945, at 11:00 o'clock a. m., Eastern War Time.

Mr. FARRELL. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 4:50 o'clock p. m., Eastern War Time until Thursday, March 29, 1945, at 11:00 o'clock a. m., Eastern War Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, March 28, 1945

The House met at 11 a. m.
The SPEAKER (Ira T. Fiss) in the Chair.

PRAYER

The Very Rev. Thomas H. Carson, Dean of St. Stephen's Episcopal Cathedral, Harrisburg, a guest of the Chaplain offered the following prayer:

Almighty God, our Heavenly Father, Who art the fountain of all wisdom, we invoke Thy blessing and guidance upon the Members of this House of Representatives in legislature assembled. Pour out the spirit of wisdom upon them, guide and direct them in their deliberations that they may enact such legislation that may glorify Thy Holy Name and contribute to the welfare of Thy people.

We also ask Thy blessing upon our Nation and upon those nations in alliance with us at this time. Particularly be Thou with those who are in the armed forces of our country. Give them courage to do their duty. Faithfully we beseech Thee to grant us victory and righteousness. Guide and direct the nations of the world in the ways of justice and truth, and establish among them that peace which is based on righteousness, that they may become the Kingdom of our Lord and Saviour Jesus Christ. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Tuesday, March 27, 1945.

The Clerk proceeded to read the Journal of Tuesday, March 27, 1945, when, on motion of Mr. MADDEN unanimously agreed to, the further reading was dispensed with and the Journal approved.

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bill numbered and entitled as follows:

SENATE BILL No. 488.

An Act to amend Section 3 of the act, approved the twelfth day of June, one thousand nine hundred thirty-one (P. L. 568) entitled" An act to expedite and simplify the the collection and payment by banks of checks and other instruments for the payment of money" by making further provision concerning the revocation of credits given by a bank for items drawn on or payable at such bank.

Referred to the Committee on Banking.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. MODELL. RESOLUTION No. 43.

In the House of Representatives, March 27, 1945.

There has been introduced into the Congress of the United States a bill to reclassify the salaries in the Post Office Department.

This is the first such readjustment that has been given serious consideration in the last twenty-years since the enactment of the Salary Reclassification Act of 1925, and these two decades have witnessed a rise in the cost-of-living much greater than the proposed increase.

The loyalty, devotion to duty, and efficiency of the Postal employees have been tested to their utmost in recent years with additional heavy burdens of mail at new record levels, and this test has not found them wanting.

The receipts of the Post Office Department are at an all time high, and many responsible public officials have agreed that this is the time to make the necessary adjustments in Postal salaries.

The State of Pennsylvania, with its dense population and great industries, owes much to this body of public servants whose tireless efforts coordinate our strength in peoples and plants for the best service to our nation during war and peace; therefore be it

Resolved, By the House of Representatives of the General Assembly of the State of Pennsylvania, that it hereby memoralizes the 79th Congress of the United States to speedily enact into law H. R. 2071, a bill to reclassify the salaries of the Postal Service; and be it further

Resolved, That a copy of the above resolution be transmitted to the President of the United States, to the President Pro Tempore of the United States Senate, to the Speaker of the House of Representatives of the United States, and to each Senator and Representative elected from the Commonwealth of Pennsylvania.

Referred to the Committee on Rules.

By Miss BRANCATO. RESOLUTION No. 44.

In the House of Representatives, March 27, 1945.

Whereas, it is generally agreed that an overwhelming majority of the men and women who are today actually bearing the brunt of the distress and hazards, and suffering of World War II are those whose ages precluded them from taking an active part in the efforts of a quarter of a century ago to create effective machinery for the prevention of the use of armed force in the settlement of disputes among nations; and

Whereas, it has become the grim responsibility of this generation of American citizens to be scattered to the remote parts of the earth to risk or sacrifice their lives, their homes, and future hopes to fight a war which might have been averted by the establishment twenty-five years ago of the proper organization for world peace; and

Whereas, the men and women in the uniform of the United States armed forces today have seen or suffered first-hand evidence of the holocaust visited upon their generation by the tragic blunders of a small group of their elders in official places after World War I; therefore be it

Resolved, That it is the sense of the House of Representatives of Pennsylvania that at all United Nations' conferences, public or private, having to do with the establishment of an organization for peace or the development of plans for peace, there shall be in attendance, at all times, in an official capacity, representatives of those who have served, or are serving, as enlisted personnel and commissioned officers with the armed forces of the United States.

Referred to the Committee on Rules.

COMMUNICATION FROM THE GOVERNOR

The SPEAKER laid before the House the following communication which was read by the Clerk:

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, March 26, 1945.

Dear Mr. Speaker:

I have received the Resolution adopted by the House on March 21, 1945, requesting me to appoint a reliable, trustworthy and capable person, who is in no way connected with the Pennsylvania State Police, to conduct a private investigation of the State Police Force, and in accordance with the Resolution I shall be glad to name such an appointee at an early date.

Very sincerely,

(Signed) EDWARD MARTIN.

Honorable Ira T. Fiss
Speaker, House of Representatives
Harrisburg, Pennsylvania

LEGISLATIVE DIRECTORY CORRECTION

The SPEAKER. The Chair calls attention to the fact that on page 206 of the Legislative Directory the address of Honorable William W. Serrill is indicated as "Exchange". The Chair would request the Members to correct their copies of the Directory to read "Endeavor".

LEAVES OF ABSENCE

By consent of the House leave of absence was granted as follows:

Mr. Propert for Messrs. BOORSE, CADWALADER and LLOYD H. WOOD for the remainder of the week.

Mr. MODELL for himself for tomorrow's session.

Mr. White for Messrs. WILLIAM J. MOORE and MARTIN L. MURRAY for the remainder of the week.

Mr. CHUDOFF for himself for tomorrow's session.

Mr. O'CONNOR for Mr. OWENS and himself for tomorrow's session.

Mrs. VARALLO for herself for tomorrow's session.

Mr. GORE for himself for tomorrow's session.

Mr. GRANT for himself for tomorrow's session.

Mr. FINNERTY for himself for tomorrow's session.

Mr. PETTIGREW for himself for tomorrow's session.

Mr. BROWN for himself for tomorrow's session.

Mr. FLEMING for Mr. STUART and himself for tomorrow's session.

The Speaker for Mr. BURNS on account of illness and Messrs. KOLANKIEWICZ, BONEY, HENNIHAN, WHITE, COSTA and COOPER for tomorrow's session.

Miss BRANCATO for Mrs. COYLE for the remainder of the week and for herself for tomorrow's session.

RESOLUTIONS

RECALLING HOUSE BILL No. 52 FROM THE GOVERNOR

Mr. LICHTENWALTER offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, March 27, 1945.

Resolved (if the Senate concurs), that House Bill No. 52, Printer's No. 298, entitled "An act to amend clause six of section thirteen of the act approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled 'An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties' further defining the disability retirement rights of members of the School Employes' Retirement Association who engage in active military service" be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

RECALLING HOUSE BILL No. 164 FROM THE GOVERNOR

Mr. LICHTENWALTER offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, March 27, 1945.

Resolved (if the Senate concurs), that House Bill No. 164, Printer's No. 29, entitled "An act to reenact and amend the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 563) entitled 'An act to add section two thousand two and one-tenth to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation theerof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' providing for cooperation of State Teachers Colleges at the request of the State Council of Defense with other agencies in furthering national defense programs and activities' extending the effective period thereof" be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

RECALLING HOUSE BILL No. 374 FROM THE GOVERNOR

Mr. LICHTENWALTER offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, March 27, 1945.

Resolved (if the Senate concurs), that House Bill No. 374, Printer's No. 176, entitled "An act to further amend the third paragraph of section five of the act, approved the eleventh day of June, one thousand nine hundred thirty-five (P. L. 326), entitled 'An act relating to counties of the first class; defining deceased service persons; providing for contributions by the county to the funeral expenses for such persons and their widows; providing for the erection and care of markers, headstones, and flags, and for the compilation of war records,' making counties in which deceased service persons are buried liable for the cost of headstones", be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

COMMITTEE REPORTS

Mr. ROYER from the Committee on Motor Vehicles reported as committed House Bill No. 136, entitled:

An Act to amend section one of the act, approved the sixth day of May, one thousand nine hundred forty-three

(P. L. 190), entitled "An act authorizing, in certain cases, the renewal of old motor vehicle operators' licenses for persons honorably discharged from the armed forces of the United States or from any women's organization officially connected therewith, without a learner's permit, examination or additional fee; and while in such service the operation of motor vehicles without renewal of operator's license; and the temporary suspension of existing laws requiring the same," by providing that honorably discharged veterans may make application for renewal of old motor vehicle operators' licenses for a period of one year from the date of honorable discharge in certain cases and authorizing such applications also to be certified by, and sworn to before, a notary public.

Mrs. VARALLO from the Committee on Judiciary Special reported as committed House Bill No. 749, entitled:

An Act to amend section eight hundred ninety-two of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," permitting and protecting the sale of American War Mothers' carnations.

Mr. STONIER from the Committee on Motor Vehicles reported as committed House Bill No. 1211, entitled:

An Act to further amend section six hundred sixteen of the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justice of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissable as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by further prescribing the time when certain penalties imposed under the said act shall become effective.

Mr. HERING from the Committee on Judiciary Special reported as committed Senate Bill No. 406, entitled:

An Act to regulate the sale of second-hand watches; and providing penalties

Mr. FRANK E. SNYDER from the Committee on Townships reported as committed House Bill No. 969, entitled:

An Act to repeal sections one thousand one hundred ninety to one thousand one hundred ninety-six of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," relating to opening, making, amending and repairing highways and bridges by contracts with taxpayers.

Mr. COOK from the Committee on Townships reported as committed House Bill No. 1038, entitled:

An Act to add sections six hundred thirty and six hundred thirty-one to Article VI of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," authorizing township to pay expenses of delegates attending conventions of certain municipal officers.

Mr. FULLERTON from the Committee on Townships reported as committed House Bill No. 1201, entitled:

An Act authorizing townships of the second class to appropriate, out of general road funds and out of special funds for future road and sewer construction and development, a sum each year not to exceed one mill for the purpose of preparing plans and engineering for road, and sewer projects scheduled for future development; and providing for the ultimate payment of the cost thereof by assessment against real estate benefited.

Mr. LONGO from the Committee on State Government reported as Committed House Bill No. 854, entitled:

An Act to further amend section two hundred and two of and to add section four hundred and fifty-three to the act approved the ninth day of April, one thousand nine hundred twenty-nine, (P. L. 177), entitled, "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof, and the administrative departments, boards, commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions and officer fixing the salaries of the Governor, Lieutenant Governor and certain other executive and administrative officers; providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments, boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined", creating a departmental administrative board in the Department of Public Instruction known as State Real Estate Commission, and fixing qualification and compensation of members.

Mr. STONIER from the Committee on State Government reported as Committed House Bill No. 884, entitled:

An Act relating to the Tuberculosis Hospital of the City of Pittsburgh, Pittsburgh, Pennsylvania; providing for the transfer of such institution to the Commonwealth; providing for the management and operation of closing and abandonment thereof, and maintenance of tuberculosis patients therein, including the collection of maintenance in certain cases; providing for the retransfer under certain circumstances; conferring power and imposing duties on the Governor and Department of Health.

Mr. O'CONNOR from the Committee on State Government reported as Committed House Bill No. 1001, entitled:

An Act to further amend section two hundred two, to add section one thousand three hundred seven point one, and to repeal section two thousand two hundred nine of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing

or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," designating the State Council of Education as the State Board of Vocational Education for certain purposes; and transferring the administration of vocational rehabilitation from the Department of Labor and Industry to the State Board of Vocational Education.

Mr. ROBERTSON from the Committee on State Government reported as committed House Bill No. 1081, entitled:

An Act to amend clause twelve of section three of the act, approved the tenth day of May, one thousand nine hundred and thirty-nine (P. L. 111), entitled "An act relating to, and providing for, the promotion and development of business, industry and commerce in the Commonwealth; conferring powers and duties upon the Department of Commerce and other agencies of the Commonwealth; abolishing the Pennsylvania State Publicity Commission, terminating the terms of its members and conferring its powers upon, and transferring and appropriating the balance of its current appropriation to, the Department of Commerce; and repealing certain laws," providing for the inspection of mineral production, the gathering and compilation of composite statistics, for reports to the General Assembly by agencies administering production control plans, and for the termination of such plans under certain circumstances.

Mr. ELDER from the Committee on State Government reported as committed House Bill No. 1130, entitled:

An Act to further amend section four hundred four and to amend sections four hundred five and four hundred six of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by authorizing stock and mutual life insurance companies to invest in housing projects either through stock ownership or real estate acquisition or use, subject to certain regulations and restrictions.

Mr. ELDER from the Committee on State Government reported as committed House Bill No. 1131, entitled:

An Act to authorize State public bodies as defined to aid redevelopment authorities in the elimination of blighted areas and their redevelopment by entering into contracts to furnish and by furnishing to said authorities and to any Federal government agency, parks, playgrounds, streets and other improvements and facilities and by donating or lending money and making appropriations therefor; by accepting payments and exercising certain other powers and duties.

Mr. ELDER from the Committee on State Government reported as committed House Bill No. 1133, entitled:

An Act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth by declaring acquisition, sound replanning and redevelopment of such areas to be for the promotion of health, safety, convenience and welfare; creating public bodies, corporate and politic, to be known as Redevelopment Authorities authorizing them to engage in the elimination of blighted areas and to plan and contract with private, corporate or governmental redevelopers for their redevelopment; providing for the organization of such authorities, defining and providing for the exercise of their powers and duties, including the acquisition of property by purchase, gift or eminent domain, the leasing and selling of property, including borrowing money, issuing bonds and other obligations and giving security therefor; restricting the interest of members and employes of authorities; providing for notice and hearing; supplying certain mandatory provisions to be inserted in contracts with redevelopers; prescribing the remedies of obligees of redevelopment authorities; conferring certain duties upon local planning commissions, the governing bodies of cities and counties and on certain State officers, boards and departments.

Mr. MOSER from the Committee on State Government reported as committed House Bill No. 1189, entitled;

An Act to further amend the act approved the twenty-fourth day of July, one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities; regulating the sale thereof; and providing penalties for violation hereof," defining further words and terms used herein; further regulating the sale of commodities; authorizing the Secretary of Internal Affairs to adopt rules and regulations to carry into effect the provisions of the act and granting additional powers to inspectors of weights and measures.

Mr. JAMES from the Committee on State Government reported as committed Senate Bill No. 63, entitled:

An Act to further amend section one of the act approved the thirteenth day of June one thousand eight hundred eighty-three (P. L. 118) entitled "An act ceding concurrent jurisdiction of this State over certain lands owned or hereafter acquired by the United States" by further regulating cession of jurisdiction by the Commonwealth of Pennsylvania to the United States of America

Mr. LONGO from the Committee on State Government reported as committed Senate Bill No. 84, entitled:

An Act concerning the powers and duties of policemen appointed by the Delaware River Joint Toll Bridge Commission.

Mr. REYNOLDS from the Committee on State Government reported as committed Senate Bill No. 250, entitled:

An Act to further amend section two thousand three hundred nineteen of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers, and of all deputies and other assistants and em-

ployes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by changing the name "Western State Psychiatric Hospital" to "Western State Psychiatric Institute and Clinic."

Mr. REYNOLDS from the Committee on State Government reported as committed Senate Bill No. 251, entitled:

An Act to amend the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 1199, No. 324), entitled "An act for the acceptance of a site from the University of Pittsburgh, and for surveys and the preparation of preliminary plans and estimates for a Western State Psychiatric Hospital; providing for the erection, construction, and equipment of said hospital when appropriations are made available, and for its management by the Department of Welfare," by changing the name "Western State Psychiatric Hospital" to "Western State Psychiatric Institute and Clinic."

Mr. HAUDENSHIELD from the Committee on State Government reported as committed Senate Bill No. 386, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by permitting departments boards or commisisons to make transfers of surplus products of the soil meats livestock timber or other materials raised or grown upon or taken from property of the Commonwealth or their by-products to other state agencies and receive credit to their appropriation under certain conditions

Mr. JAMES from the Committee on State Government reported as amended House Bill No. 986, entitled:

An Act to further amend section ten of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," including any service as a member of the General Assembly in the period of service of a contributor upon his making certain back payments.

Mr. BURNS from the Committee on Townships reported as committed House Bill No. 1012, entitled:

An Act to further amend section one thousand and three, of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," by further regulating the newspaper publication of the auditor's report.

Mr. CHERVENAK from the Committee on Townships reported as committed House Bill No. 1014, entitled:

An Act authorizing township supervisors to declare dogs running at large in packs a nuisance and directing the killing of such dogs.

Mr. WATKINS from the Committee on State Government reported as amended Senate Bill No. 314, entitled:

An Act relating to officers and employes of the Senate and House of Representatives; providing for and fixing the compensation of an additional employe; changing the compensation of certain existing employes; and making an appropriation therefor and for contingent expenses.

PRESENTATION OF CITATION

The Senate entered the Hall of the House.

The SPEAKER. The Lieutenant-Governor John C. Bell, the President pro tempore, M. Harvey Taylor, and the Secretary of the Senate, G. Harold Watkins are invited to seats on the rostrum.

The 330th Army Service Forces Band, Indiantown Gap Military Reservation, played "Kakhi Bill" (Old No. 9) the favorite march of the 110th Infantry Regiment, 28th Division, in World War I, then under the command of Lieutenant Colonel Edward Martin.

Governor Edward Martin and General Philip Hayes accompanied by their officially invited guests, General Norman Randolph, General R. M. Vail, General Ray L. Avery, General Malcolm F. Lindsey, Colonel Frank B. Lammons, Colonel Richard K. Mellon, General John M. Gentner, Colonel Wilfred A. Morgan, Colonel Frank A. Weber, Colonel Edwin H. Feathers, Colonel C. M. Wilhelm, Major Howard E. Bowman, Major Frank D. Scott, Major John O. Needles, Captain James J. Lavin, Lieutenant McCrea and Major General Milton G. Baker and his staff, Lieutenant Colonel Thomas F. Robertson, Lieutenant Colonel John S. Jarden, Lieutenant Colonel William J. Bonine, Lieutenant Colonel Harvey Simmons, Lieutenant Colonel Frederick L. Pond, Major Edwin M. Sayers, Major Edward Burns, Major Gerald F. Flood and invited guest Dr. Henry W. A. Hanson, Gettysburg College, entered the Hall of the House.

The SPEAKER. We are assembled to pay honor to the Commanding General of the Pennsylvania State Guard and through him, to all the officers and enlisted men of that splendid organization.

Recruited to replace the Federalized National Guard, the members of the State Guard have, by self sacrifice and diligence, built themselves into an organization ready to function in any emergency.

It now gives me great pleasure to present Major General Philip Hayes, Commanding General of the Third Service Command, who will present the citation to General Randolph, who, in turn, will present it to General

Milton G. Baker, the Commanding General of the Pennsylvania State Guard.

MAJOR GENERAL PHILIP HAYES. Your Excellency the Governor, Members of the General Assembly and honored guests, some time ago Brigadier General Randolph, the Commanding General of the Pennsylvania District recommended to me for special consideration a citation for the Commanding General of the Pennsylvania State Guard, Major General Milton Baker. Therefore, at this time I would like to present Brigadier General Norman Randolph, who will present the citation. General Randolph.

BRIGADIER GENERAL NORMAN RANDOLPH. General Baker, when the Pennsylvania District of the Third Service Command was established on June 20, 1944, General Hayes the Service Commander, prescribed as the primary mission of the District Commander: first, the establisment and maintenance of close liaison between the Governor of Pennsylvania and the Service Commander—and, second, coordination and collaboration with you in matters pertaining to the development—equipment—training—and employment of the Pennsylvania State Guard.

Thanks to your wholehearted cooperation—and that of Governor Martin—both of these missions have been—and are being—complied with to the fullest.

Because of his broad experience—his military background—his keen vision—and his foresight—Governor Martin was quick to perceive the urgent necessity for an efficient State Guard and the importance of its role in the scheme of National Defense—particularly in this state which ranks first in importance in the National War effort. He has left no stone unturned and has spared no effert to develop the State Guard. This was demonstrated when he designated you as its commander.

Coupled with the Governor's splendid support—your personal qualities of leadership—your organizing ability—your energy—and your tireless efforts have provided this Commonwealth with a State Guard which is second to none.

This I say authoritatively because—as District Commander—it has been my privilege to be closely associated with you professionally and personally. I have seen Guard Units on the armory floor and in field training. My staff has worked shoulder to shoulder with your staff on training projects and in the development of plans. Officers of my headquarters are serving with Guard Units as inspector-instructors. Consequently I know that your command is completely and thoroughly intigrated not only with scheme of national defense—but with the Governor's state disaster organization.

Save for a shortage of men to keep your units at effective strength—a condition which I am confident will be corrected in the immediate future—the Guard is well qualified and prepared to efficiently discharge its role in any disaster or emergency which may arise in the state. This fact was well demonstrated in Philadelphia last January when you so successfully conducted a command post exercise for the combined training of the staffs of federal and state guard units and of civil agencies—state as well as municipal—in a situation involving the maximum coordination and collaboration of all agencies during a disaster. The same team work will be practiced by units during a field exercise in April—here in Central Pennsylvania.

This term work for which you are—in large measure—responsible merits the highest praise and commendation. Accordingly—it is my honor and privilege to present to you before this distinguished gathering the following certificate of commendation.

> Major General Milton G. Baker, Pennsylvania State Guard, for exceptionally meritorious service in organizing, directing and presenting a Command Post Exercise in Philadelphia, Pennsylvania, on 28 January 1945. By his untiring personal effort and consummate tact, he secured the approval and the cooperation of State authorities, city officials and various civic organizations for this participation in the problem. His enthusiasm, physical activity and personal leadership were largely responsible for the success of the exercise. The arrangements and the attention given to every detail of the exercise were such as to display exceptional organizing ability. General Baker, through his complete charge of this project, has rendered an outstanding service for his State and the National Defense as a whole by creating a better understanding of the mutual capabilities of the various agencies and their methods of operation for accomplishing the desired result.

MAJOR GENERAL MILTON G. BAKER. Governor Martin, General Hayes, Mr. Speaker, Senators, and Gentlemen of the House of Representatives:

In am deeply appreciative of the honor paid me today by the Army, and equally appreciative of the honor you gentlemen have conferred upon me by convening here in joint session to witness this ceremony.

In accepting this citation, I do so with the conviction that it is primarily a citation for the accomplishment of the Pennsylvania Guard itself rather than for any individual contribution that I may have made to the Guard's efficiency. I am very happy to have this opportunity to speak to you not only as to the Guard's three-fold mission in our Commonwealth, but also to urge your support of its recruiting campaign in your local districts. As you know, the Pennsylvania Guard is the military force of the Commonwealth and has this three-fold mission: to defend the Commonwealth against attempted enemy invasion; to render emergency service in the event of disaster, such as floods, hurricanes, etc., and to render emergency service in the event of any type of civil disturbance. I believe that the old proverb that "A prophet is not without honor save in his own country," all too frequently applies to the officers and enlisted men of the Guard in your local communities. I know of no group of public servants who give more unstintingly of themselves than these men, and they do it almost entirely without compensation. They have taken upon themselves not only the responsibility of fulfilling their mission in smart, workmanlike and soldierly fashion, but, in general, of relieving the regular army by serving as an internal security force. Too frequently these officers and men do not receive the support from the community that they are entitled to.

Service in the Pennsylvania Guard is of prime military importance to both the Commonwealth and the

Nation, and such sacrifices as are made by members of Guard units in this service are sacrifices which come within the same category as those made by members of the Federal forces, the difference being only in degree of sacrifice. Devoted patriotic men have been performing this important military service unheralded and unsung for the past three and a half years and now need important additions to their numbers to replace losses incurred through induction into Federal service and through enlargement of the Guard itself. Every qualified citizen, otherwise deferred from service, who is able to do so, should offer himself for a period of voluntary Guard service at this time. The rendering of this servie, and the memory of it, will give later patriotic satisfaction when wartime activity of citizens is totaled and weighed. You gentlemen can urge your constituents to enlist in the local units and also can urge patriotic cooperation by the employers, newspaper editors, clergymen, and educators in your districts for the maintenance of these Guard units in proper numbers to discharge their important home-front mission.

The SPEAKER. It is a distinct pleasure to again present Major General Philip Hayes, who will address you.

MAJOR GENERAL PHILIP HAYES. Your Excellency the Governor, Mr. Speaker, officers and members of the Senate and the House; fellow officers and guests. When I stand up here the second time in not very many weeks I feel as though I was a sort of a Member here—I begin to recognize faces. However after what I have seen this morning I am not sure that I want to be a Member—when I look at all those books piled up on your desks. Nor do I see how in the world you can get through this session much before the Fourth of July, because after all, this is your program and you will have to stick to it.

I am particularly glad to again have the opportunity of speaking to you. Knowing that you are as busy as you are it is a great privilege to be allowed to meet with you in joint session today and to spend a short time with you. I shall make my talk very brief.

First, I would like to take this opportunity to thank your Governor, General Martin, for the finest cooperation that anyone could ever wish for. I feel that I am most fortunate that he is sitting where he is, because he knows better than any other governor just what the needs and the necessities for cooperation are at this time.

I would like to thank General Baker of the State Guard for the assistance he has given. I remember very distinctly during the Philadelphia Transit strike the great help that General Baker gave me, together with his staff and their assistants.

I would like to thank General Vail, the Adjutant General, who has always been most helpful.

I would also like to thank Colonel Wilhelm, State Police Chief, who has done everything I ever asked him to do. I know that you can realize what that means—cooperation. I have had it one hundred percent from the Commonwealth of Pennsylvania, and I am most grateful.

I want to talk to you about this matter of the State Guard. Things over there seem to be going fairly well, they are up to our expectations, but not one of us can look into the crystal ball and tell exactly what the future is going to be. With that uncertainty, that lack of vision that the human being has, it is very necessary that we take judgment of ourselves and of our position, make an estimate of the situation, and think of the tools that we have to work with.

Your Governor has a very definite responsibility; he is responsible for the life and protection of human beings and property in the Commonwealth of Pennsylvania. He is responsible to handle all emergencies, domestic disturbances and natural disasters such as cyclones and things of that nature. That is his responsibility; that is the responsibility that you men in front of me have given him—you speaking for your constituents. After giving him that responsibility it is then to your interest to see that he has the tools with which he can carry on those responsibilities.

What is going to happen? Just what the next two or three years of life will be, as I said, we do not know. Everyone must be thinking in terms of his own area, as your Governor thinks in terms of the Commonwealth. You know the assignments you have given him, he has the responsibility of carrying them out. He can call on the Federal forces, only after he has tried every possible means and feels that he cannot handle the situation. Then you, if you are in session, or if you are not your Governor must call personally on the President of the United States and say "I cannot handle this situation with the means that the Commonwealth of Pennsylvania has given me, and I request Federal forces to take over and handle the situation."

That is where I would come into the picture, after being directed to take over the situation with the Federal forces. That is a situation which you or no man wants. You want to handle your own matters of safety and protection, your own emergencies and your own disasters.

In order to do that what must your Governor have? He must have a fast moving striking force, with fine communications, with the ability to go here and there—that striking force as his State Police. In order to do that properly he must have the equipment. In order to handle those situations he must have the materiel. That is your responsibility, to see that your Governor has a State Police that has that equipment and that materiel.

Then next he has a much larger agency in the State Guard. Your National Guard is federalized, and making a grand record over there that all of us here are proud of, but over here things must be taken care of during their absence, and they are a magnificent team that cannot be federalized and remain a state unit.

You can be proud of your State Guard. It is in the top light of State Guards in this country. I have seen practically all of them, but your standards must be high, you must be able to deliver, and to be able to deliver you must have the means whereby you can do it. So I say each and everyone of you has a very direct responsibility to make available to your Governor the means whereby he can handle any situation that arises in this State—that is his responsibility.

I have no fear about General Martin; he will handle

any situation. Only when the almost impossible arises will he call upon Federal forces, but you will have to give him what he needs. He knows; he was with the army twelve years before I graduated from West Point; he has been a soldier all his life. He knows what the army is. He has been in the army for years so that he will not ask you for what he should not have, but when he asks I would like to say, I think you ought to give it to him because he knows what he needs.

It has been a great pleasure to speak to you, and I want to thank you for the great opportunity of being able to say these few words to you in joint session. Thank you.

The SPEAKER. Ladies and gentlemen, His Excellency, Governor Martin.

GOVERNOR MARTIN. Mr. Speaker, General Hayes, Members of the General Assembly and fellow Americans, I will be very brief. First, I am thankful for a government like that in America where the Legislative, the Executive, and the Military can meet in the same room and discuss our problems. Such a thing could not occur in any other nation in the world.

General Hayes, I want to express my great appreciation, Sir, for your help and your great understanding in the organization and training of the Pennsylvania Guard. The Third Service Command is most fortunate in having you as its commander.

Senator Taylor and Speaker Fiss again I want to thank you and through you the Members of the two legislative bodies of Pennsylvania for the magnificent cooperation you have given at all times.

This meeting this morning means so much to the Guard of Pennsylvania, way beyond what you realize. I also at this time want to publicly express my appreciation to General Baker, Commander of the Pennsylvania Guard and his officers and men, who are carrying on in a manner which is so satisfactory to Pennsylvania. Publicly I thank you.

I want to at this time publicly express the appreciation of Pennsylvania for the work of Civilian Defense, and I want to say to you that that work should continue unabated until this terrible war ends.

Let us bear in mind at all times, that there is nothing as yet to indicate the complete collapse of our enemies. The work of our Army and our Navy all over the world is magnificent, nothing in all history has equaled it. But, my fellow Americans, bear this in mind, Japan still has six million soldiers who have not been committed to this battle, and that army must be destroyed before peace in the world can exist. So the home front work must continue. That means that the Pennsylvania Guard, the Pennsylvania Police, the local police authorities, civilian defense and the work in the two thousand critical war plants of this Commonwealth must continue. There must be no let up day or night in production, and in our vigilance until the white flag floats over Berlin and it floats over Tokyo, and in its place is the flag of righteousness as represented by our nation and our allies.

Again I want you to know how greatly I appreciate your taking time off for these ceremonies. Will you please when you go back home to your various communities encourage our Guard units. We need more men. Will you carry that message back home?

In conclusion will you stand and let us remember the nine hundred thousand men and women from Pennsylvania who are in the armed services. Over thirteen thousand Pennsylvania boys and girls have made the supreme sacrifice. Ten thousand others are in enemy prisons or are missing in action. That is one-third of the total of Meade's army at Gettysburg. Will you stand and join with me in prayer for the boys and girls of Pennsylvania and the entire nation who have made the supreme sacrifice?

PRAYER

Chaplain MAJOR FRANK D. SCOTT offered the following prayer:

Almighty and eternal God, we lift our hearts in humble thanks to Thee as we gather here in the midst of this holy week, sacred to all the faiths represented in our Commonwealth, in order that we may pay solemn tribute to those who have gone into the service of their country. not only in the far away battle lines of the earth, but here at home, those who are helping to carry on to peace and victory.

We pause to pay special tribute to those who have made the supreme sacrifice. We pray that the hearts and the homes of all those who have been bereaved may be comforted in this solemn hour. And O God, we pray that all our citizens and all of those engaged in the service of our Commonwealth and of our country may rededicate their lives to larger and richer service so that we may soon have a day of peace and victory in the world.

We ask that we may all be vigilant, that we may do those things which are pleasing in Thy sight, so that we may be worthy of being called followers of the One who gave His life as a sacrifice for the salvation and freedom of the world.

And now, may the God of Peace that brought again from the dead our Lord Jesus, that great Shepherd of the sheep, through the blood of the everlasting covenant and the sacrifices that have been made in our behalf. Make us all perfect to do Thy will and to do Thy work toward the day of the shining and more perfect light. Amen.

Following the prayer "Taps" was sounded.

Governor Martin and the officers who accompanied him retired from the Hall of the House.

RECESS

The SPEAKER. If there is no objection the Chair will declare a recess until 1:30 p. m. Is there objection? The Chair hears none and a recess is declared.

AFTER RECESS

The House reconvened at 1:30 p. m.
The SPEAKER (Ira T. Fiss) in the Chair.

PETITIONS AND REMONSTRANCES

The SPEAKER laid before the House the following petitions and remonstrances which were read by the Clerk.

UNFAIR EMPLOYMENT PRACTICES

Numerous communications from citizens and organizations of Pennsylvania urging passage of legislation prohibiting unfair employment practices and endorsing House Bill No. 354.

Referred to the Committee on Labor.

DEMOCRATIC CAUCUS

Mr. BAKER asked and obtained permission for the Allegheny County Democratic delegation to caucus in the Minority Floor Leader's office during the session of the House.

SENATE MESSAGES

The Clerk of the Senate, Mr. Steinfeld, being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence 3, 16. 17. 29. 42, 43. 49, 51, 61, 64, 66, 90, 180, 222, 349, 469, 476, 526.

House Bills concurred in by Senate 334, 421, 569.

Amended House Bill returned for concurrence 115.

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 334.

An Act to provide for the appointment of election officers to fill vacancies caused by the expiration of terms of election officers imposing duties on County Board of Elections and conferring powers on courts of quarter sessions

HOUSE BILL No. 421.

An Act to further amend section fifty-four of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," requiring that counties shall pay the premiums on bonds of parole or probation officers.

HOUSE BILL No. 569.

An Act to further amend section nine hundred one of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by further regulating the filling of vacancies in elective borough offices

With the information that the Senate has passed the same without amendment.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 334.

An Act to provide for the appointment of election officers to fill vacancies caused by the expiration of terms of election officers imposing duties on County Board of Elections and conferring powers on courts of quarter sessions

HOUSE BILL No. 421.

An Act to further amend section fifty-four of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" requiring that counties shall pay the premiums on bonds of parole or probation officers

HOUSE BILL No. 569.

An Act to further amend section nine hundred one of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519) entitled, "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," by further regulating the filling of vacancies in elective borough offices.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILL INTRODUCED AND REFERRED

By Mr. GALLAGHER. HOUSE BILL No. 1269.

An Act to further amend section eight of the act, approved the tenth day of June, one thousand nine hundred thirty-one (P. L. 485), entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination, licensure, and registration of persons, and registration of corporations engaging in the care, preparation and disposition of the bodies of deceased persons; and providing penalties by providing additional grounds for refusing, suspending or revoking licenses.

Referred to the Committee on Professional Licensure.

BILL RE-REFERRED

Mr. JAMES, from the Committee on Corporations and Industry, returned with the recommendation that it be re-referred to the Committee on State Government, House Bill No. 1162, entitled:

An Act to provide for the eradication of blight areas and the rehabilitation and rebuilding and improvement thereof through the medium or urban redevelopment corporations, with powers of eminent domain.

The SPEAKER. The bill is re-referred to the Committee on State Government.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 115.

An Act to amend the title and clause (c) and (1) of section two hundred four of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 853) entitled "An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-

municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws" by providing that said clauses shall hereafter be construed to exempt from taxation for all local purposes certain described properties or parts thereof belonging to institutions of learning benevolence or charity and declaring the public policy of the Commonwealth with respect to the exemption of said properties from such taxation.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, line 1, by striking out after the first word "To" the following: "amend the title and clause (c) and (1) of section two hundred four of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 853) entitled "An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws" by providing that said clauses shall hereafter be construed to;" also in line 15, by inserting at the end of said line after the word "certain" the following: "property of hospitals universities colleges seminaries academies association and"; also by striking out beginning with line 16, the following: "described properties or parts thereof belonging to"; also on page 2, in second line of title by striking out after the word "said" the word "properties" and inserting in lieu thereof the word "property".

Amend Section 1, page 2, line 1 by striking out after the figure "1" the following: "The title of the act approved the twenty-second day of May one thousand nine hundred thirty-hree (P. L. 853) entitled "An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws" is hereby amended to read as follows

An Act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes and declaring the public policy of the Commonwealth with respect to the exemption from such taxation of certain described properties or parts thereof belonging to institutions of learning benevolence or charity providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws

Section 2 Clauses (c) and (1) of section two hundred four of said act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 853) are hereby amended to read as follows

Section 204 Exemptions from Taxation."

Amend Section 2, page 3, line 10, by inserting after the word "township" the words "institution district", also in same line by inserting after the word "poor" the word "and"; also in line 12, by striking out at the beginning of said line the letter "(c)"; also in line 21, by striking out after the word "this" the word "clause" and inserting in lieu thereof the word "act"; also in same line by striking out after the word "shall" the word "hereafter"; also in line 22, by inserting after the word "any" the word "such"; also in line 23, by striking out after the word "such" the following: "institution of learning benevolence or charity", and inserting in lieu thereof the following: "hospital university college seminary academy association or institution of learning benevolence or charity with the ground thereto annexed and necessary for the occupancy and enjoyment of the same founded endowed and maintained by public or private charity"; also in line 28 , by striking out after the word "members" the words "of such institution"; also in line 29, by striking out after the word "of" the words "such institution's" and inserting in lieu thereof the word "the"; also on page 4, line 2, by striking out after the word "not" the word "such institution derives"; also in same line by inserting after the word "profit" the words "is derived"; also in line 5, by striking out after the word "such" the word "institution's"; also in line 9, by striking out after the word "any" the words "institution of learning benevolence or charity" and inserting in lieu thereof the following: "such hospital university college seminary academy association or institution of learning benevolence or charity with the grounds thereto annexed and necessary for the occupancy and enjoyment of the same founded endowed and maintained by public or private charity"; also on same page, by striking out beginning with line 13 the following: "(1) All property including buildings and the land reasonably necessary thereto provided and maintained by public or private charity and used exclusively for public libraries museums or art galleries and not used for private or corporate profit so long as the said public use continues"; also on page 4, line 19, by inserting after the word "continues" the following: "Section 2"; also in same line by striking out after the word "in" the following: "(clause) clauses (c) and (k) of this section all" and inserting in lieu thereof the words "this act all such"; also in line 22, by striking out after the word "this" the word "section" and inserting in lieu thereof the word "act"; also in line 27, by striking out after the word "therefrom" the words "Except as otherwise provided in clause (j) of this section all" and inserting in lieu thereof the following: "act".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Andrews,	Gaffney,	Lovett,	Reynolds,
Baker,	Gallagher,	Lyons,	Riley,
Barrett,	Gardner,	Madden,	Robertson,
Barton,	Getchey,	Madigan,	Root,
Baumunk,	Gibson,	Mahany,	Rose,
Bentley,	Goodling,	Matthews,	Rudisill,
Bentzel,	Gore,	McAtee,	Royer,
Boies,	Grant,	McClester,	Salus,
Bonawitz,	Green,	McCormack,	Scanlon,
Boney,	Greenwood,	McDowell,	Schuster,
Boory,	Greer,	McKinney,	Serrill,
Bower,	Guthrie,	McLanahan,	Shaffer,
Brancato,	Gyger,	McMillen,	Shoemaker,
Breisch,	Haberlen,	McNair,	Skale,
Brice,	Hall,	McNally,	Sloan,
Brothers,	Hamilton,	Mihm,	Smith,
Brown,	Hare,	Mikula,	Snider,
Brunner, C. H.,	Haudenshield,	Miller,	Snyder,
Brunner, P. A.,	Heatherington,	Milliken,	Sollenberger,
Burns,	Helm,	Mills,	Sorg,
Chervenak,	Hennihan,	Modell,	Stank,
Chudoff,	Hering,	Mooney,	Stockham,
Cohen,	Herman,	Moore, C. E.,	Stonier,
Coleman,	Hersch,	Moran,	Stuart,
Cook,	Hewitt,	Moser,	Swope,
Cooper,	Hoffman,	Munley,	Tahl,
Corrigan,	Hoggard,	Murray, P. G.,	Tate,

Costa,	Hoopes,	Myhan,	Tittle,
Coulson,	Howells,	Nagel,	Trachtman,
Cullen,	Hunter,	Nelson,	Trent.
Dague,	Huntley,	O'Brien,	Trout,
Dalrymple,	James,	O'Connor,	Turbett,
Dennison,	Jones,	O'Donnell,	Turner,
Depuy,	Kennedy,	O'Neill,	Varallo,
Dillon,	Kirley,	Owens,	Verona,
Dix,	Kline,	Pentrack,	Wachhaus,
Dougherty,	Kolankiewicz,	Petrosky,	Wagner,
Duffy,	Komorofski,	Pettigrew,	Waterhouse,
Dye,	Krise,	Pickens,	Watkins,
Elder,	Kurtz,	Polaski,	Weiss,
Elish,	Lane,	Polen,	Welsh,
Erb,	Laughner,	Powers,	Wescott,
Ewing,	Lee,	Propert,	White,
Finnerty,	Leisey,	Readinger,	Wood, N.,
Flack,	Leonard,	Reagan,	Worley,
Fleming,	Levy,	Reese, D. P.,	Wright,
Foor,	Lichtenwalter,	Reese, R. E.,	Yeakel,
Fox,	Loftus,	Regan,	Yester,
Freed,	Longo,	Reidenbach,	Fiss,
Frost,	Lopez,	Reilly,	Speaker.
Fullerton,			

NAYS—0

NOT VOTING—1

Coyle,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILL SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 115.

An Act to exempt from taxation for all local purposes certain property of hospitals universities colleges seminaries academies associations and institutions of learning benevolence or charity and declaring the public policy of the Commonwealth with respect to the exemption of said property from such taxation

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. YEAKEL asked and obtained permission for the Committee on Corporations and Industries to meet during the session of the House.

The SPEAKER. The Chair requests the gentleman from Westmoreland, Mr. Lovett to preside.

MR. LOVETT IN THE CHAIR

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 103, entitled:

An Act to permit the purchase by the cities counties and other political subdivisions of this Commonwealth of surplus war materials supplies and commodities from the Government of the United States or any of its agencies without advertisement or competitive bidding

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 255, entitled:

An Act abating certain tax penalties and interest on unpaid county city borough town township school district poor district and county institution district taxes with certain exceptions prohibiting the sale of real property for the nonpayment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 306, entitled:

An Act to authorize cities boroughs incorporated towns townships and school districts to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost and providing for the reinstatement of the liens of such claims and judgments

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 418, entitled:

An Act to add section three hundred twenty-four and one-tenth to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by providing for the refund of employe contribution after retirement in certain cases

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 632, entitled:

An Act authorizing the county commissioners of the respective counties to grant rights of way and licenses for rights of way for certain purposes on and across lands purchased by the county at tax sales and not redeemed

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 649, entitled:

An Act to amend section seven of the act approved the sixteenth day of May one thousand nine hundred twenty-nine (P. L. 1780) entitled "An act to fix the salaries and compensation of the judges of Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the municipal court of Philadelphia and the judges of the county court of Allegheny County" by increasing the salaries of judges of the municipal court of Philadelphia

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 675, entitled:

An Act to further amend section fifteen of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" extending the lien of debts on decedent's real estate in certain cases

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 752, entitled:

An Act to amend section two of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 415) entitled "An act relating to the qualification jurisdiction powers and duties of registers of wills and regulating proceedings before said registers and the costs thereof the effects of their acts and appeals therefrom" by providing for the appointment of additional deputy registers

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 784, entitled:

An Act to add section one point one to the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 322) entitled "An act providing for the issuance of certified copies of death birth and marriage certificates and divorce decrees by county officers free of charge to disabled war veterans and their dependents in death and compensation cases and prescribing penalties" requiring counties to pay the fees of officers compensated on a fee basis

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 849, entitled:

An Act to further amend section six of the act approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" by providing for surety of the peace in certain cases

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 852, entitled:

An Act to further amend section six of the act approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" providing for the transfer of cases of support in fornication and bastardy cases from the court of quarter sessions to the county court of Allegheny County

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 853, entitled:

An Act to further amend section four hundred two of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 853) entitled "An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws" by further providing for the assessment and valuation of buildings under construction repair or reconstruction in counties of the second class

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 915, entitled:

An Act relating to health and sanitary conditions of leased dwellings in cities of the first class requiring such cities to establish landlord-tenant codes setting minimum standards for housing facilities relating to health and sanitation requiring occupancy permits to be issued to landlords requiring standard leases to be sued in the rental of such dwellings prohibiting landlords and tenants from waiving any provisions of such lease or of existing law and providing penalties

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 977, entitled:

An Act to amend the act approved the seventeenth day of April one thousand eight hundred seventy-eight (P. L. 26) entitled "A supplement to an act entitled 'An act for the regulation and government of the Northampton county prison' approved the tenth day of May Anno Domini one thousand eight hundred and seventy-one" by fixing the compensation of prison inspectors

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1062, entitled:

An Act to further amend section nine of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 363) entitled "An act relating to the organization jurisdiction and procedure of the orphans' courts the powers and duties to the judges thereof and appeals therefrom" by giving trustees the right to hold certain estates under certain conditions

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1071, entitled:

An Act to amend sections ten and fifty-five of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1237) entitled "An act affecting martial relations prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages and amending revising and consolidating the law relating thereto" by providing additional grounds for divorce and regulating the proceedings therefor

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1124, entitled:

An Act to further amend section four of the act approved the sixteenth day of May one thousand nine hundred and twenty-nine (P. L. 1780) entitled "An act to fix the salaries and compensation of the judges of the Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of Municipal Court of Philadelphia and the judges of the County Court of Allegheny County" by increasing the salaries of judges of the courts of common pleas of certain judicial districts

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1186, entitled:

An Act providing for the discharge of mortgages judgments and other liens given in favor of the Commonwealth by persons receiving assistance by sheriff's sales tax sales and other judicial sales

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1190, entitled:

An Act empowering cities of the second class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED

Mr. FLEMING. Mr. Speaker, I move that this bill be recommitted to the Committee on Cities and Counties—Second Class for the purpose of a public hearing.

The motion was agreed to.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1193, entitled:

An Act to amend the title and section one of the act approved the twentieth day of May one thousand nine hundred thirty-seven (P. L. 755) entitled "An act providing for the fixing of the salaries and compensation of officers clerks stenographers and employes appointed by judges of the courts of this Commonwealth in counties of the second class where salary boards exist by law" by extending the provisions of the act to include court criers and tipstaves and repealing certain inconsistent acts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 53, entitled:

An Act concerning the ascertainment of principal and income and the apportionment of receipts and expenses among tenants and remaindermen; and to make uniform the law with reference thereto

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 352, entitled:

An Act to amend section two hundred thirteen of the act approved the twenty-fifth day of June one thousand nine hundred forty-one (P. L. 159) entitled "An act amending revising consolidating and changing the law relating to the borrowing of money by certain political subdivisions the authorization issuance and sale of general obligation bonds as herein defined of bonds imposing no general obligation of debt and of bonds not deemed to constitute a debt for certain purposes and to the funding of debt and the refunding of bonds regulating the keeping and use of sinking funds imposing powers and duties upon the Department of Internal Affairs and upon corporate bodies and officers of political subdivisions imposing penalties and repealing existing laws" by authorizing temporary investments in certain obligations

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 211, entitled:

An Act providing for and regulating the appointment promotion and reduction in rank, suspension and removal of paid operators of fire apparatus in boroughs incorporated town and townships of the first class creating a civil service commission in each borough incorporated town and township of the first class defining the duties of such civil service commission imposing certain duties and expenses on boroughs incorporated town and townships of the first class imposing penalties and repealing inconsistent laws

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 648, entitled:

An Act to further amend section four of the act approved the sixteenth day of May one thousand nine hundred twenty-nine (P. L. 1780) entitled "An act to fix the salaries and compensation of the judges of Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the municipal court of Philadelphia and the judges of the county court of Allegheny County" by increasing the salaries of judges of common pleas of the first and fifth judicial districts

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 827, entitled:

An Act relating to the liabilities of elected and appointed officers of the various political subdivisions providing for the forfeiture of their office and imposing penalties for certain actions and omissions.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 918, entitled:

An Act to amend subsections one and two of section nine of the act approved the twenty-fourth day of July one thousand nine hundred forty-one (P. L. 490) entitled "An act relating to acknowledgments of written instruments and to make uniform the law with relation thereto" defining how certificates of certain acknowledgments taken without the State shall be authenticated.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 221, entitled:

An Act authorizing political subdivisions to purchase surplus material equipment property and supplies from the Surplus Property Board or any other Federal agencey without complying with any requirement of existing law as to specifications advertising award of contract and approval of purchase by a state agency.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

THE SPEAKER (Ira T. Fiss) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Westmoreland, Mr. Lovett, for presiding.

BILLS ON SECOND READING

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 823, entitled:

An Act to further amend subsection (1) of section six of the act. approved the nineteenth day of July, one thousand nine hundred thirty-five (P. L. 1356), entitled "An act to regulate the sale and delivery of solid fuel, as herein defined; providing for appointment of licensed weighmasters; prescribing their powers and duties; authorizing substitute licensed weighmasters; imposing certain duties on the Department of Internal Affairs; and providing penalties," further regulating the return of part of the weighmaster's license fee to cities and counties.

And said bill having been read at length the second time, and agreed to.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 824, entitled:

An Act to repeal certain statutes relating to weights and measures.

And said bill having been read at length the second time, and agreed to.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 936, entitled:

An Act to amend section two of the act, approved the twelfth day of May, one thousand nine hundred eleven (P. L. 295), entitled "A supplement to an act, entitled 'An act for the government of cities of the second class,' approved the seventh day of March, Anno Domini one thousand nine hundred and one; providing for the levy, collection, and disbursement of taxes and water-rents, and conferring certain powers and duties in reference thereto upon the city treasurer, the board of water assessors, and the collector of delinquent taxes; and repealing certain acts relating to matters herein provided for," by fixing a limit for taxes to be levied on real estate.

The first section was read.
On the question,
Will the House agree to the section?

BILL RECOMMITTED

Mr. FLEMING. Mr. Speaker, I move that this bill be recommitted to the Committee on Cities and Counties—Second Class for the purpose of a public hearing.
The motion was agreed to.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 1004, entitled:

An Act to further amend sections one and six of the act approved the twenty-ninth day of September, one thousand nine hundred thirty-eight (P. L. 53), entitled "An act relating to institutions of counties, cities and institution districts for the care, maintenance and treatment of mental patients; providing for the transfer of such institutions to the Commonwealth; providing for the management and operation or closing and abandonment thereof, and the maintenance of mental patients therein, including the collection of maintenance in certain cases; providing for the retransfer of certain prop-

erty to institution districts under certain circumstances; conferring and imposing upon the Governor, the Department of Welfare, the courts of common pleas and counties, cities and institution districts certain powers and duties; prohibiting cities, counties and institution districts from maintaining and operating institutions, in whole or in part, for the care and treatment of mental patients; and repealing inconsistent laws," as amended and reenacted, by further regulating the procedure relating to property of such institutions abandoned by the Commonwealth, and to institutions closed.

The first section was read.

On the question,

Will the House agree to the section?

Mr. YEAKEL offered the following amendments.

Amend sec. 1, page 2, line 1, by striking out the words "Section one" and inserting in lieu thereof "Sections one and six".

Amend sec. 1, page 2, line 3, by inserting after the word "entitled" the following: "as amended".

Amend sec. 1, page 2, line 4, by striking out the word "and" and inserting in lieu thereof "wards, boroughs, townships".

Amend sec. 1, page 2, line 4, by inserting after the word "districts" the following: "and other political subdivisions".

Amend sec. 1, page 2, line 11, by inserting after the word "to" the following: "counties, cities, wards, boroughs, township".

Amend sec. 1, page 2, line 11, by inserting after the word "districts" the following: "and other political subdivisions".

Amend sec. 1, page 2, line 14, by striking out the word "and" and inserting in lieu thereof "wards, boroughs, townships".

Amend sec. 1, page 2, line 14, by inserting after the word "districts" the following: "and other political subdivisions".

Amend sec. 1, page 2, line 15, by striking out the word "and" and inserting in lieu thereof "wards, boroughs, townships".

Amend sec. 1, page 2, line 15, by inserting after the word "districts" the following: "and other political subdivisions".

Amend sec. 1, page 2, line 18 and 19, by striking out the words "amended and reenacted is" and inserting in lieu thereof "reenacted and amended by the act approved the nineteenth day of May, one thousand nine hundred forty-three (P. L. 262) are".

Amend sec. 1 (sec. 1), page 6, line 4, by striking out the words "the maintenance of mental hospitals" and inserting in lieu thereof "such purpose".

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Mr. YEAKEL offered the following amendment:

Amend sec. 2, page 6, lines 9 and 10, by striking out all of said lines.

It was agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the House agree to the section?

Mr. YEAKEL offered the following amendment:

Amend sec. 3, page 7, line 14, by striking out the figure "3" and inserting in lieu thereof "2".

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. YEAKEL offered the following amendments:

Amend title, page 1, line 4 of title, by inserting after the word "entitled" the following: "as amended".

Amend title, page 1, line 5 of title, by striking out the word "and" and inserting in lieu thereof "wards, boroughs, townships".

Amend title, page 1, line 5 of title, by inserting after the word "districts" the following: "and other political subdivisions".

Amend title, page 1, line 12 of title, by inserting after the word "to" the following: "bounties, cities, wards, boroughs, township".

Amend title, page 1, line 13 of title, by inserting after the partword "tricts" the following: "and other political subdivisions".

Amend title, page 1, line 15 of title, by striking out the word "and" at the end of said line, and inserting in lieu thereof "wards, boroughs, townships".

Amend title, page 1, line 16 of title, by inserting after the word "districts" the following: "and other political subdivisions".

Amend title, page 1, line 17 of title, by striking out the word "and" and inserting in lieu thereof "wards, boroughs, townships".

Amend title, page 1, line 17 of title, by inserting after the word "districts" the following: "and other political subdivisions".

Amend title, page 2, lines 3 and 4 from top of page, by striking out the words "as amended and reenacted".

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1050, entitled:

An Act to further amend clause I of section three of article XIX of the act, approved the seventh day of March, one thousand nine hundred one (P. L. 20), entitled "An act for the government of cities of the second class," making the real estate of public service companies subject to taxation and providing certain exceptions.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. FLEMING. Mr. Speaker, I move that this bill be recommitted to the Committee on Cities and Counties—Second Class for the purpose of a publicc hearing.

The motion was agreed to.

BILLS PASSED OVER

There being no objection

Senate Bill No. 52, Printer's No. 231
Senate Bill No. 57, Printer's No. 232
Senate Bill No. 59, Printer's No. 122, and
Senate Bill No. 197, Printer's No. 233

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 844, entitled:

An Act to amend section ten of the act approved the twenty-eighth day of May one thousand nine hundred fifteen (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" including the solicitor for delinquent real estate tax and water rate liens and the employes of his office under the provisions of said act

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

TIME EXTENDED ON BILLS

Mr. LITCHENWALTER. Mr. Speaker, I move that the time on House Bill No. 181, Printer's No. 195, entitled:

An Act to amend section one of the act approved the twelfth day of June one thousand nine hundred twenty-three (P. L. 692, No. 288) entitled "An act fixing the salary of county commissioners in counties of the first class" by increasing the salaries of such commissioners

on page 13 of today's calendar, bills on second reading postponed, be extended five days.

The motion was agreed to.

Mr. LITCHENWALTER. Mr. Speaker, I move that the time on House Bill No. 183, Printer's No. 196, entitled:

An Act fixing the salary of the controller in counties of the first class

on page 13 of today's calendar, bills on second reading postponed, be extended five days.

The motion was agreed to.

BILL ON FINAL PASSAGE

BILL PASSED OVER

There being no objection

House Bill No. 581, Printer's No. 380

was passed over at the request of Mr. BROWN.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection

House Bill No. 528, Printer's No. 232
House Bill No. 717, Printer's No. 332
House Bill No. 1099, Printer's No. 331
Senate Bill No. 72, Printer's No. 7, and
Senate Bill No. 113, Printer's No. 124

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 115, as follows:

An Act to repeal section forty-five of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447), entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removel of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions thereof and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section forty-five of the Act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447), entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" is hereby repealed

Section 2 This act shall take effect immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Andrews,	Fullerton,	Lovett,	Reilly,
Baker,	Gaffney,	Lyons,	Reynolds,
Barrett,	Gallagher,	Madden,	Riley,
Barton,	Gardner,	Madigan,	Robertson,
Baumunk,	Getchey,	Mahany,	Root,
Bentley,	Gibson,	Matthews,	Rose,
Bentzel,	Goodling,	McAtee,	Royer,
Boies,	Gore,	McClester,	Rudisill,
Bonawitz,	Grant,	McCormack,	Salus,
Boney,	Green,	McDowell,	Schuster,
Boory,	Greenwood,	McKinney,	Serrill,
Bower,	Greer,	McLanahan,	Shaffer,
Brancato,	Guthrie,	McMillen,	Shoemaker,
Breisch,	Gyger,	McNair,	Skale,
Brice,	Haberlen,	McNally,	Sloan,
Brothers,	Hall,	Mihm,	Smith,
Brown,	Hamilton,	Mikula,	Snider,
Brunner, C. H.,	Hare,	Miller,	Snyder,
Brunner, P. A.,	Haudenshield,	Milliken,	Sollenberger,
Burns,	Heatherington,	Mills,	Sorg,
Chervenak,	Helm,	Modell,	Stank,
Chudoff,	Hennihan,	Mooney,	Stockham,
Cohen,	Hering,	Moore, C. E.,	Stonier,
Coleman,	Herman,	Moran,	Stuart,
Cook,	Hersch,	Moser,	Swope,
Cooper,	Hewitt,	Munley,	Tahl,
Corrigan,	Hoffman,	Murray, P. G.,	Tate,
Costa,	Hoggard,	Myhan,	Tittle,
Coulson,	Hoopes,	Nagel,	Trachtman,
Cullen,	Howells,	Nelson,	Trent,
Dague,	Hunter,	O'Brien,	Trout,
Dalrymple,	Huntley,	O'Connor,	Turbett,
Dennison,	James,	O'Donnell,	Turner,
Depuy,	Jones,	O'Neill,	Varallo,
Dillon,	Kennedy,	Owens,	Verona,
Dix,	Kirley,	Pentrack,	Wachhaus,
Dougherty,	Kline,	Petrosky,	Wagner,
Duffy,	Komorofski,	Pettigrew,	Waterhouse,
Dye,	Krise,	Pickens,	Watkins,
Elder,	Kurtz,	Polaski,	Weiss,
Elish,	Lane,	Polen,	Welsh,
Erb,	Laughner,	Powers,	Wescott,
Ewing,	Lee,	Propert,	White,
Finnerty,	Leisey,	Readinger,	Wood, N.,
Flack,	Leonard,	Reagan,	Worley,
Fleming,	Levy,	Reese, D. P.,	Wright,
Foor,	Lichtenwalter,	Reese, R. E.,	Yeakel,
Fox,	Loftus,	Regan,	Yester,
Freed,	Longo,	Reidenbach,	Fiss,
Frost,	Lopez,		Speaker.

NAYS—0

NOT VOTING—3

Coyle,	Kolankiewicz,	Scanlon,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Mr. ANDREWS. Mr. Speaker, if the Chair is sure that we have a quorum I would like a record roll call on one of these bills.

BILL PASSED OVER

There being no objection

Senate Bill No. 356, Printer's No. 172

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 424, as follows:

An Act to amend section 686 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by providing that a cashier of a bank who engages in any gainful profession occupation or calling other than that of his duty as cashier shall not be guilty of a misdemeanor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 686 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" is hereby amended to read as follows

Section 686 Bank Cashiers Whoever being the cashier of any bank engages directly or indirectly [in the purchase or sale of stock or in any gainful profession occupation or calling other than that of his duty as cashier] in the business of buying or selling stock real estate or insurance is guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) or to undergo imprisonment not exceeding one (1) year or both

Nothing contained in this section shall prevent a cashier from being a member of the board of directors or board of trustees of the institution of which he is cashier

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—163

Andrews,	Fox,	Longo,	Riley,
Baker,	Freed,	Madden,	Robertson,
Barrett,	Frost,	Madigan,	Royer,
Barton,	Fullerton,	Mahany,	Rudisill,
Baumunk,	Gaffney,	McAtee,	Schuster,
Bentzel,	Gardner,	McClester,	Serrill,
Bonawitz,	Getchey,	McCormack,	Shaffer,
Boney,	Gibson,	McDowell,	Shoemaker,
Bower,	Goodling,	McKinney,	Sloan,
Brancato,	Greenwood,	McMillen,	Smith,
Breisch,	Greer,	McNally,	Snider,
Brice,	Guthrie,	McNair,	Snyder,
Brothers,	Gyger,	Mihm,	Sollenberger,
Brown,	Haberlen,	Mikula,	Sorg,
Brunner, C. H.,	Hall,	Miller,	Stank,
Brunner, P. A.,	Hamilton,	Mills,	Stockham,
Burns,	Hare,	Mooney,	Stonier,
Chervenak,	Haudenshield,	Moore, C. E.,	Stuart,
Cohen,	Heatherington,	Moran,	Swope,
Coleman,	Helm,	Moser,	Tate,
Cook,	Hennihan,	Murray, P. G.,	Tittle,
Cooper,	Hersch,	Myhan,	Trent,
Corrigan,	Hewitt,	Nagel,	Trout,
Costa,	Hoffman,	Nelson,	Turbett,
Coulson,	Howells,	O'Connor,	Turner,
Cullen,	Hunter,	O'Donnell,	Verona,
Dague,	Huntley,	O'Neill,	Wachhaus,
Dalrymple,	James,	Owens,	Wagner,
Dennison,	Jones,	Pentrack,	Waterhouse,
Depuy,	Kennedy,	Pickens,	Watkins,
Dix,	Kirley,	Polaski,	Weiss,
Dougherty,	Kline,	Polen,	Welsh,
Duffy,	Komorofski,	Powers,	Wescott,
Dye,	Krise,	Propert,	White,
Elder,	Kurtz,	Readinger,	Wood, N.,
Elish,	Lane,	Reagan,	Worley,
Erb,	Laughner,	Reese, D. P.,	Wright,
Ewing,	Leisey,	Reese, R. E.,	Yeakel,
Finnerty,	Leonard,	Reidenbach,	Yester,
Flack,	Lichtenwalter,	Reilly,	Fiss,
Fleming,	Loftus,	Reynolds,	Speaker.
Foor,			

NAYS—1

Lovett.

NOT VOTING—37

Bentley,	Green,	Lyons,	Regan,
Boies,	Hering,	Matthews,	Root,
Boory,	Herman,	McLanahan,	Rose,
Chudoff,	Hoggard,	Milliken,	Salus,
Coyle,	Hoopes,	Modell,	Scanlon,
Dillon,	Kolankiewicz,	Munley,	Skale,
Gallagher,	Lee,	O'Brien,	Tahl,
Gore,	Levy,	Petrosky,	Trachtman,
Grant,	Lopez,	Pettigrew,	Varallo,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 460, as follows:

An Act to further amend Subsection A of Section one thousand one of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National Banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporatons authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by regulating the making of certain classes of loans and clarifying the powers and limitations on powers of banks and bank and trust companies

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection A of section one thousand one of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or wtihout fiduciary powers including the conversion of National banks into State banks and for licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" as last amended by the act approved the twenty-ninth day of July one thousand nine hundred forty-one (P. L. 586) is hereby further amended to read as follows

Section 1001 Powers of Banks Bank and Trust Companies or Trust Companies A In addition to the general corporate powers granted by this act and in addition to any powers specifically granted to a bank or a bank and trust company elsewhere in this act a bank or a bank and trust company shall have the following powers subject to the limitations and restrictions imposed by this act

(1) To receive money on deposit and to pay interest thereon

(2) To receive money for transmission either to a foreign country or otherwise

(3) To rediscount and borrow money bonds or other securities and to pledge collateral therefor

(4) To lend money either upon the security of real or personal property or otherwise to charge or to receive in advance interest therefor to contract for a charge for a secured or unsecured installment loan which in principal amount shall not exceed thirty-five hundred dollars and which under its terms shall be repayable in substantially equal installments over a period not exceeding three years which charge shall be at a rate not exceeding six dollars per one hundred dollars per annum upon the original face amount of the instrument or instruments evidencing the loan for the entire period of the loan and which such charge may be collected in advince provided that if the entire unpaid balance outstanding on the loan is paid by cash renewal or otherwise at any time prior to maturity the bank or bank and trust company shall give a refund or credit of the unearned portion of such charge calculated at the original contract rate of charge on the total amount of installments to become due for the term of all subsequent full installment periods No additional amount shall be charged or contracted for directly or indirectly on or in connection with any such installment loan except the following (a) Delinquency charges not to exceed five cents for each dollar of each installment more than fifteen days in arrears provided that the total of delinquency charges on any such installment loan shall not exceed fifteen dollars and only one delinquency charge shall be made on any one installment (b) Premiums paid by the bank or bank and trust company for insurance required or obtained as security for or by reason of such installment loan (c) Such amounts as are necessary to reimburse the bank or bank and trust company for fees paid to a public officer for filing recording or releasing any instrument or lien and the actual expenditures including reasonable attorneys' fees for legal process or proceedings to secure or collect any such installment loan Any advertising concerning such installment loans which contains a statement of an amount or rate of charge shall also contain the percentage rate either per month or per year computed on declining balances of the face amount of the loan instrument to which such charge would be equivalent if the loan were repaid according to contract provided that this requirement may be compiled with by stating the equivalent percentage rate which would earn the charge for such a loan repayable in twelve equal consecutive monthly installments and such stated rate may be closely approximate rather than exact if the statement so indicates and provided further that this requirement shall not apply to an advertisement in which an amount or rate of charge is indicated only by a table which contains and is confined to examples of the face amount of the loan instrument the proceeds to the borrower exclusive of the charge and the amount number and intervals of the required payments

(5) To discount buy sell negotiate or assign promissory notes drafts bills of exchange trade and bank acceptances stocks bonds or other evidences of debt

(6) To buy and sell exchange coin and bullion

(7) To purchase hold or convey real property

(8) To improve or to lease real property for its accommodation

(9) To accept for payment at a future date drafts or bills of exchange drawn upon it

(10) To issue letters of credit authorizing the holders thereof to draw drafts or bills of exchange upon it or its correspondents

(11) To become a member of a Federal Reserve Bank

(12) To receive for safe-keeping jewelry plate coin and other similar personal property of bonds mortgages shares of stock securities and other valuable papers and to rent out receptacles or safe deposit boxes for the deposit of such papers or of such personal property

(13) To invest in the shares of an institution engaged in a foreign banking business

(14) To become a member of a clearing house association and to pledge such assets therewith as will qualify it for membership therein

(15) To establish branch banks branch offices agencies sub-offices sub-agencies and branch places of business as permitted in this act

(16) To become a member of the Federal Deposit Insurance Corporation in accordance with the provisions of the Federal Banking Act of one thousand nine hundred and thirty-three approved the sixteenth day of June one thousand nine hundred and thirty-three its amendments and supplements or of any other corporation thereafter organized by the United States for the purpose of insuring deposits in banks or bank and trust companies and to purchase and hold so much of the capital of the Federal Deposit Insurance Corporation or of such other corporation as will qualify it for membership therein

(17) To make application for and obtain insurance of mortgages as provided by the National Housing Act of one thousand nine hundred and thirty-four approved the twenty-seventh day of June one thousand nine hundred and thirty-four its amendments and supplements

(18) To act as agent of the United States or of any instrumentality or agency thereof for the sale or issuance of bonds notes or other obligations of the United States or those for the payment of the principal and interest on which the faith and credit of the United States is pledged and to pledge its assets for the faithful performance of its duties as such agent

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—164

Andrews,	Fox,	Lovett,	Riley,
Baker,	Freed,	Madden,	Robertson,
Barrett,	Frost,	Madigan,	Royer,
Barton,	Fullerton,	Mahany,	Rudisill,
Baumunk,	Gaffney,	McAtee,	Schuster,
Bentzel,	Gardner,	McClester,	Serrill,
Bonawitz,	Getchey,	McCormack,	Shaffer,
Boney,	Gibson,	McDowell,	Shoemaker,
Bower,	Goodling,	McKinney,	Sloan,
Brancato,	Greenwood,	McMillen,	Smith,
Breisch,	Greer,	McNair,	Snider,
Brice,	Guthrie,	McNally,	Snyder,
Brothers,	Gyger,	Mihm,	Sollenberger,
Brown,	Haberlen,	Mikula,	Sorg,
Brunner, C. H.,	Hall,	Miller,	Stank,
Brunner, P. A.,	Hamilton,	Mills,	Stockham,
Burns,	Hare,	Mooney,	Stonier,
Chervenak,	Haudenshield,	Moore, C. E.,	Stuart,
Cohen,	Heatherington,	Moran,	Swope,
Coleman,	Helm,	Moser,	Tate,
Cook,	Hennihan,	Murray, P. G.,	Tittle,
Cooper,	Hersch,	Myhan,	Trent,
Corrigan,	Hewitt,	Nagel,	Trout,
Costa,	Hoffman,	Nelson,	Turbett,
Coulson,	Howells,	O'Connor,	Turner,
Cullen,	Hunter,	O'Donnell,	Verona,
Dague,	Huntley,	O'Neill,	Wachhaus,
Dalrymple,	James,	Owens,	Wagner,
Dennison,	Jones,	Pentrack,	Waterhouse,
Depuy,	Kennedy,	Pickens,	Watkins,
Dix,	Kirley,	Polaski,	Weiss,
Dougherty,	Kline,	Polen,	Welsh,
Duffy,	Komorofski,	Powers,	Wescott,
Dye,	Krise,	Propert,	White,
Elder,	Kurtz,	Readinger,	Wood, N.,
Elish,	Lane,	Reagan,	Worley,
Erb,	Laughner,	Reese, D. P.,	Wright,
Ewing,	Leisey,	Reese, R. E.,	Yeakel,
Finnerty,	Leonard,	Reidenbach,	Yester,
Flack,	Lichtenwalter,	Reilly,	Fiss,
Fleming,	Loftus,	Reynolds,	Speaker.
Foor,	Longo,		

NAYS—0

NOT VOTING—37

Bentley,	Green,	Lyons,	Regan,
Boies,	Hering,	Matthews,	Root,
Boory,	Herman,	McLanahan,	Rose,
Chudoff,	Hoggard,	Milliken,	Salus,
Coyle,	Hoopes,	Modell,	Scanlon,
Dillon,	Kolankiewicz,	Munley,	Skale,
Gallagher,	Lee,	O'Brien,	Tahl,
Gore,	Levy,	Petrosky,	Trachtman,
Grant,	Lopez,	Pettigrew,	Varallo,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILLS PASSED OVER

There being no objection

House Bill No. 1093, Printer's No. 374

was passed over at the request of Mr. McLANAHAN.

There being no objection

Senate Bill No. 195, Printer's No. 72

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 375, as follows:

An Act to further amend the first paragraph of section one thousand seven hundred one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for the issuance of equivalent high school diplomas in certain cases and imposing certain duties on school authorities of public and other secondary schools

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The first paragraph of section one thousand seven hundred one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the act approved the seventh day of April one thousand nine hundred twenty-five (P. L. 166) is hereby further amended to read as follows

Section 1701 A complete high school course is one requiring four years beyond an elementary course of eight years or six years beyond an elementary course of six years The Department of Public Instruction shall make such regulations as shall be necessary to insure proper standards for the various grades of the twelve years of the public school program of studies Provided That the county and district superintendents shall give examinations and if the examinations are successfully passed the superintendents shall issue equivalent high school diplomas thereon to persons over the age of nineteen years who have left an accredited secondary school during their senior year to enter the armed forces of the United States Such equivalent high school diplomas shall have the same force and effect as a diploma issued by an accredited secondary school of this Commonwealth In all cases where such examinations have been successfully passed the county or district superintendent as the case may be shall certify the same to the principal or superintendent of the accredited secondary school which the person examined left in order to enter the armed forces of the United States and also to the board of school directors of the school district maintaining the public high school or in which the accredited secondary school not a public high school is located It shall thereupon be the duty of the proper authorities of all of such schools to enter upon its records the fact that such examination has been passed and to record such student as a graduate of the school and also to issue to him a diploma evidencing such graduation

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—164

Andrews,	Fox,	Longo,	Riley,
Baker,	Freed,	Madden,	Robertson,
Barrett,	Frost,	Madigan,	Royer,
Barton,	Fullerton,	Mahany,	Rudisill,
Baumunk,	Gaffney,	McAtee,	Schuster,
Bentzel,	Gardner,	McClester,	Serrill,
Bonawitz,	Getchey,	McCormack,	Shaffer,
Boney,	Gibson,	McDowell,	Shoemaker,
Bower,	Goodling,	McKinney,	Sloan,
Brancato,	Greenwood,	McMillen,	Smith,
Breisch,	Greer,	McNair,	Snider,
Brice,	Guthrie,	McNally,	Snyder,
Brothers,	Gyger,	Mihm,	Sollenberger,
Brown,	Haberlen,	Mikula,	Sorg,
Brunner, C. H.,	Hall,	Miller,	Stank,
Brunner, P. A.,	Hamilton,	Mills,	Stockham,
Burns,	Hare,	Mooney,	Stonier,
Chervenak,	Haudenshield,	Moore, C. E.,	Stuart,
Cohen,	Heatherington,	Moran,	Swope,
Coleman,	Helm,	Moser,	Tate,
Cook,	Hennihan,	Murray, P. G.,	Tittle,
Cooper,	Hersch,	Myhan,	Trent,
Corrigan,	Hewitt,	Nagel,	Trout,
Costa,	Hoffman,	Nelson,	Turbett,
Coulson,	Howells,	O'Connor,	Turner,
Cullen	Hunter,	O'Donnell,	Verona,
Dague,	Huntley,	O'Neill,	Wachhaus,
Dalrymple,	James,	Owens,	Wagner,
Dennison,	Jones,	Pentrack,	Waterhouse,
Depuy,	Kennedy,	Pickens,	Watkins,
Dix,	Kirley,	Polaski,	Weiss,
Dougherty,	Kline,	Polen,	Welsh,
Duffy,	Komorofski,	Powers,	Wescott,
Dye,	Krise,	Propert,	White,
Elder,	Kurtz,	Readinger,	Wood N.,
Elish,	Lane,	Reagan,	Worley,
Erb,	Laughner,	Reese, D. P.,	Wright,
Ewing,	Leisey,	Reese, R. E.,	Yeakel,
Finnerty,	Leonard,	Reidenbach,	Yester,
Flack,	Lichtenwalter,	Reilly,	Fiss,
Fleming,	Loftus,	Reynolds,	Speaker.
Foor,			

NAYS—0

NOT VOTING—37

Bentley,	Green,	Lovett,	Pettigrew,
Boles,	Hering,	Lyons,	Regan,
Boory,	Herman,	Matthews,	Root,
Chudoff,	Hoggard,	McLanahan,	Rose,
Coyle,	Hoopes,	Milliken,	Salus,
Dillon,	Kolankiewicz,	Modell,	Scanlon,
Gallagher,	Lee,	Munley,	Skale,
Gore,	Levy,	O'Brien,	Tahl,
Grant,	Lopez,	Petrosky,	Trachtman,
			Varallo,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 143, as follows:

An Act to amend clause (a) of section six hundred twenty-one and one-tenth of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervivsion and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further regulating group accident and health insurance

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (a) of section six hundred twenty-one point one of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" as added by the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 678) is hereby amended to read as follows

Section 621.1 Group Accident and Health Insurance (a) Group Accident and Health Insurance is hereby declared to be that form of accident and health insurance covering not less than twenty-five employes or members and in addition may include the employes' or members' dependents written under a master policy issued to a summer camp scout troop college school system school or other institutions of learning or to the head or principal thereof who or which shall be deemed the policyholder or to any governmental corporation unit agency or department thereof or to any corporation copartnership individual employer or to any association or organization of employes of one employer its affiliates or subsidiaries or to the members of any labor union bar association medical dental or other professional society volunteer fire department or to any organization or association of Federal or State employes or school teachers or school employes or nurses where officers members employes or classes or departments thereof may be insured for their individual benefit

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—164

Andrews,	Fox,	Lovett,	Riley,
Baker,	Freed,	Madden,	Robertson,
Barrett,	Frost,	Madigan,	Royer,
Barton,	Fullerton,	Mahany,	Rudisill,
Baumunk,	Gaffney,	McAtee,	Schuster,
Bentzel,	Gardner,	McClester,	Serrill,
Bonawitz,	Getchey,	McCormack,	Shaffer,
Boney,	Gibson,	McDowell,	Shoemaker,
Bower,	Goodling,	McKinney,	Sloan,
Brancato,	Greenwood,	McMillen,	Smith,
Breisch,	Greer,	McNair,	Snider,
Brice,	Guthrie,	McNally,	Snyder,
Brothers,	Gyger,	Mihm,	Sollenberger,
Brown,	Haberlen,	Mikula,	Sorg,
Brunner, C. H.,	Hall,	Miller,	Stank,
Brunner, P. A.,	Hamilton,	Mills,	Stockham,
Burns,	Hare,	Mooney,	Stonier,
Chervenak,	Haudenshield,	Moore, C. E.,	Stuart,
Cohen,	Heatherington,	Moran,	Swope,
Coleman,	Helm,	Moser,	Tate,
Cook,	Hennihan,	Murray, P. G.,	Tittle,
Cooper,	Hersch,	Myhan,	Trent,
Corrigan,	Hewitt,	Nagel,	Trout,
Costa,	Hoffman,	Nelson,	Turbett,
Coulson,	Howells,	O'Connor,	Turner,
Cullen,	Hunter,	O'Donnell,	Verona,
Dague,	Huntley,	O'Neill,	Wachhaus,
Dalrymple,	James,	Owens,	Wagner,
Dennison,	Jones,	Pentrack,	Waterhouse,
Depuy,	Kennedy,	Pickens,	Watkins,
Dix,	Kirley,	Polaski,	Weiss,
Dougherty,	Kline,	Polen,	Welsh,
Duffy,	Komorofski,	Powers,	Wescott,
Dye,	Krise,	Propert,	White,
Elder,	Kurtz,	Readinger,	Wood, N.,
Elish,	Lane,	Reagan,	Worley,
Erb,	Laughner,	Reese, D. P.,	Wright,
Ewing,	Leisey,	Reese, R. E.,	Yeakel,
Finnerty,	Leonard,	Reidenbach,	Yester,
Flack,	Lichtenwalter,	Reilly,	Fiss,
Fleming,	Loftus,	Reynolds,	Speaker.
Foor,	Longo,		

NAYS—0

NOT VOTING—37

Bentley,	Green,	Lyons,	Regan,
Boies,	Hering,	Matthews,	Root,
Boory,	Herman,	McLanahan,	Rose
Chudoff,	Hoggard,	Milliken,	Salus,
Coyle,	Hoopes,	Modell,	Scanlon,
Dillon,	Kolankiewicz,	Munley,	Skale,
Gallagher,	Lee,	O'Brien,	Tahl,
Gore,	Levy,	Petrosky,	Trachtman,
Grant,	Lopez,	Pettigrew,	Varallo,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 89, as follows:

An Act making an appropriation from the State Workmen's Insurance Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Workmen's Insurance Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of forty-two thousand nine hundred dollars ($42,900) or as much thereof as may be necessary is hereby specifically appropriated out of the State Workmen's Insurance Fund to the State Employes' Retirement Board for the two fiscal years commencing the first day of June one thousand nine hundred forty-five for payment from time to time into the State Employes' Retirement Fund to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Workmen's Insurance Fund

Section 2 Of the sum appropriated by this act there shall be paid into the State Employes' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of twenty thousand three hundred dollars ($20,300) and to the credit of the Contingent Reserve Account the sum of twenty-two thousand six hundred dollars ($22,600)

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—164

Andrews,	Freed,	Lovett,	Riley,
Baker,	Frost,	Madden,	Robertson,
Barrett,	Fullerton,	Madigan,	Royer,
Barton,	Gaffney,	Mahany,	Rudisill,
Baumunk,	Gardner,	McAtee,	Schuster,
Bentzel,	Getchey,	McClester,	Serrill,
Bonawitz,	Gibson,	McCormack,	Shaffer,
Boney,	Goodling,	McDowell,	Shoemaker,
Bower,	Greenwood,	McKinney,	Sloan,
Brancato,	Greer,	McMillen,	Smith,
Breisch,	Guthrie,	McNair,	Snider,
Brice,	Gyger,	McNally,	Snyder,
Brothers,	Haberlen,	Mihm,	Sollenberger,
Brown,	Hall,	Mikula,	Sorg,
Brunner, C. H.,	Hamilton,	Miller,	Stank,
Brunner, P. A.,	Hare,	Mills,	Stockham,
Burns,	Haudenshield,	Mooney,	Stonier,
Chervenak,	Heatherington,	Moore, C. E.,	Stuart,
Cohen,	Helm,	Moran,	Swope,
Coleman,	Hennihan,	Moser,	Tate,
Cook,	Hersch,	Murray, P. G.,	Tittle,
Cooper,	Hewitt,	Myhan,	Trent,
Corrigan,	Hoffman,	Nagel,	Trout,
Costa,	Howells,	Nelson,	Turbett,
Coulson,	Hunter,	O'Connor,	Turner,
Cullen,	Huntley,	O'Donnell,	Verona,
Dague,	James,	O'Neill,	Wachhaus,
Dalrymple,	Jones,	Owens,	Wagner,
Dennison,	Kennedy,	Pentrack,	Waterhouse,
Depuy,	Kirley,	Pickens,	Watkins,
Dix,	Kline,	Polaski,	Weiss,
Dougherty,	Komorofski,	Polen,	Welsh,
Duffy,	Krise,	Powers,	Wescott,
Dye,	Kurtz,	Propert,	White,
Elder,	Lane,	Readinger,	Wood, N.,
Elish,	Laughner,	Reagan,	Worley,
Erb,	Leisey,	Reese, D. P.,	Wright,
Ewing,	Leonard,	Reese, R. E.,	Yeakel,
Finnerty,	Lichtenwalter,	Reidenbach,	Yester,
Flack,	Loftus,	Reilly,	Fiss,
Fleming,	Longo,	Reynolds,	Speaker.
Foor,			
Fox,			

NAYS—0

NOT VOTING—37

Bentley,	Green,	Lyons,	Regan,
Boies,	Hering,	Matthews,	Root,
Boory,	Herman,	McLanahan,	Rose,
Chudoff,	Hoggard,	Milliken,	Salus,
Coyle,	Hoopes,	Modell,	Scanlon,
Dillon,	Kolankiewicz,	Munley,	Skale,

Gallagher,	Lee,	O'Brien,	Tahl,
Gore,	Levy,	Petrosky,	Trachtman,
Grant,	Lopez,	Pettigrew,	Varallo,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 155, as follows:

An Act making an appropriation from the Fish Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Fish Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of fifteen thousand dollars ($15,000) or as much thereof as may be necessary is hereby specifically appropriated out of the Fish Fund to the State Employes' Retirement Board for the two fiscal years commencing the first day of June one thousand nine hundred forty-five for payment from time to time into the State Employes' Retirement Fund to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Fish Fund

Section 2 Of the sum appropriated by this act there shall be paid into the State Employes' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of seven thousand one hundred dollars ($7,100) and to the credit of the Contingent Reserve Account the sum of seven thousand nine hundred dollars ($7,900)

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—164

Andrews,	Fox,	Lovett,	Riley,
Baker,	Freed,	Madden,	Robertson,
Barrett,	Frost,	Madigan,	Royer,
Barton,	Fullerton,	Mahany,	Rudisill,
Baumunk,	Gaffney,	McAtee,	Schuster,
Bentzel,	Gardner,	McClester,	Serrill,
Bonawitz,	Getchey,	McCormack,	Shaffer,
Boney,	Gibson,	McDowell,	Shoemaker,
Bower,	Goodling,	McKinney,	Sloan,
Brancato,	Greenwood,	McMillen,	Smith,
Breisch,	Greer,	McNair,	Snider,
Brice,	Guthrie,	McNally,	Snyder,
Brothers,	Gyger,	Mihm,	Sollenberger,
Brown,	Haberlen,	Mikula,	Sorg,
Brunner, C. H.,	Hall,	Miller,	Stank,
Brunner, P. A.,	Hamilton,	Mills,	Stockham,
Burns,	Hare,	Mooney,	Stonier,
Chervenak,	Haudenshield,	Moore, C. E.,	Stuart,
Cohen,	Heatherington,	Moran,	Swope,
Coleman,	Helm,	Moser,	Tate,
Cook,	Hennihan,	Murray, P. G.,	Tittle,
Cooper,	Hersch,	Myhan,	Trent,
Corrigan,	Hewitt,	Nagel,	Trout,
Costa,	Hoffman,	Nelson,	Turbett,
Coulson,	Howells,	O'Connor,	Turner,
Cullen,	Hunter,	O'Donnell,	Verona,
Dague,	Huntley,	O'Neill,	Wachhaus,
Dalrymple,	James,	Owens,	Wagner,
Dennison,	Jones,	Pentrack,	Waterhouse,
Depuy,	Kennedy,	Pickens,	Watkins,
Dix,	Kirley,	Polaski,	Weiss,
Dougherty,	Kline,	Polen,	Welsh,
Duffy,	Komorofski,	Powers,	Wescott,
Dye,	Krise,	Propert,	White,
Elder,	Kurtz,	Readinger,	Wood, N.,
Elish,	Lane,	Reagan,	Worley,
Erb,	Laughner,	Reese, D. P.,	Wright,
Ewing,	Leisey,	Reese, R. E.,	Yeakel,
Finnerty,	Leonard,	Reidenbach,	Yester,
Flack,	Lichtenwalter,	Reilly,	Fiss,
Fleming,	Loftus,	Reynolds,	Speaker.
Foor,	Longo,		

NAYS—0

NOT VOTING—37

Bentley,	Green,	Lyons,	Regan,
Boies,	Hering,	Matthews,	Root,
Boory,	Herman,	McLanahan,	Rose,
Chudoff,	Hoggard,	Milliken,	Salus,
Coyle,	Hoopes,	Modell,	Scanlon,
Dillon,	Kolankiewicz,	Munley,	Skale,
Gallagher,	Lee,	O'Brien,	Tahl,
Gore,	Levy,	Petrosky,	Trachtman,
Grant,	Lopez,	Pettigrew,	Varallo,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 439, as follows:

An Act providing for the establishment in counties of the second class of the lot and block plan for the registration of land titles for the accumulation of county tax liens and for the enumeration of the parcels of real estate to be assessed for county city borough township school and institution district taxation providing for the incurring of indebtedness for the installation thereof and imposing duties upon the county controller and the deed registrar in each of such counties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In each county of the second class the county commissioners are hereby empowered to establish in the office of the county controller the lot and block system for the registration of land titles for the accumulation of county tax liens and for the enumeration of the parcels of real estate to be assessed for county city borough township school and institution district taxation

Section 2 In establishing the said lot and block system the commissioners may adopt any system covered by such designation now in use either in municipalities in the Commonwealth or in use in the municipalities in other states or a combination of such systems as they shall deem proper in order to supply the needs of said county

Section 3 For the purpose of defraying the cost and expense of establishing said lot and block system the commissioners may use current tax revenue or may issue general obligation bonds in such amounts as are necessary and in such manner as is now provided by the act approved the twenty-fifth day of June one thousand nine hundred forty-one (P. L. 159)

Section 4 When installation of the lot and block system has been completed the division of said system having custody of the plats and plat books and the upkeep of the same shall be transferred to the deed registry office of said county and the files cards indexes and records relating to the liening of county taxes shall remain in and be maintained by the office of the controller of said county The deed registrar and the controller of each county of the second class are hereby charged with and required to operate and maintain the several portions of the lot and block system placed in their custody by this act

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—164

Andrews,	Fox,	Longo,	Riley,
Baker,	Freed,	Madden,	Robertson,
Barrett,	Frost,	Madigan,	Royer,
Barton,	Fullerton,	Mahany,	Rudisill,
Baumunk,	Gaffney,	McAtee,	Schuster,
Bentzel,	Gardner,	McClester,	Serrill,
Bonawitz,	Getchey,	McCormack,	Shaffer,
Boney,	Gibson,	McDowell,	Shoemaker,
Bower,	Goodling,	McKinney,	Sloan,
Brancato,	Greenwood,	McMillen,	Smith,
Breisch,	Greer,	McNair,	Snider,
Brice,	Guthrie,	McNally,	Snyder,
Brothers,	Gyger,	Mihm,	Sollenberger,
Brown,	Haberlen,	Mikula,	Sorg,
Brunner, C. H.,	Hall,	Miller,	Stank,
Brunner, P. A.,	Hamilton,	Mills,	Stockham,
Burns,	Hare,	Mooney,	Stonier,
Chervenak,	Haudenshield,	Moore, C. E.,	Stuart,
Cohen,	Heatherington,	Moran,	Swope,
Coleman,	Helm,	Moser,	Tate,
Cook	Hennihan,	Murray, P. G.,	Tittle,
Cooper,	Hersch,	Myhan,	Trent,
Corrigan,	Hewitt,	Nagel,	Trout,
Costa,	Hoffman,	Nelson,	Turbett,
Coulson,	Howells,	O'Connor,	Turner,
Cullen,	Hunter,	O'Donnell,	Verona,
Dague,	Huntley,	O'Neill,	Wachhaus,
Dalrymple,	James,	Owens,	Wagner,
Dennison,	Jones,	Pentrack,	Waterhouse,
Depuy,	Kennedy,	Pickens,	Watkins,
Dix,	Kirley,	Polaski,	Weiss,
Dougherty,	Kline,	Polen,	Welsh,
Duffy,	Komorofski,	Powers,	Wescott,
Dye,	Krise,	Propert,	White,
Elder,	Kurtz,	Readinger,	Wood, N.,
Elish,	Lane,	Reagan,	Worley,
Erb,	Laughner,	Reese, D. P.,	Wright,
Ewing,	Leisey,	Reese, R. E.,	Yeakel,
Finnerty,	Leonard,	Reidenbach,	Yester,
Flack,	Lichtenwalter,	Reilly,	Fiss,
Fleming,	Loftus,	Reynolds,	Speaker.
Foor,			

NAYS—0

NOT VOTING—37

Bentley,	Hering,	Lyons,	Regan,
Boies,	Herman,	Matthews,	Root,
Boory,	Hoggard,	McLanahan,	Rose,
Chudoff,	Hoopes,	Milliken,	Salus,
Coyle,	Kolankiewicz,	Modell,	Scanlon,
Dillon,	Lee,	Munley,	Skale,
Gallagher,	Levy,	O'Brien,	Tahl,
Gore,	Lopez,	Petrosky,	Trachtman,
Grant,	Lovett,	Pettigrew,	Varallo,
Green,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1095, as follows:

An Act to amend section one thousand one hundred one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" requiring the Pennsylvania Game Commission to pay bounties to public employees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand one hundred one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows

Section 1101 Authority to Pay Bounties on Predators Whenever in the opinion of the commission it is desirable or necessary for the better protection of game to pay rewards or bounties for the killing of any predators in any part of or throughout this Commonwealth the said commission is hereby authorized to pay such bounties for the destruction of predators and in such amounts and during such periods as it shall by general rules or regulations prescribe but in no case shall the amount so paid exceed the following bounties for the birds and animals herein enumerated For each Canada or Bay Lynx commonly called bobcat or wildcat fifteen dollars for each fox four dollars for each weasel one dollar and for each goshawk or other predatory bird five dollars Provided however That the commission shall pay any bounty so established to foresters forest rangers fish wardens game protectors and other public employees to encourage them to destroy predators and to compensate them for services beyond their regular call of duty such payments to be made in the same manner and under like conditions as bounties are pair to other citizens

All bounties authorized by said commission shall be paid only upon such conditions as may be prescribed in said regulations and upon such proofs and in such manner as hereinafter provided

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—164

Andrews,	Fox,	Lovett,	Riley,
Baker,	Freed,	Madden,	Robertson,
Barrett,	Frost,	Madigan,	Royer,
Barton,	Fullerton,	Mahany,	Rudisill,
Baumunk,	Gaffney,	McAtee,	Schuster,
Bentzel,	Gardner,	McClester,	Serrill,
Bonawitz,	Getchey,	McCormack,	Shaffer,
Boney,	Gibson,	McDowell,	Shoemaker,
Bower,	Goodling,	McKinney,	Sloan,
Brancato,	Greenwood,	McMillen,	Smith,
Breisch,	Greer,	McNally,	Snider,
Brice,	Guthrie,	McNair,	Snyder,
Brothers,	Gyger,	Mihm,	Sollenberger,
Brown,	Haberlen,	Mikula,	Sorg,
Brunner, C. H.,	Hall,	Miller,	Stank,
Brunner, P. A.,	Hamilton,	Mills,	Stockham,
Burns,	Hare,	Mooney,	Stonier,
Chervenak,	Haudenshield,	Moore, C. E.,	Stuart,
Cohen,	Heatherington,	Moran,	Swope,
Coleman,	Helm,	Moser,	Tate,
Cook	Hennihan,	Murray, P. G.,	Tittle,
Cooper,	Hersch,	Myhan,	Trent,
Corrigan,	Hewitt,	Nagel,	Trout,
Costa,	Hoffman,	Nelson,	Turbett,
Coulson,	Howells,	O'Connor,	Turner,
Cullen,	Hunter,	O'Donnell,	Verona,
Dague,	Huntley,	O'Neill,	Wachhaus,
Dalrymple,	James,	Owens,	Wagner,
Dennison,	Jones,	Pentrack,	Waterhouse,
Depuy,	Kennedy,	Pickens,	Watkins,
Dix,	Kirley,	Polaski,	Weiss,
Dougherty,	Kline,	Polen,	Welsh,
Duffy,	Komorofski,	Powers,	Wescott,
Dye,	Krise,	Propert,	White,
Elder,	Kurtz,	Readinger,	Wood, N.,
Elish,	Lane,	Reagan,	Worley,

Erb,	Laughner,	Reese, D. P.,	Wright,
Ewing,	Leisey,	Reese, R. E.,	Yeakel,
Finnerty,	Leonard,	Reidenbach,	Yester,
Flack,	Lichtenwalter,	Reilly,	Fiss,
Fleming,	Loftus,	Reynolds,	Speaker.
Foor,	Longo,		

NAYS—0

NOT VOTING—37

Bentley,	Green,	Lyons,	Regan,
Boies,	Hering,	Matthews,	Root,
Boory,	Herman,	McLanahan,	Rose,
Chudoff,	Hoggard,	Milliken,	Salus,
Coyle,	Hoopes,	Modell,	Scanlon,
Dillon,	Kolankiewicz,	Munley,	Skale,
Gallagher,	Lee,	O'Brien,	Tahl,
Gore,	Levy,	Petrosky,	Trachtman,
Grant,	Lopez,	Pettigrew,	Varallo,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 448, as follows:

An Act to add section nineteen and two-tenths to the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" by providing for the admission of assessors into membership of such retirement systems

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" is hereby amended by adding thereto immediately after section nineteen and one-tenth a new section to read as follows

Section 19.2 Admission to Retirement System of County Assessors Assessors of counties of the fourth class may join and become members of the county employes retirement system in accordance with the foregoing provisions and be entitled to all the rights and privileges of members of such retirement system Provided any such assessor shall agree to contribute into such retirement fund in such manner and at such times as the retirement board may require a sum equal to the amount he would have contributed into such fund from the date of its organization if then an employe or officer of the county or from the time he first became an employe or officer of the county

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—164

Andrews,	Fox,	Lovett,	Riley,
Baker,	Freed,	Madden,	Robertson,
Barrett,	Frost,	Madigan,	Royer,
Barton,	Fullerton,	Mahany,	Rudisill,
Baumunk,	Gaffney,	McAtee,	Schuster,
Bentzel,	Gardner,	McClester,	Serrill,
Bonawitz,	Getchey,	McCormack,	Shaffer,
Boney,	Gibson,	McDowell,	Shoemaker,
Bower,	Goodling,	McKinney,	Sloan,
Brancato,	Greenwood,	McMillen,	Smith,
Breisch,	Greer,	McNair,	Snider,
Brice,	Guthrie,	McNally,	Snyder,
Brothers,	Gyger,	Mihm,	Sollenberger,
Brown,	Haberlen,	Mikula,	Sorg,
Brunner, C. H.,	Hall,	Miller,	Stank,
Brunner, P. A.,	Hamilton,	Mills,	Stockham,
Burns,	Hare,	Mooney,	Stonier,
Chervenak,	Haudenshield,	Moore, C. E.,	Stuart,
Cohen,	Heatherington,	Moran,	Swope,
Coleman,	Helm,	Moser,	Tate,
Cook,	Hennihan,	Murray, P. G.,	Tittle,
Cooper,	Hersch,	Myhan,	Trent,
Corrigan,	Hewitt,	Nagel,	Trout,
Costa,	Hoffman,	Nelson,	Turbett,
Coulson,	Howells,	O'Connor,	Turner,
Cullen,	Hunter,	O'Donnell,	Verona,
Dague,	Huntley,	O'Neill,	Wachhaus,
Dalrymple,	James,	Owens,	Wagner,
Dennison,	Jones,	Pentrack,	Waterhouse,
Depuy,	Kennedy,	Pickens,	Watkins,
Dix,	Kirley,	Polaski,	Weiss,
Dougherty,	Kline,	Polen,	Welsh,
Duffy,	Komorofski,	Powers,	Wescott,
Dye,	Krise,	Propert,	White,
Elder,	Kurtz,	Readinger,	Wood, N.,
Elish,	Lane,	Reagan,	Worley,
Erb,	Laughner,	Reese, D. P.,	Wright,
Ewing,	Leisey,	Reese, R. E.,	Yeakel,
Finnerty,	Leonard,	Reidenbach,	Yester,
Flack,	Lichtenwalter,	Reilly,	Fiss,
Fleming,	Loftus,	Reynolds,	Speaker.
Foor,	Longo,		

NAYS—0

NOT VOTING—37

Bentley,	Green,	Lyons,	Regan,
Boies,	Hering,	Matthews,	Root,
Boory,	Herman,	McLanahan,	Rose,
Chudoff,	Hoggard,	Milliken,	Salus,
Coyle,	Hoopes,	Modell,	Scanlon,
Dillon,	Kolankiewicz,	Munley,	Skale,
Gallagher,	Lee,	O'Brien,	Tahl,
Gore,	Levy,	Petrosky,	Trachtman,
Grant,	Lopez,	Pettigrew,	Varallo,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 655, as follows:

An Act to add section six to the act approved the tenth day of June one thousand nine hundred eleven (P. L. 872) entitled "A supplement to an act entitled 'An act for the government of cities of the second class' approved the seventh day of March Anno Domini one thousand nine hundred and one creating and regulating a City Planning Department giving it jurisdiction extending it over the city and for three miles beyond the city limits and regulating the laying out of plans of lots within the limits of the city" requiring notice of proposed roads streets and highways leading to adjoining political subdivisions to be given to the authorities thereof by the City Planning Commission in cities of the second class A

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the tenth day of June one thousand nine hundred eleven (P. L. 872) entitled "A supplement to an act entitled 'An act for the govern-

ment of cities of the second class' approved the seventh day of March Anno Domini one thousand nine hundred and one creating and regulating a City Planning Department giving it jurisdiction extending it over the city and for three miles beyond the city limits and regulating the laying out of plans of lots within the limits of the city" is hereby amended by adding thereto after section five a new section to read as follows

Section 6 Prior to the approval by the City Planning Commission of any proposed road street or highway or any plan containing a proposed road street or highway leading to an adjoining political subdivision notice of such proposed road street or highway shall be given by the commission to the legislative authority of such political subdivision

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—164

Andrews,	Fox,	Lovett,	Riley,
Baker,	Freed,	Madden,	Robertson,
Barrett,	Frost,	Madigan,	Royer,
Barton,	Fullerton,	Mahany,	Rudisill,
Baumunk,	Gaffney,	McAtee,	Schuster,
Bentzel,	Gardner,	McClester,	Serrill,
Bonawitz,	Getchey,	McCormack,	Shaffer,
Boney,	Gibson,	McDowell,	Shoemaker,
Bower,	Goodling,	McKinney,	Sloan,
Brancato,	Greenwood,	McMillen,	Smith,
Breisch,	Greer,	McNair,	Snider,
Brice,	Guthrie,	McNally,	Snyder,
Brothers,	Gyger,	Mihm,	Sollenberger,
Brown,	Haberlen,	Mikula,	Sorg,
Brunner, C. H.,	Hall,	Miller,	Stank,
Brunner, P. A.,	Hamilton,	Mills,	Stockham,
Burns,	Hare,	Moore, C. E.,	Stonier,
Chervenak,	Haudenshield,	Mooney,	Stuart,
Cohen,	Heatherington,	Moran,	Swope,
Coleman,	Helm,	Moser,	Tate,
Cook,	Hennihan,	Murray, P. G.,	Tittle,
Cooper,	Hersch,	Myhan,	Trent,
Corrigan,	Hewitt,	Nagel,	Trout,
Costa,	Hoffman,	Nelson,	Turbett,
Coulson,	Howells,	O'Connor,	Turner,
Cullen,	Hunter,	O'Donnell,	Verona,
Dague,	Huntley,	O'Neill,	Wachhaus,
Dalrymple,	James,	Owens,	Wagner,
Dennison,	Jones,	Pentrack,	Waterhouse,
Depuy,	Kennedy,	Pickens,	Watkins,
Dix,	Kirley,	Polaski,	Weiss,
Dougherty,	Kline,	Polen,	Welsh,
Duffy,	Komorofski,	Powers,	Wescott,
Dye,	Krise,	Propert,	White,
Elder,	Kurtz,	Readinger,	Wood, N.,
Elish,	Lane,	Reagan,	Worley,
Erb,	Laughner,	Reese, D. P.,	Wright,
Ewing,	Leisey,	Reese, R. E.,	Yeakel,
Finnerty,	Leonard,	Reidenbach,	Yester,
Flack,	Lichtenwalter,	Reilly,	Fiss,
Fleming,	Loftus,	Reynolds,	Speaker.
Foor,	Longo,		

NAYS—0

NOT VOTING—37

Bentley,	Green,	Lyons,	Regan,
Boles,	Hering,	Matthews,	Root,
Boory,	Herman,	McLanahan,	Rose,
Chudoff,	Hoggard,	Milliken,	Salus,
Coyle,	Hoopes,	Modell,	Scanlon,
Dillon,	Kolankiewicz,	Munley,	Skale,
Gallagher,	Lee,	O'Brien,	Tahl,
Gore,	Levy,	Petrosky,	Trachtman,
Grant,	Lopez,	Pettigrew,	Varallo,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 664, as follows:

An Act to add section twenty-one point one to the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 1011) entitled "A supplement to an act entitled 'An act for the government of cities of the second class' approved the seventh day of March Anno Domini one thousand nine hundred and one creating a department of city planning providing for its organization and powers regulating the platting of ground prohibiting the recording of plans and sales of lots therein before their approval under penalties making it a misdemeanor for the recorder of deeds to record an unapproved plan restricting accepting laying out opening and improving private streets prohibiting the erection of buildings on land not abutting on public streets or streets not shown on the official master plan or an approved plat transferring to the department of city planning powers conferred by other statutes over plats or subdivisions of land the reservation of locations of mapped streets for future use and authorizing the assessment of damages for same the preparation and compilation of an official street map providing penalties for the violation of this act and repealing certain statutes" requiring notice of proposed roads streets and highways leading to adjoining political subdivisions to be given to the authorities thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 1011) entitled "A supplement to an act entitled 'An act for the government of cities of the second class' approved the seventh day of March Anno Domini one thousand nine hundred and one creating a department of city planning providing for its organization and powers regulating the platting of ground prohibiting the recording of plans and sales of lots therein before their approval under penalties making it a misdemeanor for the recorder of deeds to record an unapproved plan restricting accepting laying out opening and imposing private streets prohibiting the erection of buildings on land not abutting on public streets or streets not shown on the official master plan or an approved plat transferring to the department of city planning powers conferred by other statutes over plats or subdivisions of land the reservation of locations of mapped streets for future use and authorizing the assessment of damages for same the preparation and compilation of an official street map providing penalties for the violation of this act and repealing certain statutes" is hereby amended by adding thereto after section twenty-one a new section to read as follows

Section 21.1 Prior to the approval by the commission of any proposed road street or highway or any plan containing a proposed road street or highway leading to an adjoining political subdivision notice of such proposed road street or highway or plan containing the same shall be given by the commission to the legislative authorities of such political subdivision

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—164

Andrews,	Fox,	Lovett,	Riley,
Baker,	Freed,	Madden,	Robertson,
Barrett,	Frost,	Madigan,	Royer,
Barton,	Fullerton,	Mahany,	Rudisill,
Baumunk,	Gaffney,	McAtee,	Schuster,
Bentzel,	Gardner,	McClester,	Serrill,
Bonawitz,	Getchey,	McCormack,	Shaffer,
Boney,	Gibson,	McDowell,	Shoemaker,
Bower,	Goodling,	McKinney,	Sloan,
Brancato,	Greenwood,	McMillen,	Smith,
Breisch,	Greer,	McNair,	Snider,
Brice,	Guthrie,	McNally,	Snyder,
Brothers,	Gyger,	Mihm,	Sollenberger,
Brown,	Haberlen,	Mikula,	Sorg,
Brunner, C. H.,	Hall,	Miller,	Stank,
Brunner, P. A.,	Hamilton,	Mills,	Stockham,
Burns,	Hare,	Mooney,	Stonier,
Chervenak,	Haudenshield,	Moore, C. E.,	Stuart,
Cohen,	Heatherington,	Moran,	Swope,
Coleman,	Helm,	Moser,	Tate,
Cook,	Hennihan,	Murray, P. G.,	Tittle,
Cooper,	Hersch,	Myhan,	Trent,
Corrigan,	Hewitt,	Nagel,	Trout,
Costa,	Hoffman,	Nelson,	Turbett,
Coulson,	Howells,	O'Connor,	Turner,
Cullen,	Hunter,	O'Donnell,	Verona,
Dague,	Huntley,	O'Neill,	Wachhaus,
Dalrymple,	James,	Owens,	Wagner,
Dennison,	Jones,	Pentrack,	Waterhouse,
Depuy,	Kennedy,	Pickens,	Watkins,
Dix,	Kirley,	Polaski,	Weiss,
Dougherty,	Kline,	Polen,	Welsh,
Duffy,	Komorofski,	Powers,	Wescott,
Dye,	Krise,	Propert,	White,
Elder,	Kurtz,	Readinger,	Wood, N.,
Elish,	Lane,	Reagan,	Worley,
Erb,	Laughner,	Reese, D. P.,	Wright,
Ewing,	Leisey,	Reese, R. E.,	Yeakel,
Finnerty,	Leonard,	Reidenbach,	Yester,
Flack	Lichtenwalter,	Reilly,	Fiss,
Fleming,	Loftus,	Reynolds,	Speaker.
Foor,	Longo,		

NAYS—0

NOT VOTING—37

Bentley,	Green,	Lyons,	Regan,
Boles,	Hering,	Matthews,	Root,
Boory,	Herman,	McLanahan,	Rose,
Chudoff,	Hoggard,	Milliken,	Salus,
Coyle,	Hoopes,	Modell,	Scanlon,
Dillon,	Kolankiewicz,	Munley,	Skale,
Gallagher,	Lee,	O'Brien,	Tahl,
Gore,	Levy,	Petrosky,	Trachtman,
Grant,	Lopez,	Pettigrew,	Varallo,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 691, as follows:

An Act to further amend section five hundred three of the act approved the eleventh day of July one thousand nine hundred twenty-three (P. L. 998) entitled "An act for the prevention and treatment of mental diseases mental defect epilepsy and inebriety regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics governing the transfer discharge interestate rendition and deportation of mental patients providing for the payment by individuals counties or the Commonwealth of the cost of the admission care and discharge of mental patients and imposing penalties" granting an exemption to the estates of mental patients from the cost of maintenance in mental institutions otherwise liable for such maintenance

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred three of the act approved the eleventh day of July one thousand nine hundred twenty-three (P. L. 998) entitled "An act for the prevention and treatment of mental diseases mental defect epilepsy and inebriety regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics governing the transfer discharge interstate rendition and deportation of mental patients providing for the payment of individuals counties or the Commonwealth of the cost of the admission care and discharge of mental patients and imposing penalties" as amended by the act approved the eleventh day of October one thousand nine hundred thirty- eight (P. L. 63) is hereby further amended to read as follows

Section 503 Whenever any mental patient is admitted whether by order of a court or judge or in any other manner authorized by the provisions of this act to any mental hospital maintained wholly or in part by the Commonwealth the cost of care and maintenance including clothing of such patient in such hospital shall be defrayed from the real or personal property of such patient [and this] Provided That such patient his guardian or trustee may claim an exemption of a sum not to exceed two hundred fifty dollars ($250) from the payment of such costs to be used as burial expenses upon the death of such patient And provided further That if such sum is not so used the sum claimed as an exemption shall become subject to payment of costs of maintenance as herein provided This liability may be enforced by writ of fieri facias venditioni exponas or attachment execution if he have any such property If he have no such property or is not possessed of sufficient property to defray suchfray such expenses then so much of said expenses as shall be in excess of any amount collected from his said property and paid on account of said expenses shall be paid by such person as is liable under existing laws for his support and if there be no such person or if he is financially unable to pay such expenses or any proportion thereof then such expenses or the proportion thereof which cannot be collected from the patient or the person liable for his support shall be paid by the Commonwealth

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—164

Andrews,	Fox,	Lovett,	Riley,
Baker,	Freed,	Madden,	Robertson,
Barrett,	Frost,	Madigan,	Royer,
Barton,	Fullerton,	Mahany,	Rudisill,
Baumunk,	Gaffney,	McAtee,	Schuster,
Bentzel,	Gardner,	McClester,	Serrill,
Bonawitz,	Getchey,	McCormack,	Shaffer,
Boney,	Gibson,	McDowell,	Shoemaker,
Bower,	Goodling,	McKinney,	Sloan,
Brancato,	Greenwood,	McMillen,	Smith,
Breisch,	Greer,	McNair,	Snider,
Brice,	Guthrie,	McNally,	Snyder,
Brothers,	Gyger,	Mihm,	Sollenberger
Brown,	Haberlen,	Mikula,	Sorg,
Brunner, C. H.,	Hall,	Miller,	Stank,
Brunner, P. A.,	Hamilton,	Mills,	Stockham,
Burns,	Hare,	Mooney,	Stonier,
Chervenak,	Haudenshield,	Moore, C. E.,	Stuart,
Cohen,	Heatherington,	Moran,	Swope,

Coleman,	Helm,	Moser.	Tate,
Cook,	Hennihan,	Murray, P. G.,	Tittle,
Cooper,	Hersch,	Myhan,	Trent,
Corrigan,	Hewitt,	Nagel,	Trout,
Costa,	Hoffman,	Nelson,	Turbett,
Coulson,	Howells,	O'Connor.	Turner,
Cullen,	Hunter,	O'Donnell,	Verona,
Dague,	Huntley,	O'Neill,	Wachhaus,
Dalrymple,	James,	Owens,	Wagner,
Dennison,	Jones,	Pentrack,	Waterhouse,
Depuy,	Kennedy,	Pickens,	Watkins,
Dix,	Kirley,	Polaski,	Weiss,
Dougherty,	Kline,	Polen,	Welsh,
Duffy,	Komorofski,	Powers,	Wescott,
Dye,	Krise,	Propert,	White,
Elder,	Kurtz,	Readinger,	Wood, N.,
Elish,	Lane,	Reagan,	Worley,
Erb,	Laughner,	Reese, D. P.,	Wright,
Ewing,	Leisey,	Reese, R. E.,	Yeakel,
Finnerty,	Leonard,	Reidenbach,	Yester,
Flack,	Lichtenwalter,	Reilly,	Fiss,
Fleming,	Loftus,	Reynolds,	Speaker.
Foor,	Longo,		

NAYS—0

NOT VOTING—37

Bentley,	Green,	Lyons,	Regan,
Boies,	Hering,	Matthews,	Root,
Boory,	Herman,	McLanahan,	Rose,
Chudoff,	Hoggard,	Milliken,	Salus,
Coyle,	Hoopes,	Modell,	Scanlon,
Dillon,	Kolankiewicz,	Munley,	Skale,
Gallagher,	Lee,	O'Brien,	Tahl,
Gore,	Levy,	Petrosky,	Trachtman,
Grant,	Lopez,	Pettigrew,	Varallo,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1135, as follows:

An Act conferring upon counties of the second class power to enter upon private property and open and maintain drainage channels along county roads or highways and providing penalty for interference with such drains or ditches.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In the construction reconstruction or maintenance of any county road or highway in counties of the second class the said counties are hereby authorized and empowered to enter upon private property for the purpose of constructing reconstructing or maintaining storm water drains ditches or channels and the inlets and outlets thereto

Section 2 Any damages sustained by the owner or owners of land entered upon by any of the said counties shall be paid by the county or counties within which said property is located The determination of the amount of damage shall be in accordance with existing laws relative to determination of damages for the location relocation construction reconstruction etc of county roads

Section 3 If any person shall stop fill up or injure any such drain channel or ditch or the inlets or outlets thereto or shall divert or change the course thereof without any authority of the proper county or shall be responsible for the same and does not eliminate or remove such obstruction of or interference with said drains channels ditches etc upon ten (10) days notice in writing from the county so to do then and in that case such person shall upon summary conviction in an action before any magistrate alderman or justice of the peace be sentenced to pay a fine or penalty of ten dollars ($10) for every such offense together with the costs of prosecution and such fines as shall be imposed shall be paid to the treasurer of the proper county Every day's violation after written notice has been received by the proper person shall constitute a separate offense Provided however that nothing herein contained shall limit or deprive the said counties of any other remedy which they may now or in the future have in law or equity

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—164

Andrews,	Fox,	Lovett,	Riley,
Baker,	Freed,	Madden,	Robertson,
Barrett,	Frost,	Madigan,	Royer,
Barton,	Fullerton,	Mahany,	Rudisill,
Baumunk,	Gaffney,	McAtee,	Schuster,
Bentzel,	Gardner,	McClester,	Serrill,
Bonawitz,	Getchey,	McCormack,	Shaffer,
Boney,	Gibson,	McDowell,	Shoemaker,
Bower,	Goodling,	McKinney,	Sloan,
Brancato,	Greenwood,	McMillen,	Smith,
Breisch,	Greer,	McNair,	Snider,
Brice,	Guthrie,	McNally,	Snyder,
Brothers,	Gyger,	Mihm,	Sollenberger,
Brown,	Haberlen,	Mikula,	Sorg,
Brunner, C. H.,	Hall,	Miller,	Stank,
Brunner, P. A.,	Hamilton,	Mills,	Stockham,
Burns,	Hare,	Mooney,	Stonier,
Chervenak,	Haudenshield,	Moore, C. E.,	Stuart,
Cohen,	Heatherington,	Moran,	Swope,
Coleman,	Helm,	Moser,	Tate,
Cook,	Hennihan,	Murray, P. G.,	Tittle,
Cooper,	Hersch,	Myhan,	Trent,
Corrigan,	Hewitt,	Nagel,	Trout,
Costa,	Hoffman,	Nelson,	Turbett,
Coulson,	Howells,	O'Connor,	Turner,
Cullen,	Hunter,	O'Donnell,	Verona,
Dague,	Huntley,	O'Neill,	Wachhaus,
Dalrymple,	James,	Owens,	Wagner,
Dennison,	Jones,	Pentrack,	Waterhouse,
Depuy,	Kennedy,	Pickens,	Watkins,
Dix,	Kirley,	Polaski,	Weiss,
Dougherty,	Kline,	Polen,	Welsh,
Duffy,	Komorofski,	Powers,	Wescott,
Dye,	Krise,	Propert,	White,
Elder,	Kurtz,	Readinger,	Wood, N.,
Elish,	Lane,	Reagan,	Worley,
Erb,	Laughner,	Reese, D. P.,	Wright,
Ewing,	Leisey,	Reese, R. E.,	Yeakel,
Finnerty,	Leonard,	Reidenbach,	Yester,
Flack,	Lichtenwalter,	Reilly,	Fiss,
Fleming,	Loftus,	Reynolds,	Speaker.
Foor,	Longo,		

NAYS—0

NOT VOTING—37

Bentley,	Green,	Lyons,	Regan,
Boies,	Hering,	Matthews,	Root,
Boory,	Herman,	McLanahan,	Rose,
Chudoff,	Hoggard,	Milliken,	Salus,
Coyle,	Hoopes,	Modell,	Scanlon,
Dillon,	Kolankiewicz,	Munley,	Skale,
Gallagher,	Lee,	O'Brien,	Tahl,
Gore,	Levy,	Petrosky,	Trachtman,
Grant,	Lopez,	Pettigrew,	Varallo,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1232, as follows:

An Act to amend section nine hundred ten of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing that in the case of a candidate for nomination as a judge of a court of record who is in the armed service in time of war the affidavit to his nomination petition may be made by the chairman of the political party

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section nine hundred ten of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" is hereby amended to read as follows

Section 910 Affidavits of Candidates Each candidate for any State county city borough incorporated town township ward school district poor district election district party office party delegate or alternate or for the officer of United States Senator or Representative in Congress shall file with his nomination petition his affidavit stating (a) his residence with street and number if any and his post-office address (b) his election district giving city borough town township (c) the name of the office for which he consents to be a candidate (d) that he is eligible for such office (e) that he will not knowingly violate any provision of this act or of any law regulating and limiting nomination and election expenses and prohibiting corrupt practices in connection therewith (f) unless he is a candidate for judge of a court or record that he is not a candidate for nomination for the same office of any party other than the one designated in such petition and (g) if he is a candidate for a delegate or alternate delegate member of State committee National committee of party office that he is a registered and enrolled member of the designated party In cases of petitions of candidates for nomination for judge of a court of record it shall not be necessary for a candidate who is in the armed service of the United States or a prisoner of war during any war in which the United States is engaged to file the affidavit required in this section to be filed by candidates but the petition may be signed by the chairman of any political party In cases of petitions for delegate and alternate delegate to National conventions the candidate's affidavit shall state that his signature to the delegate's statement as hereinafter set forth if such statement is signed by said candidate was affixed to the sheet or sheets of said petition prior to the circulation of same In the case of a candidate for nomination as President of the United States it shall not be necessary for such candidate to file the affidavit required in this section to be filed by candidates but the post-office address of such candidate shall be stated in such nomination petition

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—164

Andrews,	Foor,	Longo,	Riley,
Baker,	Fox,	Madden,	Robertson,
Barrett,	Freed,	Madigan,	Royer,
Barton,	Frost,	Mahany,	Rudisill,
Baumunk,	Fullerton,	McAtee,	Schuster,
Bentzel,	Gaffney,	McClester,	Serrill,
Bonawitz,	Gardner,	McCormack,	Shaffer,
Boney,	Getchey,	McDowell,	Shoemaker,
Bower,	Gibson,	McKinney,	Sloan,
Brancato,	Goodling,	McMillen,	Smith,
Breisch,	Greenwood,	McNair,	Snider,
Brice,	Greer,	McNally,	Snyder,
Brothers,	Guthrie,	Mihm,	Sollenberger,
Brown,	Gyger,	Mikula,	Sorg,
Brunner, C. H.,	Haberlen,	Miller,	Stank,
Brunner, P. A.,	Hall,	Mills,	Stockham,
Burns,	Hamilton,	Mooney,	Stonier,
Chervenak,	Hare,	Moore, C. E.,	Stuart,
Cohen,	Haudenshield,	Moran,	Swope,
Coleman,	Heatherington,	Moser,	Tate,
Cook,	Helm,	Murray, P. G.,	Tittle,
Cooper,	Hennihan,	Myhan,	Trent,
Corrigan,	Hersch,	Nagel,	Trout,
Costa,	Hewitt,	Nelson,	Turbett,
Coulson,	Hoffman,	O'Connor,	Turner,
Cullen,	Howells,	O'Donnell,	Verona,
Dague,	Hunter,	O'Neill,	Wachhaus,
Dalrymple,	Huntley,	Owens,	Wagner,
Dennison,	James,	Pentrack,	Waterhouse,
Depuy,	Jones,	Pickens,	Watkins,
Dillon,	Kennedy,	Polaski,	Weiss,
Dix,	Kirley,	Polen,	Welsh,
Dougherty,	Kline,	Powers,	Wescott,
Duffy,	Komorofski,	Propert,	White,
Dye,	Krise,	Readinger,	Wood, N.,
Elder,	Kurtz,	Reagan,	Worley,
Elish,	Lane,	Reese, D. P.,	Wright,
Erb,	Laughner,	Reese, R. E.,	Yeakel,
Ewing,	Leisey,	Reidenbach,	Yester,
Finnerty,	Leonard,	Reilly,	Fiss,
Flack,	Lichtenwalter,	Reynolds,	Speaker.
Fleming,	Loftus,		

NAYS—0

NOT VOTING—37

Bentley,	Hering,	Lyons,	Regan,
Boles,	Herman,	Matthews,	Root,
Boory,	Hoggard,	McLanahan,	Rose,
Chudoff,	Hoopes,	Milliken,	Salus,
Coyle,	Kolankiewicz,	Modell,	Scanlon,
Gallagher,	Lee,	Munley,	Skale,
Gore,	Levy,	O'Brien,	Tahl,
Grant,	Lopez,	Petrosky,	Trachtman,
Green,	Lovett,	Pettigrew,	Varallo,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 184, as follows:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in the Thirty-Fifth Ward in the City of Philadelphia Commonwealth of Pennsylvania known as the Naval Aviation Supply Depot and ceding jurisdiction to the United States

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The consent of the Commonwealth of Pennsylvania is hereby granted in accordance with the seventeenth clause eighth section of the first article of the Constitution of the United States to the acquisition by the United States of America of a certain tract of land in the Thirty-Fifth Ward in the City and County of Philadelphia containing one hundred eighteen and five thousand two hundred seventy-one ten thousandths (118.5271) acres more or less bounded and described as follows

Beginning at a point formed by the intersection of the southwest side of Cheltenham Avenue 70′ wide with the southeast side of Tabor Avenue 80′ wide thence along the southeast side of Tabor Avenue crossing the bed of Cheltenham Avenue and Van Kirk Street north 44° 10′ 14″ east 1142′ 3-3/8° to a point on the southwest side of Comly Street 60′ wide thence north 47° 41′ 08″ east crossing the bed of Comly Street 60′ 11-1/8″ to a point on the northeast side of Comly Street thence along the southeast side of Tabor Avenue crossing the bed of Benner Street north 37° 41′ 53″ east 1049′ 9-7/8″ to a point on the southwest side of Devereaux Avenue 100′ wide thence north 31° 59′ 56″ east crossing the bed of Devereaux Avenue 100′ 8-3/8″ to a point on the northeast side of Devereaux Avenue at its intersection with the southeast side of Tabor Avenue 60′ wide thence along the southeast side of Tabor Avenue crossing the bed of Robbins Street North 37° 41′ 53″ east 924′ 11-7/8″ to a point said point being 100′ southwest from the southwest side of Levick Street 70′ wide thence south 51° 18′ 07″ east 250′ to a point on the northwest side of Claridge Street 50′ wide thence along the northwest side of Claridge Street south 37° 41′ 53″ west 64′ to a point thence south 52° 18′ 07″ east crossing the bed of Claridge Street 50′ to a point on the southeast side of Claridge Street thence along the southeast side of Claridge Street north 37° 41′ 53″ east 31′ 0-58″ to a point on the northeast side of a certain 15′ wide driveway thence along the northeast side of the said 15′ wide driveway south 25° 48′ 15″ east 213′ 0-5/8″ to a point an angle thence still along the northeast side of the said driveway south 52° 18′ 07″ east 64′ 4″ to a point on the northwest side of Montour Street 60′ wide thence along the northwest side of Montour Street south 37° 41′ 53″ west 62′ 2″ to a point thence south 52° 18′ 07″ east crossing the bed of Montour Street 60′ to a point on the southeast side of Montour Street thence along the southeast side of Montour Street north 37° 41′ 53″ east 16′ 0-5/8″ to a point in the northeast side of a 15′ wide driveway Said point being 96′ 3-1/2″ southwest from the southwest side of Martins Mill Road 50′ wide thence along the northeast side of the said 15′ wide driveway the two following courses and distances South 31° 28′ 52″ east 118′ 9-1/8″ and south 35° 18′ 59″ east 139′ 8″ to a point thence north 50° 31′ 08″ east 80′ 8-3/4″ to a point on the southwest side of Martins Mill Road 50′ wide thence along the southwest side of Martins Mill Road south 31″ 28′ 52″ east 376′ 3-1/8″ to a point on the northwest side of Whitaker Avenue 100′ wide thence along the northwest side of Whitaker Avenue crossing the bed of Robbins Street south 37° 41′ 53″ west 139′ 10-1/2″ to a point on the southwest side of Robbins Street 60′ wide thence along the southwest side of Robbins Street crossing the bed of Whitaker Avenue south 52° 18′ 07″ east 156′ 4-1/8″ to a point on the west side of Oxford Avenue 70′ wide thence along the west side of Oxford Avenue south 8° 15′ 07″ east 389′ 1-7/8″ to a point in the northwesterly boundary line of the land of Philadelphia Electric Company thence along the said right of way line south 45° 03′ 53″ west 165′ 5-1/4″ to a point thence north 50° 55′ 56″ west 30′ 1-7/7″ to a point thence still along the right of way of the said railway south 45° 03′ 53″ west crossing the bed of Devereaux Avenue Benner Street Comly Street and VanKirk Street 1944′ 8-1/8″ to a point of curve thence on a curved line bearing to the left with a radius 11,530′ 6-5/8″ crossing the bed of Cheltenham Avenue and Sanger Street a distance of 1026′ 5″ to a point on the southwest side of Sanger Street 70′ wide thence along the southwest side of Sanger Street north 52° 18′ 07″ west 291′ 2-1/2″ to a point on the southeast side of Whitaker Avenue 100′ wide thence along the southeast side of Whitaker Avenue south 39° 10′ 13″ west 419′ 7-5/8″ to a point on the northeast side of Godfrey Avenue 80′ wide thence south 36° 19′ 43″ west 40′ 4″ to a point on the center line of Godfrey Avenue thence along said center line of Godfrey Avenue north 46° 16′ 58″ west 19′ 10-1/4″ to a point thence north 46° 16′ 04″ west 32′ 3-3/4″ to a point in the center line of Whitaker Avenue 100′ wide thence along said center line north 39° 10′ 13″ east 410′ 4-3/4″ to a point thence north 52° 37′ 39″ west crossing the bed of Montour Street 532′ 8″ to a point on the northwest side of Montour Street 60′ wide thence along the northwest side of Montour Street crossing the bed of Sanger Street north 37° 10′ 14″ east 621′ 0-3/8″ to a point on the southwest side of Cheltenham Avenue 70′ wide thence along the southwest side of Cheltenham Avenue north 52° 18′ 07″ west 612′ 6 1/8″ to a point on the southeast side of Tabor Avenue first mentioned point and place of beginning

Section 2 Exclusive jurisdiction in and over the aforesaid lands is hereby ceded to the United States of America by the Commonwealth of Pennsylvania for the erection of forts magazines arsenals dock yards and other needful buildings with the exception of roads abutting on said lands to be used by the United States for military and other public purposes which are not already under the jurisdiction of the United States

Section 3 The jurisdiction so ceded to the United States of America is granted upon the express condition that the Commonwealth of Pennsylvania shall retain concurrent jurisdiction with the United States in and over the lands and buildings aforesaid in so far that civil process in all cases and such criminal process as may issue under the authority of the Commonwealth of Pennsylvania against anyone charged with crime committed outside said land may be executed thereon in the same manner as if this jurisdiction had not been ceded The United States shall retain such jurisdiction so long as the said land shall be used for the purposes for which jurisdiction is ceded and no longer

Section 4 The jurisdiction so ceded to the United States shall be upon the further condition that the Commonwealth reserves to itself and its political subdivisions whatever power of taxation it may constitutionally reserve to levy and collect all taxes now or hereafter imposed by the Commonwealth and its political subdivisions upon property persons and franchises within the boundaries so ceded

Section 5 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—164

Andrews,	Fox,	Lovett,	Riley,
Baker	Freed	Madden,	Robertson,
Barrett,	Frost,	Madigan,	Royer,
Barton,	Fullerton,	Mahany,	Rudisill,
Baumunk,	Gaffney,	McAtee,	Schuster,
Bentzel	Gardner	McClester,	Serrill,
Bonawitz,	Getchey,	McCormack,	Shaffer,
Boney,	Gibson,	McDowell,	Shoemaker,
Bower	Goodling,	McKinney,	Sloan,
Brancato,	Greenwood,	McMillen,	Smith,
Breisch,	Greer,	McNair,	Snider,
Brice,	Guthrie,	McNally,	Snyder,
Brothers,	Gyger,	Mihm,	Sollenberger,
Brown,	Haberlen,	Mikula,	Sorg,

Brunner, C. H.,	Hall,	Miller,	Stank,
Brunner, P. A.,	Hamilton,	Mills,	Stockham,
Burns,	Hare,	Mooney,	Stonier,
Chervenak,	Haudenshield,	Moore, C. E.,	Stuart,
Cohen,	Heatherington,	Murray, P. G.,	Swope,
Coleman,	Helm,	Moran,	Tate,
Cook,	Hennihan,	Moser,	Tittle,
Cooper,	Hersch,	Myhan,	Trent,
Corrigan,	Hewitt,	Nagel,	Trout,
Costa,	Hoffman,	Nelson,	Turbett,
Coulson,	Howells,	O'Connor,	Turner,
Cullen,	Hunter,	O'Donnell,	Verona,
Dague,	Huntley,	O'Neill,	Wachhaus,
Dalrymple,	James,	Owens,	Wagner,
Dennison,	Jones,	Pentrack,	Waterhouse,
Depuy,	Kennedy,	Pickens,	Watkins,
Dix,	Kirley,	Polaski,	Weiss,
Dougherty,	Kline,	Polen,	Welsh,
Duffy,	Komorofski,	Powers,	Wescott,
Dye,	Krise,	Propert,	White,
Elder,	Kurtz,	Readinger,	Wood, N.,
Elish,	Lane,	Reagan,	Worley,
Erb,	Laughner,	Reese, D. P.,	Wright,
Ewing,	Leisey,	Reese, R. E.,	Yeakel,
Finnerty,	Leonard,	Reidenbach,	Yester,
Flack,	Lichtenwalter,	Reilly,	Fiss,
Fleming,	Loftus,	Reynolds,	Speaker.
Foor,	Longo,		

NAYS—0

NOT VOTING—37

Bentley,	Green,	Lyons,	Regan,
Boies,	Hering,	Matthews,	Root,
Boory,	Herman,	McLanahan,	Rose,
Chudoff,	Hoggard,	Milliken,	Salus,
Coyle,	Hoopes,	Modell,	Scanlon,
Dillon,	Kolankiewicz,	Munley,	Skale,
Gallagher,	Lee,	O'Brien,	Tahl,
Gore,	Levy,	Petrosky,	Trachtman,
Grant,	Lopez,	Pettigrew,	Varallo,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 185, as follows:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately twenty-seven acres of land in the Twenty-Sixth and Forty-Eighth Wards in the City of Philadelphia known as the Naval Hospital and ceding jurisdiction to the United States

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The consent of the Commonwealth of Pennsylvania is hereby granted in accordance with the seventeenth clause eighth section of the first article of the Constitution of the United States to the acquisition by the United States of America of two tracts of land tract number one being in the Forty-Eighth Ward and consisting of eight (8) parcels known as parcels A B C D L M N and O as follows

Parcel "A" containing 2.74380 acres more or less bounded and described as follows

Beginning at a point on the southeasterly side of 20th Street (108' wide) at the distance of 6 feet southwestwardly from the southwesterly side of Hartranft Street (88' wide) thence extending S 75° 00' E parallel with Hartranft Street crossing Uber Street former 19th Street and the northwesterly side of the present 19th Street 664 feet to the point in the bed of the present 19th Street thence extending S 15° 00' W parallel to 19th Street through the bed of the same 180 feet to a point thence extending N 75° 00' W recrossing the northwesterly side of the present 19th Street the beds of former 19th Street and Uber Street 665 feet to a point on the Southeasterly side of 20th Street aforesaid thence along the said side of 20th Street N 15° 00' E 180 feet to the first mentioned point and place of beginning

Parcel "B" containing 0.93643 acres more or less bounded and described as follows

Beginning at a point on the southeasterly side of 20th Street (108' wide) at the distance of 186 feet southwestwardly from the southwesterly side of Hartranft Street (88' wide) thence S 75° 00' E parallel with Hartranft Street and crossing the beds of Uber Street former 19th Street and the present 19th Street 673 feet to a point on the southeasterly side of the present 19th Street thence S 15° 00' W along the said side of 19th Street 117.33 to a point thence N. 57° 13' W recrossing the bed of 19th Street and the southeasterly side of former 19th Street 272.785 feet to a point thence N 79° 33' 27° W recrossing the northwesterly side of 19th Street and Uber Street 414.560 feet to a point on the southeasterly side of 20th Street aforesaid thence along the said side of 20th Street N 15° 00' E 67.360 feet to the first mentioned point the place of beginning

Parcel "C" containing 9.14321 acres more or less bounded and described as follows

Beginning at the point formed by the intersection of the northeasterly side of Pattison Avenue (120' wide) with the southeasterly side of 20th Street (108' wide) thence along the said side of 20th Street N 15° 00' E 592.640 feet to a point thence S 79° 33' 27" E crossing Uber Street and the northwesterly side of former 19th Street 414.560 feet to a point thence S 57° 13' E crossing the southeasterly side of former 19th Street and also the bed of the present 19th Street 272,785 feet to a point on the southeasterly side of the present 19th Street thence S 15° 00' W along the said side of 19th Street 400.178 feet to a point thence S 41° 51' 11" W recrossing the bed of 19th Street 159.264 feet to a point on the northeasterly side of Pattison Avenue aforesaid thence along the said side of Pattison Avenue N 75° W recrossing the bed of Uber Street 601.061 feet to the first mentioned point and place of beginning

Parcel "D" containing 0.11733 acres more or less bonded and described as follows

Beginning at the point formed by the intersection of the northeasterly side of Pattison Avenue (120' wide) with the southeasterly side of 19th Street (64' wide) thence N 75° 00' W along the said side of Pattison Avenue crossing the bed of 19th Street 71.939 feet to a point thence N 41° 51' 11" E recrossing the bed of 19th Street 159.264 feet to a point in the southeasterly side of the same thence S 15° 00' W along the same 142.089 feet to the first mentioned point and place of beginning

Parcel "L" containing .01860 acres more or less bonded and described as follows

Beginning at a point on the southeasterly side of 19th Street (64' wide) at the distance of 6 feet southwestwardly from the southwesterly side of Hartranft Street (88' wide) thence S 15° 00' W along the said side of 19th Street 90 feet to a point thence 75° 00' W 9 feet to a point in the bed of 19th Street thence N 15° 00' E through the bed of 19th Street 90 feet to a point thence S 75° 00' E 9 feet to the first mentioned point and place of beginning

Parcel "M" containing 0.01653 acres more or less bounded and described as follows

Beginning at a point on the southeasterly side of 19th Street (64' wide) at the distance of 96 feet southwestwardly from the southwesterly side of Hartranft Street (88' wide) thence S 15° 00' W along the said side of 19th Street 90 feet to a point thence N 75° 00' W 8 feet to a point in the bed of 19th Street thence N 15° 00' E through the bed of 19th Street 90 feet to a point thence S 75° 00' E 8 feet to the first mentioned point and place of beginning

Parcel "N" containing 0.00207 acres more or less bound and described as follows

Beginning at a point in the bed of 19th Street (64′ wide) said point being at the distance of 96 feet southwestwardly from the southwesterly side of Hartranft Street (88′ wide) on a line at right angles thereto and said point also being 8 feet northwestwardly from the southeasterly side of 19th Street on a line at right angles thereto thence S 15° 00′ W through the bed of 19th Street 90 feet to a point thence N 75° 00′ W 1 foot to a point thence N 15° 00′ E through the bed of 19th Street 90 feet to a point thence S 75° 00′ E 1 foot to the first mentioned point and place of beginning

Parcel "O" containing 0.09270 acres more or less bounded and described as follows

Beginning at the point formed by the intersection of the southeasterly side of 20th Street (108′ wide) with the southwesterly side of Hartranft Street (88′ wide) thence S 75° 00′ E along the said side of Hartranft Street crossing the bed of Uber Street former 19th Street and also the bed of the present 19th Street 673 feet to a point on the southeasterly side of the present 19th Street (64′ wide) thence S 15° 00′ W along the said side of 19th Street 6 feet to a point thence N 75° 00′ W recrossing the beds of the present 19th Street former 19th Street and Uber Street 673 feet to a point on the southeasterly side of 20th Street aforesaid thence N 15° 00′ E along the said side of 20th Street 6 feet to the first mentioned point and place of beginning

Tract number two being in the Twenty-Sixth Ward and consisting of seven (7) parcels known as parcels E F G H I J and K as follows

Parcel "E" containing 6.67660 acres more or less bounded and described as follows

Beginning at the point formed by the intersection of the northwesterly side of Broad Street with the center line of Hoyt Street (60′ wide) thence N 75° 00′ W along the center line of Hoyt Street crossing the beds of 15th and 16th Streets 699.50 feet to a point on the northwesterly side of 16th Street thence N 15° 00′ E along along the said side of 16th Street crossing the northeasterly side of Hoyt Street 416 feet to a point on the southwesterly side of Hartranft Street (88′ wide) thence S 75° 00′ E along the said side of Hartranft Street recrossing the beds of 16th and 15th Streets 673 feet to a point thence S 15° W 6 feet to a point thence S 75° 00′ E 26.50 feet to a point on the northwesterly side of Broad Street aforesaid thence S 15° 00′ W along the said side of Broad Street recrossing the northeasterly side of Hoyt Street 410 feet to the first mentioned point and place of beginning

Parcel "F" containing 0.00365 acres more or less bounded and described as follows

Beginning at the point formed by the intersection of the northwesterly side of Broad Street with the Southwesterly side of Hartranft Street (88′ wide) thence along the said side of Broad Street S 15° 00′ W 26.50 feet to a point thence N 15° 00′ E 6 feet to a point on the southwesterly side of Hartranft Street aforesaid thence along the said side of Hartranft Street S 75° 00′ E 26.50 feet to the first mentioned point and place of beginning

Parcel "G" containing 1.3823 acres more or less bounded and described as follows

Beginning at the point formed by the intersection of the northwesterly side of Broad Street with the southwesterly side of Hoyt Street (60′ wide) thence N 75° 00′ W along the said side of Hoyt Street 147 feet to a point thence S 15° 00′ W 71 feet to a point thence N 75° 00′ W crossing the beds of 15th and 16th Streets 552.50 feet to a point on the northwesterly side of 16th Street thence N 15° 00′ E along the said side of 16th Street 101 feet to a point on the center line of Hoyt Street thence S 75° 00′ E along the center line of Hoyt Street and recrossing the beds of 16th and 15th Streets 699.50 feet to a point on the northwesterly side of Broad Street aforesaid thence S 15° 00′ W along the said side of Broad Street 30 feet to the first mentioned point and place of beginning

Parcel "H" containing 0.10432 acres more or less bounded and described as follows

Beginning at a point on the southwesterly side of Hoyt Street (60′ wide) at the distance of 83 feet northwestwardly from the Northwesterly side of Broad Street thence S 15° 00′ W 71 feet to a point thence N 75° 00′ W 64 feet to a point thence N 15° 00′ E 17 feet to a point on the southwesterly side of Hoyt Street aforesaid thence S 75° 00′ E along the said side of Hoyt Street 64 feet to the first mentioned point and place of beginning

Parcel "I" containing 0.13528 acres more or less bounded and described as follows

Beginning at the point formed by the intersection of the northwesterly side of Broad Street with the southwesterly side of Hoyt Street (60′ wide) thence S 15° 00′ W along the said side of Broad Street 71 feet to a point thence N 75° 00′ W 83 feet to a point thence N 15° 00′ E 71 feet to a point on the southwesterly side of Hoyt Street aforesaid thence S 75° 00′ E along the said side of Hoyt Street 83 feet to the first mentioned point and place of beginning

Parcel "J"" containing 4,6918 acres more or less bounded and described as follows

Beginning at the point formed by the intersection of the northwesterly side of Broad Street with the northeasterly side of Pattison Avenue (120′ wide) thence N 75° 00′ along the said side of Pattison Avenue and crossing the bed of 15th Street 524.104 feet to a point thence No 4° 10′ E 8.942 feet to a point thence N 10° 46′ E 59.424 feet to a point thence N 26° 20′ E 52 feet to a point thence N 57° 13′ W crossing the bed of 16th Street 188.558 feet to a point on the northwesterly side of 16th Street thence N 15° 00′ E along the said side of 16th Street 152.381 feet to a point thence S 75° 00′ E recrossing the beds of 16th and 15th Streets 699.50 feet to a point on the northwesterly side of Broad Street aforesaid thence S 15° 00′ W along the said side of Broad Street 329 feet to the first mentioned point and place of beginning

Parcel "K" containing 0.5914 acres more or less bounded and described as follows

Beginning at the point formed by the intersection of the northeasterly side of Pattison Avenue (120′ wide) with the northwesterly side of 16th Street 50 feet wide thence No 15° 00′ E along the said side of 16th Street 176.619 feet to a point thence S 57° 13′ E crossing the bed of 16th Street aforesaid 188.558 feet to a point thence S 26° 20′ W 52 feet to a point thence S 10° 46′ W 59.424 feet to a point thence S 4° 10′ W 8.942 feet to a point on the northeasterly side of Pattison Avenue aforesaid thence N 75° 00′ W along the said side of Pattison Avenue and recrossing the bed of 16th Street 175.396 feet to the first mentioned point and place of beginning

Section 2 Exclusive jurisdiction in and over the aforesaid lands is hereby ceded to the United States of America by the Commonwealth of Pennsylvania for the erection of forts magazines arsenals dock yards and other needful buildings with the exception of roads abutting on said lands to be used by the United State for military and other public purposes which are not already under the jurisdiction of the United States

Section 3 The jurisdiction so ceded to the United States of America is granted upon the express condition that the Commonwealth of Pennsylvania shall retain concurrent jurisdiction with the United States in and over the lands and buildings aforesaid in so far that civil process in all cases and such criminal process as may issue under the authority of the Commonwealth of Pennsylvania against anyone charged with crime committed outside said land may be executed thereon in the same manner as if this jurisdiction had not been ceded The United States shall retain such jurisdiction so long as the said land shall be used for the purposes for which jurisdiction is ceded and no longer

Section 4 The jurisdiction so ceded to the United States shall be upon the further condition that the Commonwealth reserves to itself and its political subdivisions whatever power of taxation it may constitutionally reserve to levy and collect all taxes now or hereafter imposed by the Commonwealth and its political sub-

divisions upon property persons and franchises within the boundaries so ceded

Section 5 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—164

Andrews,	Fox,	Longo,	Riley,
Baker,	Freed,	Madden,	Robertson,
Barrett,	Frost,	Madigan,	Royer,
Barton,	Fullerton,	Mahany,	Rudisill,
Baumunk,	Gaffney,	McAtee,	Schuster,
Bentzel,	Gardner,	McClester,	Serrill,
Bonawitz,	Getchey,	McCormack,	Shaffer,
Boney,	Gibson,	McDowell,	Shoemaker,
Bower,	Goodling,	McKinney,	Sloan,
Brancato,	Greenwood,	McMillen,	Smith,
Breisch,	Greer,	McNair,	Snider,
Brice,	Guthrie,	McNally,	Snyder,
Brothers,	Gyger,	Mihm,	Sollenberger,
Brown,	Haberlen,	Mikula,	Sorg,
Brunner, C. H.,	Hall,	Miller,	Stank,
Brunner, P. A.,	Hamilton,	Mills,	Stockham,
Burns,	Hare,	Mooney,	Stonier,
Chervenak,	Haudenshield,	Moore, C. E.,	Stuart,
Cohen,	Heatherington,	Moran,	Swope,
Coleman,	Helm,	Moser,	Tate,
Cook,	Hennihan,	Murray, P. G.,	Tittle,
Cooper,	Hersch,	Myhan,	Trent,
Corrigan,	Hewitt,	Nagel,	Trout,
Costa,	Hoffman,	Nelson,	Turbett,
Coulson,	Howells,	O'Connor,	Turner,
Cullen,	Hunter,	O'Donnell,	Verona,
Dague,	Huntley,	O'Neill,	Wachhaus,
Dalrymple,	James,	Owens,	Wagner,
Dennison,	Jones,	Pentrack,	Waterhouse,
Depuy,	Kennedy,	Pickens,	Watkins,
Dix,	Kirley,	Polaski,	Weiss,
Dougherty,	Kline,	Polen,	Welsh,
Duffy,	Komorofski,	Powers,	Wescott,
Dye,	Krise,	Propert,	White,
Elder,	Kurtz,	Readinger,	Wood, N.,
Elish,	Lane,	Reagan,	Worley,
Erb,	Laughner,	Reese, D. P.,	Wright,
Ewing,	Leisey,	Reese, R. E.,	Yeakel,
Finnerty,	Leonard,	Reidenbach,	Yester,
Flack,	Lichtenwalter,	Reilly,	Fiss,
Fleming,	Loftus,	Reynolds,	Speaker.
Foor,			

NAYS—0

NOT VOTING—37

Bentley,	Hering,	Lyons,	Regan,
Boles,	Herman,	Matthews,	Root,
Boory,	Hoggard,	McLanahan,	Rose,
Chudoff,	Hoopes,	Milliken,	Salus,
Coyle,	Kolankiewicz,	Modell,	Scanlon,
Dillon,	Lee,	Munley,	Skale,
Gallagher,	Levy,	O'Brien,	Tahl,
Gore,	Lopez,	Petrosky,	Trachtman,
Grant,	Lovett,	Pettigrew,	Varallo,
Green,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 186, as follows:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately sixty-five acres of land in the Fortieth Ward of the City of Philadelphia known as the Naval Ammunition Depot at Fort Mifflin and ceding jurisdiction to the United States

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The consent of the Commonwealth of Pennsylvania is hereby granted in accordance with the seventeenth clause eighth section of the first article of the Constitution of the United States to the acquisition by the United States of America of two parcels of land in the Fortieth Ward of the City of Philadelphia known as the Naval Ammunition Depot at Fort Mifflin the first parcel consisting of Tracts 4 5 and 6A containing 49.0823 acres more or less bounded and described as follows

Beginning at the most Northerly corner of Tract No 1 of the lands under condemnation by the United States of American (Civil 2811 filed October 8 1942) said point being in the center line of Fort or Fort Mifflin Road a distance of 192-126 feet along the center line of said road on a bearing South 29° 31′ 41″ East from an angle in said road thence South 46° 39′ 19″ West with the westerly line of said lands under condemnation 52.751 feet to a point thence South 30° 28′ 00″ West with the westerly line of said lands under condemnation 1943.000 feet to a point thence leaving said lands and across the lands of the City of Philadelphia North 56° 21′ 28″ West 550.824 feet to the most southerly corner of the land of Mary Louise Lowrey thence North 43° 24′ 15″ West with the southerly line of said Lowrey lands 210.836 feet to the most southerly corner of the lands of Edgar N Black and Daniel N Black thence continuing North 43° 24′ 15″ West with the southerly line of the lands of said Edgar N Black and Daniel N Black 41.049 feet to a point in the center line of the 20 foot wide macadam roadway known as Hog Island Road thence North 25° 45′ 24″ East 54.453 feet to an angle in said road thence North 3° 13′ 10″ East with said center line 564.419 feet to an angle in said road thence North 6° 07′ 52″ East with said center line 273.901 feet to the Northwesterly line of the lands of Edgar N Black and Daniel N Black thence North 46° 39′ 19″ East with said northwesterly line 1583.992 feet to a point in the center line of Fort Mifflin Road aforementioned said point being 1487.122 feet southeasterly along said Fort Mifflin Road from the southeasterly line of Penrose Ferry Road thence South 29° 17′ 41″ East with the center line of said Fort Mifflin Road 645.827 feet to the most northerly corner of the lands of Mary Louise Lowrey thence continuing South 29° 17′ 41″ East with said center line 25.017 feet to an angle in said road thence South 29° 31′ 41″ East with said center line 192.126 feet to the point of beginning

The second parcel consisting of Tract 9A containing 16.248 acres more or less bounded and described as follows

Beginning at the Northwesterly corner of Tract No 2 of the lands under condemnation by the United States of America (Civil 2811 filed October 8 1942) said point being on the stone bulkhead and pierhead line thence South 39° 20′ 19″ West with the westerly line of said tract and the southwesterly extension thereof 1671.307 feet to a monument in the center line of Fort Mifflin Road said monument marking the northwest corner of the old Lazaretto property thence with said center line North 29° 17′ 41″ West 527.237 feet thence across the lands of the City of Philadelphia North 39° 20′ 19″ East 907.5 feet more or less to an iron pipe thence continuing North 39° 20′ 19″ East a distance of 15.513 feet more or less to a point thence North 39° 20′ 19″ East 186.357 feet more or less to a point thence North 66° 20′ 19″ East 186.357 feet more or less to a point on the stone bulkhead line as approved September 4 1908 on the west bank of the Schuylkill River thence along said stone bulkhead line South 77° 17′ 41″ East 454.636 feet more or less to the point of beginning

Section 2 Exclusive jurisdiction in and over the aforesaid lands is hereby ceded to the United States of America by the Commonwealth of Pennsylvania for the erection of forts magazines arsenals dock yards and other needful buildings with the exception of roads abutting on said lands to be used by the United States for military and other public purposes which are not already under the jurisdiction of the United States

Section 3 The jurisdiction so ceded to the United States of America is granted upon the express condition that the Commonwealth of Pennsylvania shall retain concurrent jurisdiction with the United States in and over the lands and buildings aforesaid in so far that civil process in all cases and such criminal process as may issue under the authority of the Commonwealth of Pennsylvania against anyone charged with crime committed outside said land may be executed thereon in the same manner as if this jurisdiction had not been ceded The United States shall retain such jurisdiction so long as the said land shall be used for the purposes for which jurisdiction is ceded and no longer

Section 4 The jurisdiction so ceded to the United States shall be upon the further condition that the Commonwealth reserves to itself and its political subdivisions whatever power of taxation it may constitutionally reserve to levy and collect all taxes now or hereafter imposed by the Commonwealth and its political subdivisions upon property persons and franchises within the boundaries so ceded

Section 5 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—164

Andrews,	Fox,	Lovett,	Riley,
Baker,	Freed,	Madden,	Robertson,
Barrett,	Frost,	Madigan,	Royer,
Barton,	Fullerton,	Mahany,	Rudisill,
Baumunk,	Gaffney,	McAtee,	Schuster,
Bentzel,	Gardner,	McClester,	Serrill,
Bonawitz,	Getchey,	McCormack,	Shaffer,
Boney,	Gibson,	McDowell,	Shoemaker,
Bower,	Goodling,	McKinney,	Sloan,
Brancato,	Greenwood,	McMillen,	Smith,
Breisch,	Greer,	McNair,	Snider,
Brice,	Guthrie,	McNally,	Snyder,
Brothers,	Gyger,	Mihm,	Sollenberger,
Brown,	Haberlen,	Mikula,	Sorg,
Brunner, C. H.,	Hall,	Miller,	Stank,
Brunner, P. A.,	Hamilton,	Mills,	Stockham,
Burns,	Hare,	Mooney,	Stonier,
Chervenak,	Haudenshield,	Moore, C. E.,	Stuart,
Cohen,	Heatherington,	Moran,	Swope,
Coleman,	Helm,	Moser,	Tate,
Cook,	Hennihan,	Murray, P. G.,	Tittle,
Cooper,	Hersch,	Myhan,	Trent,
Corrigan,	Hewitt,	Nagel,	Trout,
Costa,	Hoffman,	Nelson,	Turbett,
Coulson,	Howells,	O'Connor,	Turner,
Cullen,	Hunter,	O'Donnell,	Verona,
Dague,	Huntley,	O'Neill,	Wachhaus,
Dalrymple,	James,	Owens,	Wagner,
Dennison,	Jones,	Pentrack,	Waterhouse,
Depuy,	Kennedy,	Pickens,	Watkins,
Dix,	Kirley,	Polaski,	Weiss,
Dougherty,	Kline,	Polen,	Welsh,
Duffy,	Komorofski,	Powers,	Wescott,
Dye,	Krise,	Propert,	White,
Elder,	Kurtz,	Readinger,	Wood, N.,
Elish,	Lane,	Reagan,	Worley,
Erb,	Laughner,	Reese, D. P.,	Wright,
Ewing,	Leisey,	Reese, R. E.,	Yeakel,
Finnerty,	Leonard,	Reidenbach,	Yester,
Flack,	Lichtenwalter,	Reilly,	Fiss,
Fleming,	Loftus,	Reynolds,	Speaker.
Foor,	Longo,		

NAYS—0

NOT VOTING—37

Bentley,	Green,	Lyons,	Regan,
Boies,	Hering,	Matthews,	Root,
Boory,	Herman,	McLanahan,	Rose,
Chudoff,	Hoggard,	Milliken,	Salus,
Coyle,	Hoopes,	Modell,	Scanlon,
Dillon,	Kolankiewicz,	Munley,	Skale,
Gallagher,	Lee,	O'Brien,	Tahl,
Gore,	Levy,	Petrosky,	Trachtman,
Grant,	Lopez,	Pettigrew,	Varallo,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 266, as follows:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately two thousand four hundred acres of land in the County of Mercer Commonwealth of Pennsylvania for use in connection with Camp Reynolds and ceding jurisdiction to the United States

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The consent of the Commonwealth of Pennsylvania is hereby granted in accordance with the seventeenth clause eighth section of the first article of the Constitution of the United States to the acquisition by the United States of America of a certain tract of land in Mercer County Pennsylvania for use in connection with a military reservation officially designated Camp Reynolds containing two thousand four hundred thirty-four and fifty-three one hundredths (2434.53) acres more or less bounded and described as follows

Beginning at the intersection of the center line of State Route 18 with the South R/W line of the Erie R R thence along the Southerly R/W line of said R R N 48° 08′ E 907.5 feet to a point thence S 0° 39′ W 27.1 feet to a point thence N 48° 08′ E 1166.9 feet to a point in the center of the Hamburg Road thence along the center line of said road N 27° 06′ W 27.7 feet to a point thence leaving said road and continuing along the Southerly R/W line of the Erie R R N 48° 08′ E 454.4 feet to a point being the beginning of a curve to the left thence Northeasterly 751.1 feet along the arc of a curve to the left with a radius of 2897.93 feet to the point of tangency thence leaving the Southerly R/W line of the Erie R R S 88° 49′ E 603.7 feet to an angle point thence S 7° 44′ W 1125.1 feet to a point thence S 15° 34′ E 188.1 feet to a point thence S 27° 27′ E 338.8 feet to a point thence S 21° 53′ E 222.7 feet to a point thence S 0° 37′ W 755.2 feet to a point thence S 0° 32′ E 541.0 feet to a point in the center of the Orangeville-Kiddmill road thence along the center line of said road N 88° 32′ W 418.1 feet to a point thence S 31° 09′ E 27.7 feet to a point at the intersection of the Hamburg Road and the Orangeville Kiddmill Road thence along the center line of the Hamburg Road S 31° 44′ E 754.5 feet to a point thence S 31° 40′ E 1010.1 feet to a point thence leaving said road S 89° 33′ E 1031.7 feet to an angle point thence N 0° 26′ W 1296.0 feet to a point on the Southwesterly bank of the Shenango River thence crossing said river N 10° 27′ E 342.9 feet to a point thence S 89° 18′ E 541.12 feet to a point thence S 1° 03′ E 588.4 feet to a point thence S 24° 04′ E 759.0 feet thence S 15° 37′ E 342.3 feet to a point thence S 7° 15′ E 332.0 feet to a point thence S 57° 34′ E 639.3 feet to a point thence crossing the Shenango River S 0° 05′ E 187.7 feet to a point on the

Southerly bank of said river thence in a southeasterly direction meandering along the Southwesterly bank of the Shenango River 9093 feet more or less to a point thence leaving the bank of said river N 89° 47′ W 2286 feet more or less to a point thence S 15° 50′ W 819.4 feet to a point in the Hamburg Road thence along the center of said road S 47° 23′ E 936.8 feet to a point thence leaving said road S 70° 52′ W 768.7 feet to a point thence S 0° 34′ E 3702.7 feet to an angle point thence S 89° 19′ W 617.8 feet to an angle point thence S 0° 12′ E 1331.7 feet to a point thence S 0° 19′ E 1359.5 feet to a point thence S 0° 37′ E 1346.5 feet to an angle point thence N 89° 41′ W 1641.3 feet to a point thence S 0° 19′ W 534.6 feet to a point in the center of a road thence along the center line of said road N 61° 34′ W 1133.9 feet to a point in the intersection of Hamburg Road thence along the center line of said road N 0° 20′ W 1310.8 feet to a point thence N 0° 14′ W 1388.6 feet to a point thence N 0° 12′ W 1342.3 feet to a point thence leaving said road S 89° 46′ W 3885.8 feet to a point thence due west 1092.2 feet to a point in the center of State Route 18 thence along the center line of State Route 18 N 7° 22′ W 3323.6 feet to a point marking the beginning of a curve to the right thence Northeasterly 1339.9 feet along the arc of said curve to the right with a radius of 2292.0 feet to a point of tangency thence N 26° 07′ E 707.1 feet to the point of beginning of a curve to the left thence northwesterly 748.5 feet along the arc of said curve to the left with a radius of 1910.08 feet to a point of tangency thence N 3° 40′ E 1481.9 feet to the point of beginning of a curve to the left thence Northeasterly 335.7 feet along the arc of said curve to the left with a radius of 5729.65 feet to a point of tangency thence N 0° 19′ E 4000.7 feet to the point of beginning containing 2434.53 acres more or less

Section 2 Exclusive jurisdiction in and over the aforesaid land is hereby ceded to the United States of America by the Commonwealth of Pennsylvania for the erection of forts magazines arsenals dock yards and other needful buildings to be used by the United States for military and other public purposes with the exception of roads abutting on said lands which are not already under the jurisdiction of the United States

Section 3 The jurisdiction so ceded to the United States of America is granted upon the express condition that the Commonwealth of Pennsylvania shall retain concurrent jurisdiction with the United States in and over the land and buildings aforesaid in so far that civil process in all cases and such criminal process as may issue under the authority of the Commonwealth of Pennsylvania against anyone charged with crime committed outside said land may be executed thereon in the same manner as if this jurisdiction had not been ceded The United States shall retain such jurisdiction so long as the said land shall be used for the purposes for which jurisdiction is ceded and no longer

Section 4 The jurisdiction so ceded to the United States shall be upon the further condition that the Commonwealth reserves to itself and its political subdivisions whatever power of taxation it may constitutionally reserve to levy and collect all taxes now or hereafter imposed by the Commonwealth and its political subdivisions upon property persons and franchises within the boundaries so ceded

Section 5 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—164

Andrews,	Fox	Longo,	Reynolds,
Baker,	Freed,	Lovett,	Riley,
Barrett,	Frost	Madden,	Robertson,
Barton,	Fullerton,	Madigan,	Royer,
Baumunk,	Gaffney,	Mahany,	Rudisill,
Bentzel,	Gardner,	McAtee,	Schuster,
Bonawitz,	Getchey,	McClester,	Serrill,
Boney,	Gibson,	McCormack,	Shaffer,
Bower,	Goodling,	McDowell,	Shoemaker,
Brancato,	Greenwood,	McKinney,	Sloan,
Breisch,	Greer,	McMillen,	Smith,
Brice,	Guthrie,	McNair,	Snider,
Brothers,	Gyger,	McNally,	Snyder,
Brown,	Haberlen,	Mihm,	Sollenberger,
Brunner, C. H.,	Hall,	Mikula,	Sorg,
Brunner, P. A.,	Hamilton,	Miller,	Stank,
Burns,	Hare,	Mills,	Stockham,
Chervenak,	Haudenshield,	Mooney,	Stonier,
Cohen,	Heatherington,	Moore, C. E.,	Stuart,
Coleman,	Helm,	Moran,	Swope,
Cook,	Hennihan,	Moser,	Tate,
Cooper,	Hersch,	Murray, P. G.,	Tittle,
Corrigan,	Hewitt,	Myhan,	Trent,
Costa,	Hoffman,	Nagel,	Trout,
Coulson,	Howells,	Nelson,	Turbett,
Cullen,	Hunter,	O'Connor,	Turner,
Dague,	Huntley,	O'Donnell,	Verona,
Dalrymple,	James,	O'Neill,	Wachhaus,
Dennison,	Jones,	Owens,	Wagner,
Depuy,	Kennedy,	Pentrack,	Waterhouse,
Dix,	Kirley,	Pickens,	Watkins,
Dougherty,	Kline,	Polaski,	Weiss,
Duffy,	Komorofski,	Polen,	Welsh,
Dye,	Krise,	Powers,	Wescott,
Elder,	Kurtz,	Propert,	White,
Elish,	Lane,	Readinger,	Wood, N.,
Erb,	Laughner,	Reagan,	Worley,
Ewing,	Leisey,	Reese, D. P.,	Wright,
Finnerty,	Leonard,	Reese, R. E.,	Yeakel,
Flack,	Lichtenwalter,	Reidenbach,	Yester,
Fleming,	Loftus,	Reilly,	Fiss,
Foor,			Speaker.

NAYS—0

NOT VOTING—37

Bentley,	Green,	Lyons,	Regan,
Boies,	Hering,	Matthews,	Root,
Boory,	Herman,	McLanahan,	Rose,
Chudoff,	Hoggard,	Milliken,	Salus,
Coyle,	Hoopes,	Modell,	Scanlon,
Dillon,	Kolankiewicz,	Munley,	Skale,
Gallagher,	Lee,	O'Brien,	Tahl,
Gore,	Levy,	Petrosky,	Trachtman,
Grant,	Lopez,	Pettigrew,	Varallo,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 357, as follows:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately five hundred fifty-seven acres of land in the Township of South Lebanon County of Lebanon and Commonwealth of Pennsylvania known as the Veterans' Administration Facility at Lebanon Pennsylvania and ceding jurisdiction to the United States

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The consent of the Commonwealth of Pennsylvania is hereby granted in accordance with the seventeenth clause eighth section of the first article of the Constitution of the United States to the acquisition by the United States of America of a certain tract of land in the Township of South Lebanon County of Lebanon and Commonwealth of Pennsylvania containing five hun-

dred fifty-seven acres ninety seven and sixty-one hundredths perches more or less bounded and described as follows

Beginning at a nail the intersection of the center line of a public road known as Lebanon Rexmont Road with the center line of another public road known as the State Road thence extending along the center line of the said Lebanon Rexmont Road the five following courses and distance (1) North 24° west 77.7 perches to a nail (2) North 17° west 70.4 perches to a nail (3) North 39¼° west 37.7 perches to a nail (4) North ½° west 176.4 perches to a point and (5) north 3½° west 16.4 perches to an iron pin thence extending South 84° east 35.4 perches to a stone thence extending South 3½° east 16.45 perches to a stone thence extending South 81° east 66.6 perches to a stone thence extending North 20½° west 13.73 perches to a stone thence extending along land of H Risser north 49° east 19.4 perches to a nail in the center of another public road called the Lebanon and Buffalo Springs Road thence extending along the center of said public road by land of Adam Fernsler the three following courses and distances (1) South 37° east 22.06 perches to a nail (2) South 56° east 28.7 perches to a nail and (3) South 51° east 27 perches to a nail thence extending along the center of said public road by land of Benjamin Krall North 67½° east 89.9 perches to a post thence extending south 165 perches to a point in the center of said public road called the Lebanon and Buffalo Springs Road thence extending along the center of said public road North 82° west 27.7 perches to a point the intersection of the center of the Lebanon and Buffalo Springs Road with the center of a public road called the Bismark Road thence extending along the center of said public road called the Bismark Road the two following courses and distances (1) South 25° east 113.2 perches to a point and (2) south 13° east 67.9 perches to a point the intersection of the center line of said Bismark Road with the center line of said State Road thence extending along the center line of said State Road the eight following courses and distances (1) South 84° west 14.5 perches to a point (2) North 71½° west 28.8 perches to a stone (3) South 76° west 24.4 perches to a point (4) North 61½° west 58 perches to a point (5) North 68½° west 65.6 perches to a point (6) South 86° west 53.05 perches to a nail (7) West 19 perches to a nail and (8) South 48° west 29.2 perches to the first mentioned nail the intersection of the center line of said State Road with the center line of Lebanon Rexmont Road

Section 2 Exclusive jurisdiction in and over the aforesaid lands is hereby ceded to the United States of America by the Commonwealth of Pennsylvania for the erection of forts magazines arsenals dock yards and other needful buildings with the exception of roads abutting on said lands to be used by the United States for military and other public purposes which are not already under the jurisdiction of the United States

Section 3 The jurisdiction so ceded to the United States of America is granted upon the express condition that the Commonwealth of Pennsylvania shall retain concurrent jurisdiction with the United States in and over the lands and buildings aforesaid in so far that civil process in all cases and such criminal process as may issue under the authority of the Commonwealth of Pennsylvania against anyone charged with crime committed outside said land may be executed thereon in the same manner as if this jurisdiction had not been ceded The United States shall retain such jurisdiction so long as the said land shall be used for the purposes for which jurisdiction is ceded and no longer

Section 4 The jurisdiction so ceded to the United States shall be upon the further condition that the Commonwealth reserves to itself and its political subdivisions whatever power of taxation it may constitutionally reserve to levy and collect all taxes now or hereafter imposed by the Commonwealth and its political subdivisions upon property persons and franchises within the boundaries so ceded

Section 5 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—164

Andrews,	Fox,	Longo,	Reynolds,
Baker,	Freed,	Lovett,	Riley,
Barrett,	Frost,	Madden,	Robertson,
Barton,	Fullerton,	Madigan,	Royer,
Baumunk,	Gaffney,	Mahany,	Rudisill,
Bentzel,	Gardner,	McAtee,	Schuster,
Bonawitz,	Getchey,	McClester,	Serrill,
Boney,	Gibson,	McCormack,	Shaffer,
Bower,	Goodling,	McDowell,	Shoemaker,
Brancato,	Greenwood,	McKinney,	Sloan,
Breisch,	Greer,	McMillen,	Smith,
Brice,	Guthrie,	McNair,	Snider,
Brothers,	Gyger,	McNally,	Snyder,
Brown,	Haberlen,	Mihm,	Sollenberger,
Brunner, C. H.,	Hall,	Mikula,	Sorg,
Brunner, P. A.,	Hamilton,	Miller,	Stank,
Burns,	Hare,	Mills,	Stockham,
Chervenak,	Haudenshield,	Mooney,	Stonier,
Cohen,	Heatherington,	Moore, C. E.,	Stuart,
Coleman,	Helm,	Moran,	Swope,
Cook,	Hennihan,	Moser,	Tate,
Cooper,	Hersch,	Murray, P. G.,	Tittle,
Corrigan,	Hewitt,	Myhan,	Trent,
Costa,	Hoffman,	Nagel,	Trout,
Coulson,	Howells,	Nelson,	Turbett,
Cullen,	Hunter,	O'Connor,	Turner,
Dague,	Huntley,	O'Donnell,	Verona,
Dalrymple,	James,	O'Neill,	Wachhaus,
Dennison,	Jones,	Owens,	Wagner,
Depuy,	Kennedy,	Pentrack,	Waterhouse,
Dix,	Kirley,	Pickens,	Watkins,
Dougherty,	Kline,	Polaski,	Weiss,
Duffy,	Komorofski,	Polen,	Welsh,
Dye,	Krise,	Powers,	Wescott,
Elder,	Kurtz,	Propert,	White,
Elish,	Lane,	Readinger,	Wood, N.,
Erb,	Laughner,	Reagan,	Worley,
Ewing,	Leisey,	Reese, R. E.,	Wright,
Finnerty,	Leonard,	Reese, D. P.,	Yeakel,
Flack,	Lichtenwalter,	Reidenbach,	Yester,
Fleming,	Loftus,	Reilly,	Fiss,
Foor,			Speaker.

NAYS—0

NOT VOTING—37

Bentley,	Green,	Lyons,	Regan,
Boies,	Hering,	Matthews,	Root,
Boory,	Herman,	McLanahan,	Rose,
Chudoff,	Hoggard,	Milliken,	Salus,
Coyle,	Hoopes,	Modell,	Scanlon,
Dillon,	Kolankiewicz,	Munley,	Skale,
Gallagher,	Lee,	O'Brien,	Tahl,
Gore,	Levy,	Petrosky,	Trachtman,
Grant,	Lopez,	Pettigrew,	Varallo,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 405, as follows:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of certain tracts of land in Chester County Pennsylvania for use in connection with the Valley Forge General Hospital and ceding jurisdiction to the United States

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The consent of the Commonwealth of Pennsylvania is hereby granted in accordance with the seventeenth clause eighth section of the first article of the Constitution of the United States to the acquisition by the United States of America of two tracts of land lying in the County of Chester Pennsylvania for use in connection with a military reservation officially designated Valley Forge General Hospital the first being bounded and described of follows

Beginning at the beginning of the land described in a deed from Richard W. Foster et al Executors and trustees under the Will of Frank B Foster deceased to the United States of America dated 22 June 1942 said place of beginning being also at the intersection of the public road leading from Phoenixville to Charlestown Village with the center line of the State Highway leading to Kimberton and running thence with and binding on the center of the first above mentioned road the two (2) following courses and distances viz North 39° 39′ East 2265.33 feet and North 40°. 30′ East 583.18 feet thence South 47° 17′ East binding on land now or formerly belonging to R H Vollmer 1714.38 feet thence North 42° 59′ East 420 feet thence South 47° 17′ East 1565.85 feet to the center line of Bridge Street thence South 42° 59′ West binding thereon 420 feet to land now or formerly belonging to Luke T Butt thence binding on said Butt land the three (3) following courses and distances viz North 47° 17′ West 210.05 feet South 42° 59′ West 106.10 feet and South 47° 17′ East 210.05 feet to the center line of Bridge Street aforesaid thence with and binding thereon the two (2) following courses and distances viz South 42° 59′ West 546.55 feet and South 43° 30′ West 1287.60 feet to the center line of Kimberton Road above mentioned and thence with and binding thereon the eight (8) following courses and distances viz North 52° 50′ West 726.18 feet North 53° 50′ West 527.25 feet North 40° 33′ West 532.70 feet North 75° 40′ 30″ West 49.07 feet South 69° 12′ West 320.15 feet South 89° 08′ West 226.2 feet North 67° 14′ West 431.35 feet and North 68° 10′ West 626.07 feet to the place of beginning containing 180 acres of land more or less

The second tract of land is bounded and described as follows

Beginning at a point which point is North 47° 38′ West 35 feet from the end of the center line of the 10 foot easement for a right-of-way for a water line said place of beginning being the Northwest corner of the herein described land and running thence South 42° 22′ West 200 feet South 47° 38′ East 200 feet North 42° 22′ East 200 feet and North 47° 38′ West 200 feet to the place of beginning containing .918 acre of land more or less

Section 2 Exclusive jurisdiction in and over the aforesaid tracts of land is hereby ceded to the United States of America by the Commonwealth of Pennsylvania for the erection of forts magazines arsenals dock yards and other needful buildings to be used by the United States for military and other public purposes with the exception of roads abutting on said lands which are not already under the jurisdiction of the United States

Section 3 The jurisdiction so ceded to the United States is granted upon the express condition that the Commonwealth of Pennsylvania shall retain concurrent jurisdiction with the United States in and over the lands and buildings aforesaid in so far that civil process in all cases and such criminal process as may issue under the authority of the Commonwealth of Pennsylvania against anyone charged with crime committed outside said lands may be executed thereon in the same manner as if this jurisdiction had not been ceded The United States shall retain such jurisdiction so long as the said lands shall be used for the purposes for which jurisdiction is ceded and no longer

Section 4 The jurisdiction so ceded to the United States shall be upon the further condition that the Commonwealth reserves to itself and its political subdivisions whatever power of taxation it may constitutionally reserve to levy and collect all taxes now or hereafter imposed by the Commonwealth and its political subdivisions upon property persons and franchises within the boundaries so ceded

Section 5 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—164

Andrews,	Foor,	Longo,	Riley,
Baker,	Fox	Madden,	Robertson,
Barrett,	Freed,	Madigan,	Royer,
Barton,	Frost,	Mahany,	Rudisill,
Baumunk,	Fullerton,	McAtee,	Schuster,
Bentzel,	Gaffney,	McClester,	Serrill,
Bonawitz,	Gardner,	McCormack,	Shaffer,
Boney,	Getchey,	McDowell,	Shoemaker,
Bower,	Gibson,	McKinney,	Sloan,
Brancato,	Goodling,	McMillen,	Smith,
Breisch,	Greenwood,	McNair,	Snider,
Brice,	Greer,	McNally,	Snyder,
Brothers,	Guthrie,	Mihm,	Sollenberger,
Brown,	Gyger,	Mikula,	Sorg,
Brunner, C. H.,	Haberlen,	Miller,	Stank,
Brunner, P. A.,	Hall,	Mills,	Stockham,
Burns,	Hamilton,	Mooney,	Stonier,
Chervenak,	Hare,	Moore, C. E.,	Stuart,
Chudoff,	Haudenshield,	Moran,	Swope,
Cohen,	Heatherington,	Moser,	Tate,
Coleman,	Helm,	Murray, P. G.,	Tittle,
Cook,	Hennihan,	Myhan,	Trent,
Cooper,	Hersch,	Nagel,	Trout,
Corrigan,	Hewitt,	Nelson,	Turbett,
Costa,	Hoffman,	O'Connor,	Turner,
Coulson,	Howells,	O'Donnell,	Verona,
Cullen,	Hunter,	O'Neill,	Wachhaus,
Dague,	Huntley,	Owens,	Wagner,
Dalrymple,	James,	Pentrack,	Waterhouse,
Dennison,	Jones,	Pickens,	Watkins,
Depuy,	Kennedy,	Polaski,	Weiss,
Dix,	Kirley,	Polen,	Welsh,
Dougherty,	Kline,	Powers,	Wescott,
Duffy,	Komorofski,	Propert,	White,
Dye,	Krise,	Readinger,	Wood, N.,
Elder,	Kurtz,	Reagan,	Worley,
Elish,	Lane,	Reese, D. P.,	Wright,
Erb,	Laughner,	Reese, R. E.,	Yeakel,
Ewing,	Leisey,	Reidenbach,	Yester,
Finnerty,	Leonard,	Reilly,	Fiss,
Flack	Lichtenwalter,	Reynolds,	Speaker.
Fleming,	Loftus,		

NAYS—0

NOT VOTING—37

Bentley,	Hering,	Lyons,	Regan,
Boles,	Herman,	Matthews,	Root,
Boory,	Hoggard,	McLanahan,	Rose,
Coyle,	Hoopes,	Milliken,	Salus,
Dillon,	Kolankiewicz,	Modell,	Scanlon,
Gallagher,	Lee,	Munley,	Skale,
Gore,	Levy,	O'Brien,	Tahl,
Grant,	Lopez,	Petrosky,	Trachtman,
Green,	Lovett,	Pettigrew,	Varallo,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 422, as follows:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract of land in Lebanon County Pennsylvania containing approximately sixty-four acres for use in connection with the Indiantown Gap Military Reservation and ceding jurisdiction to the United States

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The consent of the Commonwealth of Pennsylvania is hereby granted in accordance with the seventeenth clause eighth section of the first article of the Constitution of the United States to the acquisition by the United States of America of a certain tract of land lying in the County of Lebanon Pennsylvania for use in connection with a military reservation officially designated Indiantown Gap Military Reservation bounded and described as follows

Beginning for the same at a point on the center line of the Public Road known as State Route No. 38049 where it is intersected by the Easternmose right-of-way line of the Lebanon and Tremont Branch of the Reading Railroad Company said place of beginning being marked by an iron spike and running thence North 38° 58′ East binding on the center of said road 47.97 feet to an iron spike thence Southeasterly by a line curving toward the right with a radius of 1502.69 feet parallel with and 40 feet Easterly from the aforesaid Eastern right-of-way line of said railroad for a distance of 377.30 feet to an iron pipe thence South 11° 25′ East still parallel with and 40 feet Easterly at right angles from the aforesaid Eastern railroad right-of-way line for a distance of 665.19 feet to an iron pin thence North 49° 40′ East parallel with and 20 feet at right angles Southeasterly from the Electric Transmission Line of the Pennsylvanina Power and Light Company for a distance of 886.37 feet to an iron pipe thence South 40° 20′ East 1065.48 feet to an iron pipe thence South 40° 42′ West 753.84 feet to a concrete monument thence South 2° 12′ East 236.05 feet to a concrete monument thence South 8° 33′ East 284.30 feet to a concrete monument thence South 2° 33′ West 303.27 feet to an iron pipe thenie North 80° 39′ West 34.98 feet to an iron pipe thence South 6° 39′ West 157.58 feet to a concrete monument thence South 11° 34′ West 256.74 feet to an iron pipe thence South 1° 57′ West 273.57 feet to an iron pipe thence South 29° 36′ West 874 feet to an iron pipe thence South 34° 21′ West 1083.9 feet to an iron pipe at the distance of 31 feet more or less Easterly and 50 feet South of a line drawn Easterly in prolongation of the South side of the Indiantown Gap Station and to intersect the aforesaid Eastern right-of-way line of the aforementioned Railroad Company and thence with and binding on said right-of-way line the six following courses and distances viz North 15° 11′ East 1765 feet North 74° 49′ West 100 feet North 15° 11′ East 363.97 feet Northerly by a line curving toward the left with a radius of 1940.08 feet for a distance of 900.70 feet North 11° 25′ West 1665.33 feet and Northwesterly by a line curving toward the left with a radius of 1462.69 feet for a distance of 346.34 feet to the place of beginning Containing 64.298 acres more or less

Section 2 Exclusive jurisdiction in and over the aforesaid parcel of land is hereby ceded to the United States of America by the Commonwealth of Pennsylvania for the erection of forts magazines arsenals dock yards and other needful buildings to be used by the United States for military and other public purposes with the exception of roads abutting on the said land which are not already under the jurisdiction of the United States

Section 3 The jurisdiction so ceded to the United States is granted upon the express condition that the Commonwealth of Pennsylvania shall retain concurrent jurisdiction with the United States in and over the land and buildings aforesaid in so far that civil process in all cases and such criminal process as may issue under the authority of the Commonwealth of Pennsylvania against anyone charged with crime committed outside said land may be executed thereon in the same manner as if this jurisdiction had not been ceded The United States shall retain such jurisdiction so long as the said land shall be used for the purposes for which jurisdiction is ceded and no longer

Section 4 The jurisdiction so ceded to the United States shall be uopn the further condition that the Commonwealth reserves to itself and its political subdivisions whatever power of taxation it may constitutionally reserve to levy and collect all taxes now or hereafter imposed by the Commonwealth and its political subdivisions upon property persons and franchises within the boundaries so ceded

Section 5 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—166

Andrews,	Foor,	Loftus,	Reynolds,
Baker,	Fox,	Longo,	Riley,
Barrett,	Freed,	Madden,	Robertson,
Barton,	Frost,	Madigan,	Royer,
Baumunk,	Fullerton,	Mahany,	Rudisill,
Bentzel,	Gaffney,	McAtee,	Schuster,
Bonawitz,	Gardner,	McClester,	Serrill,
Boney,	Getchey,	McCormack,	Shaffer,
Bower,	Gibson,	McDowell,	Shoemaker,
Brancato,	Goodling,	McKinney,	Sloan,
Breisch,	Greenwood,	McMillen,	Smith,
Brice,	Greer,	McNair,	Snider,
Brothers,	Guthrie,	McNally,	Snyder,
Brown,	Gyger,	Mihm,	Sollenberger,
Brunner, C. H.,	Haberlen,	Mikula,	Sorg,
Brunner, P. A.,	Hall,	Miller,	Stank,
Burns,	Hamilton,	Mills,	Stockham,
Chervenak,	Hare,	Mooney,	Stonier,
Chudoff,	Haudenshield,	Moore, C. E.,	Stuart,
Cohen,	Heatherington,	Moran,	Swope,
Coleman,	Helm,	Moser,	Tittle,
Cook,	Hennihan,	Murray, P. G.,	Trent,
Cooper,	Hersch,	Myhan,	Trout,
Corrigan,	Hewitt,	Nagel,	Turbett,
Costa,	Hoffman,	Nelson,	Turner,
Coulson,	Howells,	O'Connor,	Verona,
Cullen,	Hunter,	O'Donnell,	Wachhaus,
Dague,	Huntley,	O'Neill,	Wagner,
Dalrymple,	James,	Owens,	Waterhouse,
Dennison,	Jones,	Pentrack,	Watkins,
Depuy,	Kennedy,	Pickens,	Weiss,
Dix,	Kirley,	Polaski,	Welsh,
Dougherty,	Kline,	Polen,	Wescott,
Duffy,	Komorofski,	Powers,	White,
Dye,	Krise,	Propert,	Wood, N.,
Elder,	Kurtz,	Readinger,	Worley,
Elish,	Lane,	Reagan,	Wright,
Erb,	Laughner,	Reese, D. P.,	Yeakel,
Ewing,	Leisey,	Reese, R. E.,	Yester,
Finnerty,	Leonard,	Reidenbach,	Fiss,
Flack	Lichtenwalter,	Reilly,	Speaker.
Fleming,			

NAYS—0

NOT VOTING—35

Bentley,	Herman,	Matthews,	Root,
Boies,	Hoggard,	McLanahan,	Rose,
Boory,	Hoopes,	Milliken,	Salus,
Coyle,	Kolankiewicz,	Modell,	Scanlon,
Dillon,	Lee,	Munley,	Skale,
Gallagher,	Levy,	O'Brien,	Tahl,
Gore,	Lopez,	Petrosky,	Tate,

Grant,	Lovett,	Pettigrew,	Trachtman,
Green,	Lyons,	Regan,	Varallo,
Hering,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 429, as follows:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of three tracts of land in Cumberland County Pennsylvania containing approximately nine hundred forty-three acres for use in connection with a military reservation known as Carlisle Barracks and ceding jurisdiction to the United States

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The consent of the Commonwealth of Pennsylvania is hereby granted in accordance with the seventeenth clause eighth section of the first article of the Constitution of the United States to the acquisition by the United States of America of three tracts of land in Cumberland County Pennsylvania for use in connection with a military reservation officially designated "Carlisle Barracks" the first tract being bounded and described as follows

Beginning at a point in the southerly right of way line of the Pennsylvania railroad said point being a corner common to the County Home Farm thence binding on the lands of the County Home Farm South 37° 45′ East 300 feet South 51° 30′ East 1110 feet South 13° 45′ East 1550 feet South 60° 00′ West 1250 feet South 36° 45′ West 140 feet to the lands of Mary C Fox and John Glass thence binding on said lands North 44° 00′ West 975 feet South 9° 15′ West 205 feet to the lands of Mrs McCrea Legatee thence binding on said lands North 84° 15′ West 1405 feet to the Hays property thence binding on the Hays property North 8° 00′ East 990 feet North 63° 00′ West 530 feet to the southerly right of way line of the Pennsylvania Railroad thence with the said right of way line North 59° 35′ East 2520 feet to the point of beginning containing 151 acres of land more or less

The second tract is bounded and described as follows Beginning at the interesection of the south right of way line of the Pennsylvania Railroad and the center line of the Poor House Road thence with said right of way line North 84° 04′ West 1369.7 feet to the center line of Garrison Lane thence with the center line of Garrison Lane in a southerly direction 218 feet to the Spahr property thence binding on the Spahr property South 81° 15′ East 1044.4 feet to the center line of the Poor House Road thence with said center line North 61° 45′ East 418 feet to the point of beginning containing 6 acres of land more or less

The third tract is bounded and described as follows Beginning at a concrete monument heretofore planted in the center line of the abandoned portion of Pennsylvania State Rouse No. 944 at the southeastermost corner of the land now or formerly belonging to Lee Brenneman et ux a common corner to said Brenneman and the land now or formerly belonging to Maynard Long and running thence North 84° 34′ 30″ West binding on the center of said road 254.06 feet to the center of said Route No. 944 as the same is now constructed and used thence North 70° 57′ 15″ West binding thereon 376.98 feet to a concrete monument thence South 83° 15′ 45″ West still binding on center of said road and continuing the same course binding on a part of said Route No 944 as abandoned in all 2274.38 feet to a concrete monument thence leaving said last mentioned road and running South 59° 08′ 15″ West 520.39 feet to a concrete monument thence South 60° 49′ West 1022.27 feet to a hickory tree thence South 61° 59′ 30″ West 967.22 feet to a planted stone thence South 64° 59′ 30″ West 312.65 feet to a concrete monument thence South 78° 44′ 45″ West 181.29 feet to a concrete monument thence North 38° 47′ 30″ West 448.77 feet to a concrete monument thence South 71° 04′ 45″ West 1326.26 feet to a point on the Northeast side of Crain's Gap Road thence North 51° 23′ West 151.66 feet thence North 73° 43′ West 295.35 feet to a point in the center of said road thence North 26° 12′ East 404.25 feet to a point on the center of said road thence with and binding on the center of said Crain's Gap Road the three following courses and distances viz North 15° 48′ West 867.90 feet North 15° 46′ West 1939.33 feet and North 16° 29′ 30″ East 325.20 feet thence leaving said road and running North 81° 14′ 45″ East 678 feet to a concrete monument thence North 79° 50′ East 202.38 feet to a concrete monument thence North 80° 12′ 45″ East 239.53 feet thence North 15° 06′ West 2164.34 feet to a concrete monument thence North 79° 51′ East 2812.98 feet to a concrete monument thence North 79° 19′ 30″ East 430.71 feet to a concrete monument thence North 82° 31′ 15″ East 803.09 feet to a concrete monument thence North 84° 04′ 30″ East 1175.18 feet to a concrete monument thence South 2° 36′ 45″ East 2129.39 feet to a dead chestnut tree thence North 80° 52′ 30″ East 1002.68 feet to a white oak tree thence South 19° 20′ 15″ East 2569.15 feet to a concrete monument and thence South 26° 05′ 45″ East 717.68 feet to the place of beginning containing 786.399 acres of land more or less

Section 2 Exclusive jurisdiction in and over the aforesaid lands is hereby ceded to the United States of America by the Commonwealth of Pennsylvania for the erection of forts magazines arsenals dock yards and other needful buildings to be used by the United States for military and other public purposes with the exception of roads abutting on said lands which are not already under the jurisdiction of the United States

Section 3 The jurisdiction so ceded to the United States is granted upon the express condition that the Commonwealth of Pennsylvania shall retain concurrent jurisdiction with the United States in and over the lands and buildings aforesaid in so far that civil process in all cases and such criminal process as may issue under the authority of the Commonwealth of Pennsylvania against anyone charged with crime committed outside said lands may be executed thereon in the same manner as if this jurisdiction had not been ceded The United States shall retain such jurisdiction so long as the said lands shall be used for the purposes for which jurisdiction is ceded and no longer

Section 4 The jurisdiction so ceded to the United States shall be upon the further condition that the Commonwealth reserves to itself and its political subdivisions whatever power of taxation it may constitutionally reserve to levy and collect all taxes now or hereafter imposed by the Commonwealth and its political subdivisions upon property persons and franchises within the boundaries so ceded

Section 5 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—166

Andrews,	Fleming,	Lichtenwalter,	Reynolds,
Baker,	Foor,	Loftus,	Riley,
Barrett,	Fox	Longo,	Robertson,
Barton,	Freed,	Madden,	Royer,
Baumunk,	Frost,	Madigan,	Rudisill,
Bentzel,	Fullerton,	Mahany,	Schuster,
Bonawitz,	Gaffney,	McAtee,	Serrill,

Boney,	Getchey,	McCormack,	Shaffer,
Bower.	Gibson,	McDowell,	Shoemaker,
Brancato,	Goodling.	McKinney.	Sloan,
Breisch,	Greenwood,	McMillen,	Smith.
Brice.	Greer,	McNair,	Snider.
Brothers,	Guthrie,	McNally,	Snyder,
Brown.	Gyger.	Mihm.	Sollenberger,
Brunner, C. H.,	Haberlen,	Mikula,	Sorg.
Brunner, P. A.,	Hall,	Miller,	Stank,
Burns.	Hamilton,	Mills,	Stockham,
Chervenak.	Hare,	Mooney,	Stonier,
Chudoff,	Haudenshield,	Moore, C. E.,	Stuart,
Cohen,	Heatherington,	Moran,	Swope,
Coleman,	Helm.	Moser,	Tate.
Cook	Hennihan,	Murray, P. G.,	Tittle,
Cooper,	Hersch,	Myhan,	Trent,
Corrigan,	Hewitt.	Nagel,	Trout,
Costa,	Hoffman,	Nelson,	Turbett,
Coulson,	Howells,	O'Connor,	Turner,
Cullen,	Hunter,	O'Donnell,	Verona,
Dague,	Huntley,	O'Neill,	Wachhaus,
Dalrymple,	James,	Owens,	Wagner,
Dennison,	Jones,	Pentrack,	Waterhouse,
Depuy,	Kennedy,	Pickens,	Watkins,
Dix,	Kirley,	Polaski,	Weiss,
Dougherty,	Kline.	Polen,	Welsh.
Duffy,	Komorofski,	Powers.	Wescott,
Dye,	Krise	Propert,	White,
Elder,	Kurtz,	Readinger,	Wood N.,
Elish,	Lane,	Reagan,	Worley,
Erb,	Laughner,	Reese. D P.,	Wright,
Ewing,	Leisey,	Reese, R E.,	Yeakel,
Finnerty,	Leonard,	Reidenbach,	Yester,
Flack,	McClester,	Reilly,	Fiss,
Gardner,			Speaker.

NAYS—0

NOT VOTING—35

Bentley,	Hering,	Lyons.	Regan,
Boies,	Herman,	Matthews,	Root,
Boory,	Hoggard,	McLanahan,	Rose,
Coyle,	Hoopes,	Milliken,	Salus,
Dillon,	Kolankiewicz,	Modell,	Scanlon,
Gallagher,	Lee,	Munley,	Skale,
Gore,	Levy.	O'Brien,	Tahl,
Grant,	Lopez,	Petrosky.	Trachtman,
Green,	Lovett,	Pettigrew,	Varallo,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 431, as follows:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of certain tracts of land in Dauphin County Pennsylvania for use in connection with the Middletown Air Depot and ceding jurisdiction to the United States

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The consent of the Commonwealth of Pennsylvania is hereby granted in accordance with the seventeenth clause eighth section of the first article of the Constitution of the United States to the acquisition by the United States of America of four tracts of land lying in the County of Dauphin Pennsylvania for use in connection with a military reservation officially designated Middletown Air Depot the first tract being bounded and described as follows

Beginning for the same at a point on the Northeast right-of-way line of U S Highway No 230 where it is interested by the 10th or South 19° 10′ West 630.30 feet course of the land known as Tract No 4 in Declaration of Taking No 1 No 985 Civil United States of America Petitioner vs 29 Acres more or less in Lower Swatara Township Dauphin County Pennsylvania Steelton Bank & Trust Company et al Defendants and running thence North 19° 10′ East binding on said course reversely 630.30 feet thence North 11° 06′ East binding on the 9th course of said Tract No 4 reversely to the end thereof and continuing the same course in all 146.85 feet thence North 11° 09′ West 206.25 feet thence North 11° 51′ East 297.0 feet thence North 76° 21′ East 224.68 feet thence South 41° 46′ East 198.60 feet thence South 39° 54′ East 797.19 feet thence South 65° 33′ East 583.34 feet thence South 26° 30′ West 453.85 feet to the land now or formerly belonging to Lester S Kortright thence with and binding thereon the four (4) following courses and distances viz Northwesterly 241.7 feet Southwesterly 68 feet South 39° 35′ East 12 feet and South 42° 25′ East 138 feet thence North 83° 25′ West 108.85 feet thence North 80° 25′ West 372.90 feet North 70° 10′ West 676.50 feet and North 78° 25′ West 209.55 feet to the place of beginning containing 29 acres of land more or less

The second tract is bounded and described as follows

Beginning for the same at a point on the south right-of-way line of the Pennsylvania Railroad where it is intersected by the West side of Wilson Street and running thence with and binding on Wilson Street the two (2) following courses and distances viz South 30° 54′ East 126.80 feet and South 59° 09′ East 287.92 feet to the West side of Lincoln Street thence South 30° 44′ West binding thereon and continuing the same course across Ann Street 260 feet to the South side of Ann Street thence South 59° 09′ East binding thereon 20 feet to the West side of Grant Street thence South 30° 44′ West binding thereon 420.94 feet to the outline of the original Reservation of Middletown Air Depot thence with and binding thereon the eleven (11) following courses and distances viz North 61° 38′ 20″ West 261.0 feet North 28° 21′ 40″ East 200 feet North 61° 38′ 20″ West 754.28 feet North 84° 31′ West 40.49 feet North 34° 39′ 20″ West 141.27 feet North 36° 43′ 50″ West 45.62 feet North 39° 03′ 50″ West 45.74 feet North 46° 02′ 50″ West 45.74 feet North 49° 24′ 20″ West 56.17 feet North 55° 08′ West 56.04 feet and North 64° 02′ West 39.18 feet to the South right-of-way line of The Pennsylvania Railroad aforesaid thence with and binding thereon the three (3) following courses and distances viz South 77° 30′ East 63 feet South 80° 18′ East 211.93 feet and South 81° 52′ East 844.48 feet to the place of beginning containing 12.345 acres of land more or less

The third tract consisting of three parcels is bounded and described as follows

First Parcel Beginning for the same at a point on the south side of Freys Mill Race at a corner common to the land now or formerly belonging to Borough of Middletown and the land now being described and running thence in a general Easterly and Northerly direction binding on said Freys Mill Race 2468 feet thence South 80° East 30 feet to the waters of Swatara Creek thence binding thereon the four (4) following courses and distances viz in a general Southerly and Southwesterly direction 2255 feet thence still binding thereon South 85° 30′ West 226 feet South 89° West 202 feet and South 89° 15′ West 377.3 feet to intersect a line drawn South 4° 15′ East from the place of beginning and thence reversing said line so drawn and binding thereon North 4° 15′ West 477.0 feet to the place of beginning

Second Parcel Beginning for the same at the Southeast corner of Pine Ford Drive and a street 50 feet wide which leads in the first parcel above described from Pine Ford Drive and running thence Southerly binding on said 50 foot street 90.9 feet thence Easterly parallel with Pine Ford Drive 40 feet thence Northerly parallel with above mentioned 50 foot street 90.9 feet to the South side of Pine Ford Drive and thence Westerly binding theron 40 feet to the place of beginning

Third Parcel Beginning for the same at the Southwest corner of Emaus Street and a street 50 feet wide which leads into the first parcel above described from Emaus Street and running thence Southerly binding on said 50 foot Street 70.9 feet thence Westerly parallel with Emaus Street 40 feet thence Northerly parallel with above men-

tioned 50 foot Street 70.9 feet to the South side of Emaus Street and thence Easterly binding thereon 40 feet to the place of beginning Containing together a total of 27 acres of land more or less

The fourth tract consisting of two parcels is bounded and described as follows

First Parcel Beginning for the same at a point on the Northeast right-of-way line of the Philadelphia and Reading Railroad and running thence North 45° 34′ 30″ East 134.80 feet South 45° 25′ 30″ East 16.50 feet thence North 45° 34′ 30″ East 53.42 feet thence South 35° 44′ 30″ East 171.27 feet South 37° 14′ 30″ East 104.30 feet South 39° 29′ 30″ East 72.50 feet thence South 42° 24′ 30″ East 98.70 feet thence South 44° 37′ 30″ East 180.00 feet thence South 43° 50′ 30″ East 69.98 feet thence North 39° 15′ 30″ East 3.0 feet thence South 48° 11′ 30″ East 103.70 feet thence South 41° 34′ East 175.57 feet thence South 39° 15′ 30″ West 45.75 feet to the aforesaid right-of-way line of the Philadelphia and Reading Railroad and thence North 50° 44′ 30″ West 928.64 feet to the place of beginning

Second Parcel Beginning for the same on the Southwest side of Cameron Street extended and running thence South 12° 09′ West 36.84 feet thence South 54° 11′ West 26.0 feet thence South 32° 44′ East 21.5 feet thence South 46° 06′ West 15.0 feet thence South 35° 37′ East 136.83 feet thence South 42° East 100 feet thence South 42° 27′ East 114.7 feet thence South 45° 31′ East 56 feet thence South 44° 47′ East 75 feet thence North 45° 13′ East 18.2 feet to the South side of Cameron Street aforesaid and thence with and binding thereon the two following courses and distances viz North 37° 22′ West 186.20 feet and North 33° 58′ West 299.59 feet to the place of beginning Containing together 2.713 acres of land more or less

Section 2 Exclusive jurisdiction in and over the aforesaid lands is hereby ceded to the United States of America by the Commonwealth of Pennsylvania for the erection of forts magazines arsenals dock yards and other needful buildings to be used by the United States for military and other public purposes with the exception of roads abutting on said lands which are not already under the jurisdiction of the United States

Section 3 The jurisdiction so ceded to the United States is granted upon the express condition that the Commonwealth of Pennsylvania shall retain concurrent jurisdiction with the United States in and over the lands and buildings aforesaid in so far that civil process in all cases and such criminal process as may issue under the authority of the Commonwealth of Pennsylvania against anyone charged with crime committed outside said lands may be executed thereon in the same manner as if this jurisdiction had not been ceded The United States shall retain such jurisdiction so long as the said lands shall be used for the purposes for which jurisdiction is ceded and no longer

Section 4 The jurisdiction so ceded to the United States shall be upon the further condition that the Commonwealth reserve to itself and its political subdivision whatever power of taxation it may constitutionally reserve to levy and collect all taxes now or hereafter imposed by the Commonwealth and its political subdivisions upon property persons and franchises within the boundaries so ceded

Section 5 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—166

Andrews,	Foor,	Longo,	Riley,
Baker,	Fox,	Madden,	Robertson,
Barrett,	Freed,	Madigan,	Royer,
Barton,	Frost,	Mahany,	Rudisill,
Baumunk,	Fullerton,	McAtee,	Schuster,
Bentzel,	Gaffney,	McClester,	Serrill,
Bonawitz,	Gardner,	McCormack,	Shaffer,
Boney,	Getchey,	McDowell,	Shoemaker,
Bower,	Gibson,	McKinney,	Sloan,
Brancato,	Goodling,	McMillen,	Smith,
Breisch,	Greenwood,	McNair,	Snider,
Brice,	Greer,	McNally,	Snyder,
Brothers,	Guthrie,	Mihm,	Sollenberger,
Brown,	Gyger,	Mikula,	Sorg,
Brunner, C. H.,	Haberlen,	Miller,	Stank,
Brunner, P. A.,	Hall,	Mills,	Stockham,
Burns,	Hamilton,	Mooney,	Stonier,
Chervenak,	Hare,	Moore, C. E.,	Stuart,
Chudoff,	Haudenshield,	Moran,	Swope,
Cohen,	Heatherington,	Moser,	Tate,
Coleman,	Helm,	Murray, P. G.,	Tittle,
Cook,	Hennihan,	Myhan,	Trent,
Cooper,	Hersch,	Nagel,	Trout,
Corrigan,	Hewitt,	Nelson,	Turbett,
Costa,	Hoffman,	O'Connor,	Turner,
Coulson,	Howells,	O'Donnell,	Verona,
Cullen,	Hunter,	O'Neill,	Wachhaus,
Dague,	Huntley,	Owens,	Wagner,
Dalrymple,	James,	Pentrack,	Waterhouse,
Dennison,	Jones,	Pickens,	Watkins,
Depuy,	Kennedy,	Polaski,	Weiss,
Dix,	Kirley,	Polen,	Welsh,
Dougherty,	Kline,	Powers,	Wescott,
Duffy,	Komorofski,	Propert,	White,
Dye,	Krise,	Readinger,	Wood, N.,
Elder,	Kurtz,	Reagan,	Worley,
Elish,	Lane,	Reese, D. P.,	Wright,
Erb,	Laughner,	Reese, R. E.,	Yeakel,
Ewing,	Leisey,	Reidenbach,	Yester,
Finnerty,	Leonard,	Reilly,	Fiss,
Flack,	Lichtenwalter,	Reynolds,	Speaker.
Fleming,	Loftus,		

NAYS—0

NOT VOTING—35

Bentley,	Hering,	Lyons,	Regan,
Boles,	Herman,	Matthews,	Root,
Boory,	Hoggard,	McLanahan,	Rose,
Coyle,	Hoopes,	Milliken,	Salus,
Dillon,	Kolankiewicz,	Modell,	Scanlon,
Gallagher,	Lee,	Munley,	Skale,
Gore,	Levy,	O'Brien,	Tahl,
Grant,	Lopez,	Petrosky,	Trachtman,
Green,	Lovett,	Pettigrew,	Varallo,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 3, as follows:

An Act to further amend clause (b) of section four of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws re-

lating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" prohibiting the requiring of security for repayment of public assistance cancelling existing obligations and providing for reconveyance of real property

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (b) of section four of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers" assistance pensions for the blind old age assistance and the State Emergency Relief Board" as last amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 434) is hereby further amended to read as follows

Section 4 General Powers and Duties of Department of Public Assistance

The Department of Public Assistance shall have the power and its duties shall be

* * * *

(b) To establish with the approval of the State Board of Public Assistance rules regulations and standards consistent with the law as to eligibility for assistance and as to its nature and extent But no recipient of public assistance shall as a prerequisite to receiving assistance or otherwise be required to convey to or encumber in favor of the Commonwealth any property or to give any bond note or other obligation in any sum to secure the repayment of moneys received as assistance or for any other purpose All bonds notes judgments mortgages and other obligations heretofore given for such purposes are hereby cancelled and discharged The Department of Justice shall on behalf of the Commonwealth satisfy all public records of any such obligation and shall prepare deeds for the reconveyance of any real property heretofore conveyed to the Commonwealth for such purpose if the title to such real property is still in the name of the Commonwealth Such deeds shall be executed in the name of the Commonwealth by the Department of Property and Supplies

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—166

Andrews,	Foor,	Loftus,	Reynolds,
Baker,	Fox,	Longo,	Riley,
Barrett,	Freed,	Madden,	Robertson,
Barton,	Frost,	Madigan,	Royer,
Baumunk,	Fullerton,	Mahany,	Rudisill,
Bentzel,	Gaffney,	McAtee,	Schuster,
Bonawitz,	Gardner,	McClester,	Serrill,
Boney,	Getchey,	McCormack,	Shaffer,
Bower,	Gibson,	McDowell,	Shoemaker,
Brancato,	Goodling,	McKinney,	Sloan,
Breisch,	Greenwood,	McMillen,	Smith,
Brice,	Greer,	McNair,	Snider,
Brothers,	Guthrie,	McNally,	Snyder,
Brown,	Gyger,	Mihm,	Sollenberger,
Brunner, C. H.,	Haberlen,	Mikula,	Sorg,
Brunner, P. A.,	Hall,	Miller,	Stank,
Burns,	Hamilton,	Mills,	Stockham,
Chervenak,	Hare,	Mooney,	Stonier,
Chudoff,	Haudenshield,	Moore, C. E.,	Stuart,
Cohen,	Heatherington,	Moran,	Swope,
Coleman,	Helm,	Moser,	Tate,
Cook,	Hennihan,	Murray, P. G.,	Tittle,
Cooper,	Hersch,	Myhan,	Trent,
Corrigan,	Hewitt,	Nagel,	Trout,
Costa,	Hoffman,	Nelson,	Turbett,
Coulson,	Howells,	O'Connor,	Turner,
Cullen,	Hunter,	O'Donnell,	Verona,
Dague,	Huntley,	O'Neill,	Wachhaus,
Dalrymple,	James,	Owens,	Wagner,
Dennison,	Jones,	Pentrack,	Waterhouse,
Depuy,	Kennedy,	Pickens,	Watkins,
Dix,	Kirley,	Polaski,	Weiss,
Dougherty,	Kline,	Polen,	Welsh,
Duffy,	Komorofski,	Powers,	Wescott,
Dye,	Krise,	Propert,	White,
Elder,	Kurtz,	Readinger,	Wood, N.,
Elish,	Lane,	Reagan,	Worley,
Erb,	Laughner,	Reese, D. P.,	Wright,
Ewing,	Leisey,	Reese, R. E.,	Yeakel,
Finnerty,	Leonard,	Reidenbach,	Yester,
Flack	Lichtenwalter,	Reilly,	Fiss,
Fleming,			Speaker.

NAYS—0

NOT VOTING—35

Bentley,	Hering,	Lyons,	Regan,
Boles,	Herman,	Matthews,	Root,
Boory,	Hoggard,	McLanahan,	Rose,
Coyle,	Hoopes,	Milliken,	Salus,
Dillon,	Kolankiewicz,	Modell,	Scanlon,
Gallagher,	Lee,	Munley,	Skale,
Gore,	Levy,	O'Brien,	Tahl,
Grant,	Lopez,	Petrosky,	Trachtman,
Green,	Lovett,	Pettigrew,	Varallo,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 58, as follows:

An Act to further amend section two hundred twenty-two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by further regulating the vacation leave and sick leave to which State employes are entitled with pay

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred twenty-two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined"as amended by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1865) is hereby further amended to read as follows

Sction 222 Work-Hours and Vacations Each employe of an administrative department of an independent administrative board or commission or of a department administrative board or commission if employed for continuous service shall work during such hours as the head of the department or the board or commission shall require but not less than thirty-five hours per week Such employe shall be entitled during each calendar year to fifteen day's vacation leave [of absence] with full pay and in special and meritorious cases where to limit the annual vacation leave to fifteen days in any one calendar year would work peculiar hardships the extent of such leave with pay may in the discretion of the head of the department or of the board or commission be extended but any such extension shall not be for more than fifteen days except with the approval of the Executive Board in the case of employes of departments or of independent administrative boards or commissions and in the case of employes of departmental administrative boards or commissions of the departments with which such boards or commissions are respectively connected In addition to the aforesaid vacation each such employe shall be entitled during each calendar year to fifteen days sick leave with pay Both the vacation leave and sick leave shall be cumulative This section shall be construed to mean that the pay of such employe shall cease upon the expiration of the granted leave regardless of his or her continuation thereafter upon the rolls of the department board or commission The annual vacation leave and the annual sick leave [of absence] with pay shall be exclusive of Saturdays Sundays and legal holidays

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas a nd nays were taken and were as follows:

YEAS—166

Andrews,	Foor,	Loftus,	Reynolds,
Baker,	Fox,	Longo,	Riley,
Barrett,	Freed,	Madden,	Robertson,
Barton,	Frost,	Madigan,	Royer,
Baumunk,	Fullerton,	Mahany,	Rudisill,
Bentzel,	Gaffney,	Matthews,	Schuster,
Bonawitz,	Gardner,	McAtee,	Serrill,
Boney,	Getchey,	McClester,	Shaffer,
Bower,	Gibson,	McCormack,	Shoemaker,
Brancato,	Goodling,	McDowell,	Sloan,
Breisch,	Greenwood,	McKinney,	Smith,
Brice,	Greer,	McMillen,	Snider,
Brothers,	Guthrie,	McNair,	Snyder,
Brown,	Gyger,	McNally,	Sollenberger,
Brunner, C. H.,	Haberlen,	Milm,	Sorg,
Brunner, P. A.	Hall,	Mikula,	Stank,
Burns,	Hamilton,	Miller,	Stockham,
Chervenak,	Hare,	Mills,	Stonier,
Chudoff,	Haudenshield,	Mooney,	Stuart,
Cohen,	Heatherington,	Moore, C. E.,	Swope,
Coleman,	Helm,	Moran,	Tate,
Cook,	Hennihan,	Moser,	Tittle,
Cooper,	Hersch,	Murray, P. G.,	Trent,
Corrigan,	Hewitt,	Myhan,	Trout,
Costa,	Hoffman,	Nagel,	Turbett,
Coulson,	Howells,	Nelson,	Turner,
Cullen,	Hunter,	O'Connor,	Verona,
Dague,	Huntley,	O'Donnell,	Wachhaus,
Dalrymple,	James,	O'Neill,	Wagner,
Dennison,	Jones,	Owens,	Waterhouse,
Depuy,	Kennedy,	Pentrack,	Watkins,
Dix,	Kirley,	Pickens,	Weiss,
Dougherty,	Kline,	Polaski,	Welsh,
Duffy,	Komorofski,	Polen,	Wescott,
Dye,	Krise,	Powers,	White,
Elder,	Kurtz,	Propert,	Wood, N.,
Elish,	Lane,	Readinger,	Worley,
Erb,	Laughner,	Reagan,	Wright,
Ewing,	Leisey,	Reese, D. P.,	Yeakel,
Finnerty,	Leonard,	Reese, R. E.,	Yester,
Flack,	Lichtenwalter,	Reidenbach,	Fiss,
Fleming,		Reilly,	Speaker.

NAYS—0

NOT VOTING—35

Bentley,	Hering,	Lyons,	Root,
Boies,	Herman,	McLanahan,	Rose,
Boory,	Hoggard,	Milliken,	Salus,
Coyle,	Hoopes,	Modell,	Scanlon,
Dillon,	Kolankiewicz,	Munley,	Skale,
Gallagher,	Lee,	O'Brien,	Tahl,
Gore,	Levy,	Petrosky,	Trachtman,
Grant,	Lopez,	Pettigrew,	Varallo,
Green,	Lovett,	Regan,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 685, Printer's No. 364,

was passed over at the request of the Speaker.

PERMISSION TO ADDRESS HOUSE

Mr. COHEN asked and obtained unanimous consent to address the House.

May I say to the Speaker and Members of the House that House Bill 685 is not constitutional. I agree with the gentleman from Venango, Mr. McKinney. An amendment will be prepared to make the bill constitutional.

PERMISSION TO ADDRESS HOUSE

Mr. McKINNEY asked and obtained unanimous consent to address the House.

Mr. Speaker, I simply want to thank the gentleman on the other side of the House for their expert advice and I glad that they concur with me on this bill.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, I hope that since it is a very simple matter, that the gentleman will consent to offer his amendments on the floor of the House without the formality of sending the bill back to committee. We quite agreed with him yesterday that the bill was in need of amendment; we didn't see the need of sending it back to committee, since it could be so easily amended on the floor, where we could be watching him all the time.

PERMISSION TO ADDRESS HOUSE

Mr. LICHTENWALTER asked and obtained unanimous consent to address the House.

Mr. Speaker, I would just like to say that yesterday when the gentleman from Venango, Mr. McKinney, asked to have this bill recommitted because of his statement as to the constitutionality of the bill, the clerks recorded only one "No." The gentleman from Lancaster, Mr. Trout, and myself were also on our feet, and I want the record corrected; I want it to be clear on the record.

Besides, I informed the gentleman from Cambria that his colleague the gentleman from Philadelphia, Mr. Cohen, said definitely that it was constitutional yesterday. He should probably be informed as to the five minute rule in reading the bill. If we had taken the statement of the gentleman from Philadelphia, Mr. Cohen, as to the supplement to the calendar we would certainly have been greatly misinformed.

PERMISSION TO ADDRESS HOUSE

Mr. COHEN asked and obtained unanimous consent to address the House.

Mr. Speaker, if this House had agreed yesterday with the gentleman from Westmoreland, Mr. Lovett,—not that I want to bring him into the picture,—we would have abolished and repealed a rule which prevents us from discussing what went on in committee, but I heard rumors going around; one of the newspaper men mentioned it to me, which probably makes it legal to discuss what has gone on in committee, since it has already gone to press, and we may hear it said in committee that Cohen said it was unconstitutional and that he had hoped that the amendments would not be put in the bill. My opinion is still valid that the bill is unconstitutional, and I will tender my bill to the gentleman from Lehigh, Mr. Lichtenwalter, for services when the session is over.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 686, as follows:

An Act fixing the per diem rate for free or part payment service in State-aided hospitals

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 State aid to hospitals within the Commonwealth shall be used for the purpose of maintenance in the manner prescribed by law at the rate of four and no hundredths dollars ($4.00) per diem for the medical and surgical services rendered to and maintenance of persons treated in such hospitals who are entitled to free service and for each day of part pay service such proportion of four and no hundredth dollars ($4.00) per diem rate as the part of the regular charge which the person treated is not able to pay bears to the regular ward charge for free service except that no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in its public ward

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—166

Andrews,	Foor,	Loftus,	Reynolds,
Baker,	Fox,	Longo,	Riley,
Barrett,	Freed,	Madden,	Robertson,
Barton,	Frost,	Madigan,	Royer,
Baumunk,	Fullerton,	Mahany,	Rudisill,
Bentzel,	Gaffney,	McAtee,	Schuster,
Bonawitz,	Gardner,	McClester,	Serrill,
Boney,	Getchey,	McCormack,	Shaffer,
Bower,	Gibson,	McDowell,	Shoemaker,
Brancato,	Goodling,	McKinney,	Sloan,
Breisch,	Greenwood,	McMillen,	Smith,
Brice,	Greer,	McNair,	Snider,
Brothers,	Guthrie,	McNally,	Snyder,
Brown,	Gyger,	Mihm,	Sollenberger,
Brunner, C. H.,	Haberlen,	Mikula,	Sorg,
Brunner, P. A.,	Hall,	Miller,	Stank,
Burns,	Hamilton,	Mills,	Stockham,
Chervenak,	Hare,	Mooney,	Stonier,
Chudoff,	Haudenshield,	Moore, C. E.,	Stuart,
Cohen,	Heatherington,	Moran,	Swope,
Coleman,	Helm,	Moser,	Tate,
Cook,	Hennihan,	Murray, P. G.,	Tittle,
Cooper,	Hersch,	Myhan,	Trent,
Corrigan,	Hewitt,	Nagel,	Trout,
Costa,	Hoffman,	Nelson,	Turbett,
Coulson,	Howells,	O'Connor,	Turner,
Cullen,	Hunter,	O'Donnell,	Verona,
Dague,	Huntley,	O'Neill,	Wachhaus,
Dalrymple,	James,	Owens,	Wagner,
Dennison,	Jones,	Pentrack,	Waterhouse,
Depuy,	Kennedy,	Pickens,	Watkins,
Dix,	Kirley,	Polaski,	Weiss,
Dougherty,	Kline,	Polen,	Welsh,
Duffy,	Komorofski,	Powers,	Wescott,
Dye,	Krise,	Propert,	White,
Elder,	Kurtz,	Readinger,	Wood, N.,
Elish,	Lane,	Reagan,	Worley,
Erb,	Laughner,	Reese, D. P.,	Wright,
Ewing,	Leisey,	Reese, R. E.,	Yeakel,
Finnerty,	Leonard,	Reidenbach,	Yester,
Flack,	Lichtenwalter,	Reilly,	Fiss,
Fleming,			Speaker.

NAYS—0

NOT VOTING—35

Bentley,	Hering,	Lyons,	Regan,
Boies,	Herman,	Matthews,	Root,
Boory,	Hoggard,	McLanahan,	Rose,
Coyle,	Hoopes,	Milliken,	Salus,
Dillon,	Kolankiewicz,	Modell,	Scanlon,
Gallagher,	Lee,	Munley,	Skale,
Gore,	Levy,	O'Brien,	Tahl,
Grant,	Lopez,	Petrosky,	Trachtman,
Green,	Lovett,	Pettigrew,	Varallo,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 689, as follows:

An Act to amend section two hundred thirty-three and one-tenth of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing the recorder of deeds the prothonotary the clerks of the court of quarter sessions and the clerk of orphans' court in counties of the fifth and sixth classes to appoint solicitors and fixing their maximum salary

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred thirty-three and one-tenth of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as added by the act approved the ninth day of June one thousand nine hundred thirty-one (P. L. 401) is hereby further amended to read as follows

Section 233.1 Solicitor to Register Prothonotary Recorder and Clerks of Courts in Counties of Fifth [Class] and Sixth Classes In all counties of the fifth [class] and sixth classes the register of wills the recorder of deeds the prothonotary the clerk of the court of quarter sessions and the clerk of the orphans court are [is] authorized to appoint one person learned in the law as his solicitor Said solicitor shall advise upon all legal matters that may be submitted to him and shall conduct any litigation when requested so to do by [the register of wills] such officer The solicitor shall hold office for the term for which [the register of wills] his appointing officer was elected and shall receive a salary [of five hundred dollars ($500) per annum] to be fixed by the salary board to be paid out of the county treasury

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—165

Andrews,	Fleming,	Loftus,	Reynolds,
Baker,	Foor,	Longo,	Riley,
Barrett,	Fox,	Madden,	Robertson,
Barton,	Freed,	Madigan,	Royer,
Baumunk,	Frost,	Mahany,	Rudisill,
Bentzel,	Fullerton,	McAtee,	Schuster,
Bonawitz,	Gaffney,	McClester,	Serrill,
Boney,	Gardner,	McCormack,	Shaffer,
Bower,	Getchey,	McDowell,	Shoemaker,
Brancato,	Gibson,	McKinney,	Sloan,
Breisch,	Goodling,	McMillen,	Smith,
Brice,	Greenwood,	McNair,	Snider,
Brothers,	Greer,	McNally,	Snyder,
Brown,	Guthrie,	Mihm,	Sollenberger,
Brunner, C. H.,	Gyger,	Mikula,	Sorg,
Brunner, P. A.,	Haberlen,	Miller,	Stank,
Burns,	Hall,	Mills,	Stockham,
Chervenak,	Hamilton,	Mooney,	Stonier,
Chudoff,	Hare,	Moore, C. E.,	Stuart,
Cohen,	Haudenshield,	Moran,	Swope,
Coleman,	Heatherington,	Moser,	Tate,
Cook,	Helm,	Murray, P. G.,	Tittle,
Cooper,	Hennihan,	Myhan,	Trent,
Corrigan,	Hersch,	Nagel,	Trout,
Costa,	Hewitt,	Nelson,	Turbett,
Coulson,	Hoffman,	O'Connor,	Turner,
Cullen,	Howells,	O'Donnell,	Verona,
Dague,	Hunter,	O'Neill,	Wachhaus,
Dalrymple,	Huntley,	Owens,	Wagner,
Dennison,	James,	Pentrack,	Waterhouse,
Depuy,	Jones,	Pickens,	Watkins,
Dillon,	Kennedy,	Polaski,	Welsh,
Dix,	Kirley,	Polen,	Wescott,
Dougherty,	Kline,	Powers,	White,
Duffy,	Komorofski,	Propert,	Wood, N.,
Dye,	Krise,	Readinger,	Worley,
Elder,	Kurtz,	Reagan,	Wright,
Elish,	Lane,	Reese, D. P.,	Yeakel,
Erb,	Laughner,	Reese, R. E.,	Yester,
Ewing,	Leisey,	Reidenbach,	Fiss,
Finnerty,	Leonard,	Reilly,	Speaker.
Flack,	Lichtenwalter,		

NAYS—1

Weiss,

NOT VOTING—35

Bentley,	Herman,	Matthews,	Root,
Boies,	Hoggard,	McLanahan,	Rose,
Boory,	Hoopes,	Milliken,	Salus,
Coyle,	Kolankiewicz,	Modell,	Scanlon,
Gallagher,	Lee,	Munley,	Skale,
Gore,	Levy,	O'Brien,	Tahl,
Grant,	Lopez,	Petrosky,	Trachtman,
Green,	Lovett,	Pettigrew,	Varallo,
Hering,	Lyons,	Regan,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 721, as follows:

An act to amend section ten and to further amend section twelve of the act approved the twelfth day of May one thousand nine hundred twenty-five (P. L. 603) entitled "An act concerning conditional sales and to make uniform the law relating thereto" by changing the fees to which the filing officer shall be entitled in counties of the second class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section ten of the act approved the twelfth day of May one thousand nine hundred twenty-five (P. L. 603) entitled "An act concerning conditional sales and to make uniform the law relating therto" is hereby amended to read as follows

Section 10 Filing The filing officer shall mark upon the contract or copy filed with him the day and hour of filing and shall file the contract or copy in his office for public inspection He shall keep a separate book in which he shall enter the names of the seller and buyer the date of the contract the day and hour of filing a brief description of goods the price named in the contract and the date of cancellation thereof except that in entering the contract mentioned in section eight the recorder of deeds shall record either the sum remaining to be paid upon the contract or the price of the goods Such book shall be indexed under the name of both seller and buyer For filing and entering such contract or copy the filing officer shall be entitled to a fee of fifty cents except that for filing and entering a contract described in section eight the recorder of deeds shall be entitled to the same fee as he is now allowed by law for similar services

In counties of the second class the filing officer shall be entitled to a fee of one dollars

Section 2 Section twelve of said act as amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 373) is hereby further amended to read as follows

Section 12 Cancellation of Contract An ycontract filed in the office of the prothonotary may be cancelled by satisfaction noted on the docket in the same manner as judgments at law are satisfied In lieu of such satisfaction after the performance of the condition upon written demand delivered personally or by registered mail by

the buyer or any other person having an interest in the goods the seller shall execute acknowledge and deliver to the demandant a statement that the condition in the contract has been performed If for ten days after such demand the seller fails to mail or deliver such a statement of satisfaction he shall forfeit to the demandant five dollars and be liable for all damages suffered Upon presentation of such statement of satisfaction the filing officer shall file the same and note the cancellation of the contract and the date thereof on the margin of the page where the contract has been entered For filing and entering the statement of satisfaction the filing officer shall be entitled to a fee or thirty cents except that the recorder of deeds shall be entitled to a fee of fifty cents for filing and entering a statement of the satisfaction of a contract described in section eight

In counties of the second class the filing officer shall be entitled to a fee of seventy-five cents for filing and entering the statement of satisfaction

Section 3 This act shall become effective on the first day of September one thousand nine hundred forty-five

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—165

Andrews,	Fleming,	Lichtenwalter,	Reilly,
Baker,	Foor,	Loftus,	Reynolds,
Barrett,	Fox,	Longo,	Riley,
Barton,	Freed,	Madden,	Robertson,
Baumunk,	Frost,	Madigan,	Royer,
Bentzel,	Fullerton,	Mahany,	Rudisill,
Bonawitz,	Gaffney,	McAtee,	Schuster,
Boney,	Gardner,	McClester,	Serrill,
Bower,	Getchey,	McCormack,	Shaffer,
Brancato,	Gibson,	McDowell,	Shoemaker,
Breisch,	Goodling,	McKinney,	Sloan,
Brice,	Greenwood,	McMillen,	Smith,
Brothers,	Greer,	McNair,	Snider,
Brown,	Guthrie,	McNally,	Snyder,
Brunner, C. H.,	Gyger,	Mihm,	Sollenberger,
Brunner, P. A.,	Haberlen,	Mikula,	Sorg,
Burns,	Hall,	Miller,	Stank,
Chervenak,	Hamilton,	Mills,	Stockham,
Chudoff,	Hare,	Mooney,	Stonier,
Cohen,	Haudenshield,	Moore, C. E.,	Stuart,
Coleman,	Heatherington,	Moran,	Swope,
Cook	Helm,	Moser,	Tate,
Cooper,	Hennihan,	Murray, P. G.,	Tittle,
Corrigan,	Hersch,	Myhan,	Trent,
Costa,	Hewitt,	Nagel,	Trout,
Coulson,	Hoffman,	Nelson,	Turbett,
Cullen,	Howells,	O'Connor,	Turner,
Dague,	Hunter,	O'Donnell,	Verona,
Dalrymple,	Huntley,	O'Neill,	Wachhaus,
Dennison,	James,	Owens,	Wagner,
Depuy,	Jones,	Pentrack,	Waterhouse,
Dix,	Kennedy,	Pickens,	Watkins,
Dougherty,	Kirley,	Polaski,	Welsh
Duffy,	Kline,	Polen,	Wescott,
Dye,	Komorofski,	Powers,	White,
Elder,	Krise,	Propert,	Wood N.,
Elish,	Kurtz,	Readinger,	Wright,
Erb,	Lane,	Reagan,	Yeakel,
Ewing,	Laughner,	Reese, D P.,	Yester,
Finnerty,	Leisey,	Reese, R E.,	Fiss,
Flack,	Leonard,	Reidenbach,	Speaker.

NAYS—1

Worley,

NOT VOTING—35

Bentley,	Hering,	Lyons,	Regan,
Boies,	Herman,	Matthews,	Root,
Boory,	Hoggard,	McLanahan,	Rose,
Coyle,	Hoopes,	Milliken,	Salus,
Dillon,	Kolankiewicz,	Modell,	Scanlon,
Gallagher,	Lee,	Munley,	Skale,
Gore,	Levy,	O'Brien,	Tahl,
Grant,	Lopez,	Petrosky,	Trachtman,
Green,	Lovett,	Pettigrew,	Varallo,
			Weiss,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 898, as follows:

An Act conferring the power to administer oaths on minute clerks in the Court of Common Pleas or the Courts of Quarter Sessions of the Peace Oyer and Terminer and General Jail Delivery in counties of the second class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In every county of the second class of this Commonwealth any minute clerk in the Court of Common Pleas or the Courts of Quarter Sessions of the Peace Oyer and Terminer and General Jail Delivery shall have the power to administer oaths and affirmations so far as they relate to the performance of work of the said courts to which the clerks are attached

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—166

Andrews,	Foor,	Loftus,	Reynolds,
Baker,	Fox,	Longo,	Riley,
Barrett,	Freed,	Madden,	Robertson,
Barton,	Frost,	Madigan,	Royer,
Baumunk,	Fullerton,	Mahany,	Rudisill,
Bentzel,	Gaffney,	McAtee,	Schuster,
Bonawitz,	Gardner,	McClester,	Serrill,
Boney,	Getchey,	McCormack,	Shaffer,
Bower,	Gibson,	McDowell,	Shoemaker,
Brancato,	Goodling,	McKinney,	Sloan,
Breisch,	Greenwood,	McMillen,	Smith,
Brice,	Greer,	McNair,	Snider,
Brothers,	Guthrie,	McNally,	Snyder,
Brown,	Gyger,	Mihm,	Sollenberger,
Brunner, C. H.,	Haberlen,	Mikula,	Sorg,
Brunner, P. A.,	Hall,	Miller,	Stank,
Burns,	Hamilton,	Mills,	Stockham,
Chervenak,	Hare,	Mooney,	Stonier,
Chudoff,	Haudenshield,	Moore, C. E.,	Stuart,
Cohen,	Heatherington,	Moran,	Swope,
Coleman,	Helm,	Moser,	Tate,
Cook,	Hennihan,	Murray, P. G.,	Tittle,
Cooper,	Hersch,	Myhan,	Trent,
Corrigan,	Hewitt,	Nagel,	Trout,
Costa,	Hoffman,	Nelson,	Turbett,
Coulson,	Howells,	O'Connor,	Turner,
Cullen,	Hunter,	O'Donnell,	Verona,
Dague,	Huntley,	O'Neill,	Wachhaus,
Dalrymple,	James,	Owens,	Wagner,
Dennison,	Jones,	Pentrack,	Waterhouse,
Depuy,	Kennedy,	Pickens,	Watkins,
Dix,	Kirley,	Polaski,	Welsh,
Dougherty,	Kline,	Polen,	Wescott,
Duffy,	Komorofski,	Powers,	White,
Dye,	Krise,	Propert,	Wood, N.,
Elder,	Kurtz,	Readinger,	Worley,

Elish,	Lane,	Reagan,	Wright,
Erb,	Laughner,	Reese, D. P.,	Yeakel,
Ewing,	Leisey,	Reese, R. E.,	Yester,
Finnerty,	Leonard,	Reidenbach,	Fiss,
Flack,	Lichtenwalter,	Reilly,	Speaker.
Fleming,			

NAYS—0

NOT VOTING—35

Bentley,	Herman,	Matthews,	Root,
Boies,	Hoggard,	McLanahan,	Rose,
Boory,	Hoopes,	Milliken,	Salus,
Coyle,	Kolankiewicz,	Modell,	Scanlon,
Dillon,	Lee,	Munley,	Skale,
Gallagher,	Levy,	O'Brien,	Tahl,
Gore,	Lopez,	Petrosky,	Trachtman,
Grant,	Lovett,	Pettigrew,	Varallo,
Green,	Lyons,	Regan,	Weiss,
Hering,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 1110, Printer's No. 361 and

House Bill No. 411, Printer's No. 377

were passed over at the request of the SPEAKER.

BILLS NOT ON FILE

The SPEAKER. The following bills are not on file and will therefore be passed over:

House Bill No. 739, Printer's No. 384,

House Bill No. 850, Printer's No. 386,

House Bill No. 795, Printer's No. 385 and

House Bill No. 100, Printer's No. 383.

CONGRATULATORY RESOLUTION

Messrs. MOSER and FREED offered a resolution which was read, considered and unanimously adopted as follows:

In the House of Representatives, March 28, 1945.

Thirty-five years ago, in the village of Palmerton, there was born to Bert A. and Ellen M. Lichtenwalter, a son, who, through the years that have followed, has grown into our Majority Floor Leader.

At the time of his arrival no one in Palmerton knew that this latest arrival would some day make the town important, but he has since surprised and delighted everyone with his rapid progress.

He is not only the Majority Leader of this House, but he has twice been elected Justice of the Peace in Upper Saucon Township in Lehigh County, and his friends in Center Valley refer to him as the "Squire." Our Majority Leader not only controls the work of this House, but he is the legal control in his home community and on the side he runs a progressive insurance business.

As a joiner he has an enviable record for he is a member of the Masonic Fraternity, Lehigh Consistory, Honorary First Defenders of Allentown, The Grange, Jr. O. U. A. M., Lions Club, American Business Club and of many sportsmen's and political clubs.

He was elected a member of this House in 1938 and has been its Majority Floor Leader since the organization of the Session of 1943; therefore be it

Resolved, That the members of this House extend to the Honorable Franklin H. Lichtenwalter, its very best wishes for many more anniversaries of his natal day, that each succeeding one will find him happier and more prosperous and that his continuance in public office will be uninterrupted so long as he desires to serve the cause of good government; and be it further

Resolved, That in testimony of our esteem for his talents of leadership and of our genuine liking for him, we direct the Chief Clerk of the House to transmit to him a copy of this Resolution.

On the question,

Will the House adopt the resolution?

It was unanimously adopted.

The SPEAKER. The Chair recognizes the gentleman from Lehigh, Mr. Lichtenwalter.

Mr. LICHTENWALTER. Mr. Speaker, I certain want to thank the Members of the House for this very splendid resolution on the observance of my birthday. I received from a minority Member when I came into the Hall of the House three cigars. He probably has noticed that my supply becomes exhausted up here at the front desk, and I had to send Bennie out for cigars very often through the day.

These cigars I notice are manufactured in a neighboring county to mine, by Wolf Brothers, and they are called "Crooks-Mild." I don't know whether that has any significance or not. At least I am very happy to know that I am only a mild person in the matter of crooks. But truthfully, gentlemen, I was also told that each cigar represents twenty-five years. I don't know whether I look that old. I want to assure the Members of the House that I do not feel that old.

Again I want to thank you and tell you that if I go through many more sessions with as close a majority as we have in the 1945 session my hairs will become a great deal thinner than they are at the present time, and I am losing them very fast. I again thank you.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, filching a phrase from the gentleman from Philadelphia, Mr. Cohen, since the Majority Leader, being thirty-five, may now be considered out of his legislative diapers we will, if we have the pleasure of seeing him in another session, put him in short pants, and another session we will put him into full length trousers.

It has been a pleasure—so far—to have had the privilege of working with the Majority Leader. His uniform courtesy and the strong bond that constitutes his word has made the position that I temporarily occupy much easier than it would have been had he been a man of craftier mind.

There is just one blot upon his escutcheon, one possible blot; I didn't know until I heard what his occupation was just why we had raised the fees of the minor judiciary, but I think that is quite all right, and while I do not expect, if they reapportion this House, that I will be back—because they are going to legislate me out of office, I do think in all probability he will be back, and since he has had the good fortune to be born with thoughtful precaution during the time that the Legislature is in session I presume that he is now entering upon a succession of congratulatory resolutions, which as far as I am concerned may be continued until he is at least ninety-five.

The SPEAKER. The Chair wishes to congratulate the Majority Leader, the gentleman from Lehigh, with the

hope that he serves the Legislature, and really serves out those seventy-five years.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 336

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 28, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 336, Printer's No. 191, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

EDWARD MARTIN.

RECONSIDERATION OF VOTE

Mr. REAGAN. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. BOWER. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Union, Mr. Reagan vote on the final passage of this bill?

Mr. REAGAN. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Northumberland, Mr. Bower vote on the final passage of this bill?

Mr. BOWER. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. REAGAN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. REAGAN. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Title, page 1, line 1 of title, by inserting after the word "To" the following: "further."

Amend Section 1, page 2, line 2, by inserting after the word "thereto" the following: "as amended by the act approved the fifteenth day of July, one thouseand nine hundred and thirty-five (P. L. 1016)."

Amend Section 1, page 2, line 2, by inserting after the word "hereby" the following: "further."

Amend Section 1 (sec. 702), page 2, line 19, by inserting after the word "townships" the following: "or fire departments, fire companies, or fire company therein."

Amend Section 1 (sec. 702), page 2, line 20, by inserting after the word "department" the following: "fire departments, fire companies or fire company."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

PERMISSION TO ADDRESS HOUSE

Mr. WRIGHT asked and obtained unanimous consent to address the House.

Mr. Speaker, briefly I wish to call your attention to the greatest event in all history and the life of man.

Next Sunday, April 1st, will be Easter Day. No other day so stirs the spirit of hope and courage of man, making his broken like akin to the wonders of spring and a prophecy of more life.

Hope and courage we have in some degree, for our daily affairs; but here is a hope that leaps beyond the border of time, and a courage that dares to face the eternity beyond our days.

For this Easter stands in his history, its heroic faith, its springing earth, its prophecy of renewal putting off the tyrany of time and the terror of the grave; in the victory of the spirit.

The glory of Jesus is, that He brought life and immortality to light, lifted it out of dim groping shadows and made it a revelation of what life is and is to be.

All Christian denominations of America sing the song "Up from the grave He arose." We will say, "Up to the cross he went, facing all that fate and his foes could do, trusting the power of love alone; and it won, turning defeat into victory—even victory over the power of death itself."

Really my friends today is the newest thing in all history, as life begins all over each morning, for morning is God's gift for a new start for man.

Therefore, we must look to this day for it is life. But today well lived will make all yesterdays a dream of happiness and every tomorrow a vision of hope, and only those thoughts should remain in our minds that give fruitage for the days to come.

All regrets are vain. Blunders cannot be wiped out, but they tell us something, and that is to learn from them and leave them in the past where they belong.

We instinctively believe in the people who believe in themselves,from them are selected the leaders who create and inspire.

It is impossible to believe in anything that does not ring true. We believe in the permanence that the Creator himself believed in. There is something deathly about sincerity.

"Give me the glory of going on and still to be," cried a great poet; we believe it is greater than the glory of the warrior, the glory of oratory, greater than the song that celebrates it.

It is a glory that puts a new meaning and value in life with its efforts, so sadly baffled, its sorrow so dark, its realization so fragmentary and incomplete.

We must have faith in God the Father, and in man the brother—The God within us and above us, and the man next to us.

To believe in the people is to believe in all the people, not in a few, a clan, a class, a sect.

As we do not ask logic to prove the advent of spring, so there is no need to argue of a faith older than history; and more profound than all philosophy.

The mighty love of God moving in the soft spoken spring time, weaving in silence a robe of white for the lilly, of blue for the violet, of red for the rose, will clothe our spirits as he wills.

We can work with brave hearts, endure with serenity and delight without alloy, if we know that the good we aim at here and never quite attain, is a token and a prophecy of what we shall be.

Easter is an anthem singing victoriously in the heart of nature and the soul of man, celebrating the triumph of life over the white death of winter and the dark winter of death.

Older than all eras, older than any living religion, it is the prophecy of life itself, refusing to admit that the grave is the gigantic coffin lid decending upon the heroic soul of man.

Such audacity of faith in the face of dark fatality fills one with awe. At least it shows that there is something in man that ought not to die.

To all of us inevitably the wonder of spring with its bursting buds and bird song bring a wistfulness, too, also recalling all the lost Aprils of years agone and lovely faces fallen in the dust.

Yet something deep within us, deep as life and love and death, tells us that the spirit of man, frail and fleeting though it is, belongs to a real world where dull death does not reign.

We believe in Easter Day because it was on that first Easter that the Son of Man walked from his tomb, thereby proving to all mankind the unbelievable—that man could live and die and live again.

Down upon the homes of our living and the graves of our dead, the light of Easter will fall, bathing our mortality with wonder and deepening our wistfulness into worship.

If life is worthless so is immortality. God be thanked for a life that interprets life, and a death that defeats death, showing to what heights our little winged souls may soar, see and sing.

The SPEAKER. The Chair thanks the gentleman from Greene for his timely message.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair is informed that the gentleman from Sullivan, Mr. Flynn, a former member of the House, is present. The Chair welcomes the gentleman.

SENATE MESSAGES

RESOLUTIONS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, March 27, 1945.

Resolved (if the Senate concur), that House Bill No. 52, Printer's No. 298, entitled "An act to amend clause six of section thirteen of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled 'An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties' further defining the disability retirement rights of members of the School Employes' Retirement Association who engage in active military service" be recalled from the Governor for the purpose of amendment.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, March 27, 1945.

Resolved (if the Senate concur) that House Bill No. 164, Printer's No. 29, entitled "An act to reenact an amend the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 563) entitled 'An act to add section two thousand two and one-tenth to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general or local or any parts thereof that are or may be inconsistent therewith" providing for cooperation of State Teachers Colleges at the request of the State council of Defense with other agencies in furthering national defense programs and activities' extending the effective period thereof" be recalled from the Governor for the purpose of amendment.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, March 27, 1945.

Resolved (if the Senate concur), that House Bill No. 374, Printer's No. 176, entitled "An act to further amend the third paragraph of section five of the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled 'An act relating to counties of the first class defining deceased service persons providing for the contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records' making counties in which deceased service persons are buried liable for the cost of headstones," be recalled from the Governor for the purpose of amendment.

PERMISSION TO ADDRESS HOUSE

Mr. BROWN asked and obtained unanimous consent to address the House.

Mr. Speaker, I would not let the day pass without expressing my deep appreciation to the Members of the House who on yesterday were so kind as to give up their seats until just about fifteen minutes before the session convened in order to accommodate the people who were here for a public hearing on House Bill 354, Senate 444 and the other bills dealing with FEPC legislation.

Inasmuch as there is no record made of these proceedings, I want to take this opportunity so that the records may show that we not only appreciate the cooperation of the Members of the House, but that of the Speaker, the Parliamentarian, the Chief Clerk, and the gentleman who had to do with our sound apparatus—all of these gentlemen helped materially in handling the crowd that came yesterday to the hearing.

I want the record to show that, Mr. Speaker, because those people came yesterday for something which is very vital in our government, and I would like to call to the attention of the members Section 20 of Article I of the Bill of Rights of the Constitution, because I don't believe we give enough emphasis to that section of our Constitution. I want to quote it for the record so that the gentlemen may know that what they did yesterday was in furtherance of our Constitutional form of government for which our men fight and die.

I quote, Mr. Speaker, Section 20, Article I of the Bill of Rights of the Constitution of Pennsylvania:

> The citizens have a right in a peaceable manner to assemble together for their common good, and to apply to those invested with the powers of government for redress of grievances or other proper purposes, by petition, address or remonstrance.

I simply want the record to show that we were all performing our constitutional duties, and I assure you, Mr. Speaker and members of the House, that far beyond whatever may come of the legislation that was before the joint committee, the inspiration that these people received—some of whom had never been to our capitol before—the inspiration that came to them and the knowledge that here in our own state they can come as humble citizens to petition their government means more than any legislation that we may pass. Very few of them perhaps know that the constitutional amendment give them the right, but they know that they are free people and they know that they live in a free country; they came here as free citizens, and we received them. As long as we do that we need never fear Fascism, Totalitarianism, Nazism or any other form of government which is inimical to the government of a constitutional form which we represent here today.

RESOLUTION

Mr. CULLEN offered a resolution which was filed with the Clerk.

PERMISSION TO HOLD COMMITTEE MEETING

Mr. FLEMING asked and obtained permission to use the new House caucus room for a public hearing before the Committee on Cities and Counties—Second Class on Tuesday, April 3rd at 10:00 o'clock.

COMMITTEE MEETINGS

There will be meetings of the Committees on:

Agriculture, Thursday, March 29, at 10:00 a. m. in Room 331.

Cities—Third Class, Thursday, March 29, at 10:30 a. m. in Room 521.

Fisheries, Thursday, March 29, at 9:30 a. m. in Room 331.

Insurance, Thursday, March 29, at 10:00 a. m. in Room 330.

Mines and Mining, Thursday, March 29, at 9:00 a. m. in Room 323.

There will be a Public Hearing before the Committee on Cities and Counties—Second class on House Bill No. 936, 1050 and 1190 on Tuesday, April 3, 1945 at 10:00 a. m. in the New House Caucus Room.

ADJOURNMENT

Mr. MADIGAN. Mr. Speaker, I move that this House do now adjourn until Thursday, March 29, 1945, at 11 a. m.

The motion was agreed to, and (at 3:48 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1945. 136th of the General Assembly.

Vol. 29. HARRISBURG, PA., THURSDAY, MARCH 29, 1945. No. 36.

SENATE

THURSDAY, March 29, 1945.

The Senate met at 11:00 o'clock a. m., Eastern War Time.

The PRESIDENT PRO TEMPORE (M. Harvey Taylor) in the Chair.

PRAYER

The Chaplain, Rev. EDWIN S. WALLACE, D. D., offered the following prayer:

In Thy mercy and under the protection of Thy Holy Spirit we have again come to the anniversary of the crucifixion and the resurrection of Christ, our Savior. The men and women of Christendom will commemorate with prayer and praise these wondrous events and their meaning. The church of Christ in all the world will honor the Victim of Calvary and the Victor over death by recalling the sacrifice of the Cross and the glory of the Risen Lord.

In our concern about many things may we give thought to the significance of Good Friday and Easter. Nothing we have to do in this world bears any comparison in its effect upon our national and individual lives as does our relationship to the Person who was crucified for our redemption and rose for our justification.

May our faith in His perfect work manifest itself in Christly attitude and deeds to all men everywhere—even to our enemies. Enable us to throw down the barriers of bigotry, the walls of prejudice, and to look upon all men as sons of our God and brothers of one blood.

In the name of Him who was dead but is alive forevermore. Amen.

JOURNAL APPROVED

The PRESIDENT PRO TEMPORE. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HEYBURN and Mr. WALKER, the further reading was dispensed with, and the Journal was approved.

The PRESIDENT PRO TEMPORE. The Chair at this time calls to the rostrum Senator Walker of Allegheny.

The PRESIDING OFFICER (John M. Walker) in the Chair.

LEAVES OF ABSENCE

Mr. Wade asked and obtained leave of absence for Mr. EDMONDS.

He also asked and obtained leave of absence for Mr. CRIDER.

He also asked and obtained leave of absence for Mr. EALY.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

APPROVED AND SIGNED SENATE BILL No. 187, PRINTER'S No. 93

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 28, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 187, Printer's No. 93, entitled "An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately eighty-nine acres of land in the Twenty-Sixth and Forty-Eighth Wards of the City of Philadelphia Pennsylvania known as the League Island Navy Yard and ceding jurisdiction to the United States."

EDWARD MARTIN.

APPROVED AND SIGNED SENATE CONCURRENT RESOLUTION RECALLING SENATE BILL No. 230, PRINTER'S No. 102

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 28, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Concurrent Resolution recalling from the Governor Senate Bill No. 230, Printer's No. 102, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

EDWARD MARTIN.

APPROVED AND SIGNED SENATE CONCURRENT RESOLUTION RECALLING SENATE BILL No. 25, PRINTER'S No. 63

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 28, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Concurrent Resolution recalling from the Governor Senate Bill No. 25, Printer's No. 63, for further consideration and amendments.

Accordingly, the original bill is herewith returned.

EDWARD MARTIN.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 3, entitled:

An Act to further amend clause (b) of section four of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051), entitled "Public Assistance Law," prohibiting the requiring of security for repayment of public assistance; cancelling existing obligations; and providing for reconveyance of real property.

Which was committed to the Committee on Welfare, Public Assistance and Pensions.

House Bill No. 58, entitled:

An Act to further amend section two hundred twenty-two of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by further regulating the vacation leave and sick leave to which State employes are entitled with pay.

Which was committed to the Committee on State Government.

House Bill No. 89, entitled:

An Act making an appropriation from the State Workmen's Insurance Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Workmen's Insurance Fund

Which was committed to the Committee on State Government.

House Bill No. 155, entitled:

An Act making an appropriation from the Fish Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Fish Fund

Which was committed to the Committee on State Government.

House Bill No. 375, entitled:

An Act to further amend the first paragraph of section one thousand seven hundred one of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," providing for the issuance of equivalent high school diplomas in certain cases.

Which was committed to the Committee on Education.

House Bill No. 439, entitled:

An Act providing for the establishment in counties of the second class of the lot and block plan for the registration of land titles for the accumulation of county tax liens and for the enumeration of the parcels of real estate to be assessed for county city borough township school and institution district taxation providing for the incurring of indebtedness for the installation thereof and imposing duties upon the county controller and the deed registrar in each of such counties

Which was committed to the Committee on County Government.

House Bill No. 448, entitled:

An Act to add section nineteen and two-tenths to the act approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298), entitled "Fourth Class County Retirement Law," by providing for the admission of assessors into membership of such retirement systems.

Which was committed to the Committee on County Government.

House Bill No. 655, entitled:

An Act to add section six to the act approved the tenth day of June one thousand nine hundred eleven (P. L. 872) entitled "A supplement to an act entitled 'An act for the government of cities of the second class' approved the seventh day of March Anno Domini one thousand nine hundred and one creating and regulating a City Planning Department giving it jurisdiction extending it over the city and for three miles beyond the city limits and regulating the laying out of plans of lots within the limits of the city" requiring notice of proposed roads streets and highways leading to adjoining political subdivisions to be given to the authorities thereof by the City Planning Commission in cities of the second class A

Which was committed to the Committee on Municipal Government.

House Bill No. 664, entitled:

An Act to add section twenty-one point one to the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 1011) entitled "A supplement to an act entitled 'An act for the government of cities of the second class' approved the seventh day of March Anno Domini one thousand nine hundred and one creating a department of city planning providing for its organization and powers regulating the platting of ground prohibiting the recording of plans and sales of lots therein before their approval under penalties making it a misdemeanor for the recorder of deeds to record an unapproved plan restricting accepting laying out opening and improving private streets prohibiting the erection of buildings on land not abutting on public streets or streets not shown on the official master plan or an approved plat transferring to the department of city planning powers conferred by other statutes over plats or subdivisions of land the reservation of locations of mapped streets for future use and authorizing the assessment of damages for same, the preparation and compilation of an official street map providing penalties for the violation of this act and repealing certain statutes" requiring notice of proposed roads streets and highways leading to adjoining political subdivisions to be given to the authorities thereof

Which was committed to the Committee on Municipal Government.

House Bill No. 686, entitled:

An Act fixing the per diem rate for free or part payment service in State-aided hospitals

Which was committed to the Committee on Public Health.

House Bill No. 689, entitled:

An Act to amend section two hundred thirty-three and one-tenth of the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," authorizing the recorder of deeds, the prothonotary, the clerks of the court of quarter sessions and the clerk of the orphans' court in counties of the

fifth class to appoint solicitors; and fixing their maximum salary.

Which was committed to the Committee on County Government.

House Bill No. 691, entitled:

An Act to further amend section five hundred three of the act approved the eleventh day of July, one thousand nine hundred twenty-three (P. L. 998), entitled "Mental Health Act of 1923," granting an exemption to the estates of mental patients from the cost of maintenance in mental institutions, otherwise liable for such maintenance.

Which was committed to the Committee on Welfare, Public Assistance and Pensions.

House Bill No. 721, entitled:

An Act to amend section ten and to further amend section twelve of the act approved the twelfth day of May one thousand nine hundred twenty-five (P. L. 603) entitled "An act concerning conditional sales and to make uniform the law relating thereto" by changing the fees to which the filing officer shall be entitled

Which was committed to the Committee on Judiciary General.

House Bill No. 898, entitled:

An Act conferring the power to administer oaths on clerks in the office of the prothonotary or clerk of Quarter Sessions of the Peace, Oyer and Terminer and General Jail Delivery

Which was committed to the Committee on Judiciary General.

House Bill No. 1095, entitled:

An Act to amend section one thousand one hundred one of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "The Game Law," requiring the Pennsylvania Game Commission to pay bounties to public employees.

Which was committed to the Committee on Forests and Waters, Game and Fish.

House Bill No. 1135, entitled:

An Act conferring upon counties of the second class, power to enter upon private property and open and maintain drainage channels along county roads or highways; and providing penalty for interference with such drains or ditches.

Which was committed to the Committee on County Government.

House Bill No. 1232, entitled:

An Act to amend section nine hundred ten of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "Pennsylvania Election Code" by providing that in the case of a candidate for nomination as a judge of a court of record who is in the armed service in time of war, the affidavit to his nomination petition may be made by the chairman of the political party.

Which was committed to the Committee on Elections.

HOUSE CONCURS IN SENATE BILL No. 115

He also returned to the Senate, Senate Bill No. 115, entitled:

An Act to repeal Section forty-five of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemption debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absenta the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents"

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 184

He also returned to the Senate, Senate Bill No. 184, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in the Thirty-Fifth Ward in the City of Philadelphia, Commonwealth of Pennsylvania, known as the Naval Aviation Supply Depot; and ceding jurisdiction to the United States

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 185

He also returned to the Senate, Senate Bill No. 185, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately twenty-seven acres of land in the Twenty-sixth and Forty-eighth Wards of the City of Philadelphia, known as the Naval Hospital; and ceding jurisdiction to the United States

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 186

He also returned to the Senate, Senate Bill No. 186, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately sixty-five acres of land in the Fortieth Ward of the City of Philadelphia, known as the Naval Ammunition Depot at Fort Mifflin; and ceding jurisdiction to the United States

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 266

He also returned to the Senate, Senate Bill No. 266 entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America, of approximately two thousand four hundred acres of land in the County of Mercer, Commonwealth of Pennsylvania, for use in connection with Camp Reynolds, and ceding jurisdiction to the United States

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 357

He also returned to the Senate, Senate Bill No. 357, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America, of approximately five hundred fifty-seven acres of land in the Township of South Lebanon, County of Lebanon, and Commonwealth of Pennsylvania, known as the Veterans' Administration Facility at Lebanon, Pennsylvania; and ceding jurisdiction to the United States

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 405

He also returned to the Senate, Senate Bill No. 405, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of certain tracts of land in Chester County Pennsylvania for use in connection with the Valley Forge General Hospital and ceding jurisdiction to the United States

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 422

He also returned to the Senate, Senate Bill No. 422, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract of land in Lebanon County, Pennsylvania, containing approximately sixty-four acres, for use in connection with the Indiantown Gap Military Reservation; and ceding jurisdiction to the United States

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 424

He also returned to the Senate, Senate Bill No. 424, entitled:

An Act to amend Section 686 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by providing that a cashier of a bank who engages in any gainful profession occupation or calling other than that of his duty as cashier shall not be guilty of a misdemeanor

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 429

He also returned to the Senate, Senate Bill No. 429, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of three tracts of land in Cumberland County, Pennsylvania, containing approximately nine hundred forty-three acres, for use in connection with a military reservation known as Carlisle Barracks, and ceding jurisdiction to the United States

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 431

He also returned to the Senate, Senate Bill No. 431, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of certain tracts of land in Dauphin County, Pennsylvania, for use in connection with the Middletown Air Depot, and ceding jurisdiction to the United States

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 460

He also returned to the Senate, Senate Bill No. 460, entitled:

An Act to further amend Subsection A of Section one thousand one of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled, "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National Banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions and officers; imposing penalties; and repealing certain acts and parts of acts" by regulating the making of certain classes of loans and clarifying the powers and limitations on powers of banks and bank and trust companies

with the information that the House has passed the same without amendments.

SENATE BILL No. 143 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 143, entitled:

An Act to amend clause (a) of section six hundred twenty-one and one-tenth of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by further regulating group, accident and health insurance

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended, will appear on tomorrow's Calendar.

PERMISSION TO ADDRESS SENATE

Mr. COX asked and obtained unanimous consent to address the Senate.

Mr. COX. Mr. President, if I may have the attention of the members of the Senate for a short time, I would like to discuss the problem of the mentally ill in Pennsylvania.

On March 7 I presented a resolution to the Senate requesting an immediate senatorial investigation of the state mental institutions of Woodville and Mayview. This resolution was presented because our local newspapers carried a series of articles in which they had described the fact that those institutions were so overcrowded that the mentally ill of Allegheny county were shackled to their cells in the Allegheny county prison. Much to my great regret the Senate did not see fit to pass that resolution, but sent it to committee.

The problem of the mentally ill is one of the most tragic of all the problems this legislature has to solve. Mental illness is not an illness which is particular to any class of society, any social group or any political party. Within the circle of relationship and friendship of every member of this Senate there are people who have been or who will be mentally ill, people who must be confined to our state institutions for the cure of the mentally ill.

I was not satisfied to sit supinely by when the Senate refused this investigation, so I appointed myself as a one-man-committee of the Senate to personally investigate conditions in Woodville and Mayview.

I started my study by first going to the local communities, and there I found, when the police authorities of the local communities faced a crisis in which someone was ill and needed confinement, there was no state institution to take them until such time as they could be committed to our state mental institutions. The reason for that is that it takes an average of five days before commitment papers can be completed and the patient legally admitted to one of our mental institutions. At the time of a crisis the mental institutions will not take a person who is mentally ill, until he has been legally committed.

The method by which the local communities solve this problem of the mentally ill was quite an interesting one to me, quite a tragic one. I found, for instance, that one community during that particular week had picked up in the streets of that community a woman who was insane, and upon interrogating her they found that one of the neighboring communities, knowing of her condition, had given her carfare, put her on a street car and told her to get off at the second community. The police officials picked her up and put her in a police car and took her back to the community from which she came and dumped her there.

This is a tragic thing, and it is being repeated daily throughout the great metropolitan areas of the Commonwealth; it is being repeated because there is not anything else that the local communities can do.

I went to Miss O'Hara—I have had a series of conferences with her relative to the problem of mental health. Two weeks ago I spent an entire day at both Mayview and Woodville, and last Saturday I went to Polk.

Yesterday I took this problem to the Governor of this Commonwealth. Subsequent to the introduction of my resolution on March 7, in which I requested an investigation of Mayview and Woodville, the gentleman from Allegheny, Senator Walker, went to Miss O'Hara and asked her if she would come up to the Senate and have a conference with members of the Senate from Allegheny County. At that conference it was decided that there should be a subsequent conference in Pittsburgh. That conference was held. Present were the members of the city council of Pittsburgh, the mayor, the county commissioners and most of the members of the Senate from Allegheny county. That conference was of no avail. Nothing was accomplished of any kind, but I did learn one thing that certainly should be of interest to all the members of this Senate. Miss O'Hara said at that conference, as she had said to me prior to that time, that the problem of the care of the mentally ill of Pennsylvania was a problem for the Legislature.

Gentlemen, if the problem of the care of the mentally ill is a problem for the Legislature, then this Assembly of Pennsylvania bears the onus for the conditions that prevail today in Pennsylvania in every institution for the mentally ill.

I can only describe the institutions at Mayview and at Woodville as houses of the living dead, true chambers of horror. You are familiar with the works of Charles Dickens. You can take his description of insane asylums in England and in many instances his description would be a true description of those institutions.

I want to say this, that the condition which prevails at these institutions, I am satisfied is not the result of the men who staff the institutions.

I believe that Dr. Pfeifer, the superintendent of Woodville, and the other five physicians which comprise its staff, have done a remarkable job. The same thing is true of Dr. Llewellyn at Mayview and his staff. In every war there are men who are decorated for bravery, and yet many of the greatest heroes of war receive no recognition and their acts of bravery are unknown, and I

think these men who compromise the staffs of these two institutions are heroes in the full sense of the word.

At Woodville there is a staff of six physicians, consisting of the superintendent and his assistant and four other physicians. The superintendent and his assistant must devote all their time to the administration of that institution. That leaves four other physicians or psychiatrists to handle the problem of the mentally ill.

Gentlemen, had you visited with me these institutions I know you would share with me the horror which you would have felt. As long as I live the tragedy that was written on the faces of many of those ill people will live with me; I will never be able to forget it.

I have talked to various members of this Senate and attempted to interest them in this problem and the answer has always been "John, we do not want to see any part of it," and I assure you, gentlemen, it was not a pleasant experience for me; if I could have avoided it I would have. It is much nicer, when the sun is shining and spring is in the air, to spend one's time walking in the open, rather than going to see the picture which I saw in these institutions.

My only reason for speaking today is with the hope that in some way you will see this picture as I saw it, and in some way you will be willing to do something about it. I know the personality and the character of the men in this Senate, and I know they are the kind of people who realize the problems of this state are many. There are some things we have to do and this is one of them. The problem of overcrowding is an important problem. It is not the result of the war. It is the lack of proper planning through many administrations of this Commonwealth.

Last Sunday at Polk Dr. Henninger, a psychiatrist from Pittsburgh, told me that over forty years ago he was on the staff at Polk and at that time a campaign was waged in which he went around to various charitable institutions and churches, to try to interest people in a program to raise $10,000,000 to try to do something about overcrowding.

Every available bit of space that can be used at Woodville is being used. All the recreational rooms are being used as dormitories. The halls in the third floor of the particular section of the institution which houses the female mentally ill, which is an attic, has in it 150 beds The people who are confined to those beds are people who are acutely ill. By that I mean that if there were a fire they would be helpless. The only method of getting out of that attic is one little narrow staircase, and if there ever were any hurry or any reason to evacuate that third floor, if there were a fire, it could not be done.

The same condition prevails at Mayview; we again have another problem of overcrowding. I made a statement that these institutions were places where we housed in Pennsylvania the living dead, and I said that for this reason, the field of psychiatry has made remarkable and rapid strides. To cite you an example four out of every hundred women have mental problems during the menopause, the average of which usually lasts from eight months to eight years, and yet by the use of one instrument, a shock machine, in most cases that can be cut down to three weeks. Our mental institutions in Allegheny county are not places to which we send people to treat; they are only places where we take custody of them.

Imagine, if you can, a room one-eighth the size of this, with 150 people who are mentally ill confined therein, representing 27 different types of dementia—the melancholics, the maniacs, the paranoics. The room is surrounded with benches and those who can sit still long enough sit on the benches. There is not anything for those people to do. They are taken out of bed and they are placed in this room and that is where they stay. If they have a cold, somebody tries to treat the cold, but no body tries to do anything about their dementia. How could you expect the persons responsible for their mental care to do anything about it?

At Woodville there is a staff of six psychiatrists; the superintendent and the assistant superintendent have to spend all their time in the detail of running the institution, and that leaves four other psychiatrists—alleged psychiatrists.

Dr. Llewellyn, who is the superintendent at Mayview, stated to me that all they can do is touch those cases which are acute; as far as chronic cases are concerned they can not do anything about them because they are under-staffed.

In Woodville there are 1,250 women who are mentally ill and there is one psychiatrist to take care of the 1,250 women. Again probably the thought would recur, it is the war and we can not get physicians, but performance in the past has shown that the department is only set up to have six psychiatrists in that institution; it has never had more than six. Dr Pfeifer has told me that he needs a minimum of twenty to do any good.

I used the expression "alleged psychiatrists," not in a vein of sarcasm or criticism of the capacity or capability of the doctors who work there; I used it because they are not psychiatrists. Do you know that the Commonwealth of Pennsylvania, one of the wealthiest in America, pays to its beginning physicians at these state institutions the magnificient beginning salary of $141 a month, and I ask you, with compensation such as that, do you think that Pennsylvania is going to get the best brains in the medical world to take care of its mentally ill?

Another problem is the fact that we are so terribly lacking in attendants. The attendant ratio at Woodville is one to about each five hundred people, and again the blame for that condition is placed on the war. Do you think, gentlemen, that you would care to work in an institution for the mentally ill, if you were trained to care for the mentally ill, at a salary of $69 a month? How could we ever expect Pennsylvania to get people who were trained to take care of the mentally ill, people of a high type, for the magnificient wage of $69 a month? It is true that a doctor who gets $141 a month also gets maintenance, and it is true that the attendant who gets $69 a month also gets maintenance. So the record may be clear, there are three classes of attendants; class "b," which gets $69 a month; class "a," supposed to be much better trained, which gets from $81.50 to $91.50 a month; and class "c," and that is supervisory force, and they get the sum of $96.50 to $115 a month.

At both Mayview and Woodville there are parts of those institutions in which are housed the indigent of

Allegheny county, and it is an interesting commentary that we, the state of Pennsylvania, start our attendants at the magnificient salary of $69 a month and Allegheny county starts its attendants at a salary of $83 a month, and gives them three raises of $12 each so that at the end of three years they are making $119 a month. You can imagine how the people who work for the state must feel when they are working beside, in the same institution, people paid by the county whose income is much higher.

To recur to this question of the staff, I want you to fix in your minds these figures: We need at Woodville alone twenty psychiatrists—not twenty physicians—twenty psychiatrists.

To recur to the housing situation, there can be no excuse for an institution in Pennsylvania that has one bath-tub for 150 mentally ill women. If you care to check my figures, if you visit the institution, have the superintendent take you through Ward 8 and you will find that there are confined there in that ward 150 women, and those 150 women are supposed to be kept clean in one bath-tub. I just wonder how many times those people are bathed.

Dr. Pfeifer tells me that they are bathed twice a week but, having seen the seriousness of their illness, and it being obvious that they have to be cared for by attendants, it is very questionable what the state of hygiene would be.

It is an interesting commentary that we advertise and subsidize the Saturday Evening Post, in which are printed beautiful advertisements calling attention of people in other states of the Union to the fact that Pennsylvania is a good place in which to live, and I imagine that the cost of one advertisement would take care of the problem of bath-tubs in Woodville.

I could probably talk for days and hours on this thing, because it is a thing that bothers me; I have been depressed ever since I visited those two institutions, because I know that it is such an easy problem to solve, it is only a problem of money.

The Governor is conversant with the problems of our mental institutions. He appointed a committee to make an investigation of every mental institution of Pennsylvania. You have on your desks a report of that committee. Miss O'Hara and her department took that report and figured the cost of doing the things recommended by the Governor's own committee; it came roughly to $153,000,000.

If you take the budget—and I have scanned it from cover to cover, hoping some place there would be hidden the financial answer to this problem—you will find the Governor has set up a sum of $15,000,000 out of our surplus for the last biennium of $110,000,000, as a part of a post-war plan for all the mental institutions in Pennsylvania—I understand there are about nineteen of them—and for all the penal institutions. Why, the cost of the job which has to be done in Woodville alone is $4,000,000 and the sum of $15,000,000 being offered as a post-war solution of the problem of the care of our mentally ill is fantastically ridiculous. Miss O'Hara's figures are approximately $153,000,000.

There is only one thing that I can say with regard to this question of finances as set forth in the budget—as members of this Legislature we have to forget about the whole thing. If we are going to do anything for these unfortunate people we have got to take the problem in our own hands, because the Governor has either repudiated the commission he set up, because its recommendations would cost $153,000,000, or he is indifferent to the care of the mentally ill of Pennsylvania.

I make this speech as a last resort. I have done everything with every department of this Commonwealth that I could do to try to get some action. Yesterday I went to the Governor to talk this matter over, and probably the only polite way I can say what happened to me was that I got a brush-off, and I say that because on acquainting him with my difference with him in the amount set up to take care of the mentally ill in Allegheny county, he indicated to me that was the amount he had set in his budget and as far as he was concerned that was all it was going to be.

I am only one-fiftieth of the Senate of Pennsylvania, but I am going to do everything I possibly can to see that our mental institutions are among the best in the world and not among the worst.

Last Sunday I went to Polk. One of the members of this Senate is a member of the Board of Trustees. It is a beautiful institution, which nestles among the mountains; the buildings are well kept. They have minor problems, and they have one major problem, of overcrowding, but you could not believe, if you were to go to Polk and then go to Mayview or Woodville, that there could be the difference between two institutions which were the property of the Commonwealth of Pennsylvania.

I am afraid that we are too much concerned in this Legislature with the problems of business and its regulation, and we are not sufficiently concerned with the problems of the people. Miss O'Hara told the truth when she said that this was our problem. I do not accept it solely as our problem; I think we have a joint responsibility with the Governor of this Commonwealth. I have heard in many speeches on the floor of this Senate the accusation made that our Federal Government, our Federal Congress, had forgotten that it represented the people, it was completely under the domination of the President, but I am coming rapidly to the conclusion that that same statement can be applied to the Legislature of this Commonwealth.

In 1943 a senatorial committee went into the hard coal region to investigate the subsidence of land. That was an honest committee. When the investigation was completed legislation was introduced in this Senate, which passed the Senate, and then the coal barons went to work; the legislation went to the House and died. Senator Stevenson, Senator Coleman and myself re-introduced that legislation in this session of the Senate, and I have yet to hear one word about subsidence in the hard coal area.

There are many other things that we can do, which it is our duty to do. I hope no member of this Senate ever has the bitter problem of what to do if dread insanity should strike his household and he should be compelled to send some loved one to the institutions of Mayview or Woodville, and I can say this, that if it became necessary for my wife or my daughter to be sent to one of those institutions permanently, I would much rather that they were dead.

As far as I am concerned this is only the beginning. I offer to every member of this Senate an invitation to be my guest at my home at any time it is convenient to them, I will gladly see you come, and have you go with me to

Woodville and Mayview and, gentlemen, I will tell you this, if you go, if you have enough courage to spend ten hours in those institutions, I will never have to make another speech about the mentally ill in Pennsylvania, because you will be just as much determined as I, when you come back to Harrisburg, to do something about it.

There is not any excuse that psychiatric treatment of the right kind could not be given to the mentally ill of our institutions. If you are conversant with the treatment used in psychiatry, you know one of the things that soothes people who are distressed mentally is immersing them in a tub of water, those tubs being of a special kind, not too expensive; there is not one tub of that type available for the 1,250 women in Woodville in which hydrotherapy can be used, and there are three for the men.

Those things to me are indicative not only of a lack of understanding on the part of various departments of welfare we have had in this Commonwealth through the past, but of an absolute disinterest on the part of those Departments of Welfare.

I can not understand why it was necessary, three or four weeks ago, to send by messenger to members of the Legislature a pamphlet consisting of these investigations which had been made by private investigating committees appointed by the Governor, to have them placed on our desks and let the matter die there. If I were Director of the Department of Welfare of Pennsylvania, either the Legislature would provide the funds so that those institutions would be run as they should be, or I would not be Director of the Department of Public Welfare.

I issue a challenge to the members of this Senate and to the Governor of this state; this is our problem, it has a solution, and all we need is money. When we read the budget, the Governor brags about the fact that we have a tremendous surplus, and he takes great credit for the fact that much of that surplus is due to his economy of government. What kind of economy of government is it when it is at the expense of people who are ill because of no cause of their own?

That invitation still stands gentlemen, if you come to my home, at any time, we will go out to Mayview and we will go out to Woodville, and I assure you when you come back, as far as this Senate is concerned, we are going to do something about the mentally ill and, gentlemen, I pray that you do not wait, if you can come with me tonight, next week, before this session adjourns, because this is not a thing that can wait for two years, it is an immediate thing that has to happen, when in your own communities you have institutions similar to these I have mentioned; I think you should become acquainted with the problem, I think you should visit them, and if you do, I think we can get together, because in no sense of the word has this anything to do with politics; this is as nonpartisan a thing as ever could confront the Commonwealth and this great state.

REPORTS FROM COMMITTEES

Mr. FARRELL, from the Committee on Municipal Government, reported as committed, Senate Bill No. 499, entitled:

An Act to further amend the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487), entitled "An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," by revising and changing the provisions of said act relating to the times of registering electors, their enrollment as members of political parties, change of party enrollment, removal notices, and comparing and correcting the general and district registers.

He also, from the Committee on Municipal Government, reported as committed, Senate Bill No. 500, entitled:

An Act to further amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849), entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legislation", by revising and changing the provisions of said act relating to the times of registering electors, their enrollment as members of political parties, change of party enrollment, removal notices, and comparing and correcting the general and district registers.

He also, from the Committee on Municipal Government, reported as committed, Senate Bill No. 501, entitled:

An Act to further amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 814), entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," by revising and changing the provisions of said act relating to the times of regis-

tering electors, their enrollment as members of political parties, change of party enrollment, removal notices, comparing and correcting general and district registers, preparing preliminary street lists and street lists.

He also, from the Committee on Municipal Government, reported as committed, Senate Bill No. 502, entitled:

An Act to further amend the act, approved the thirtieth day of March, one thousand nine hundred thirty-seven (P. L. 115), entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents, certain public service companies, persons, firms, and corporations operating vehicles for moving furniture and household goods, and boards of school directors; and imposing penalties", by revising and changing the provisions of said act relating to the times of registering electors, and comparing and correcting the general and district registers.

He also, from the Committee on Municipal Government, reported as committed, Senate Bill No. 503, entitled:

An Act to further amend the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1132), entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties", by revising and changing the provisions of said act relating to the times of registering electors, their enrollment as members of political parties, change of party enrollment, removal notices, comparing and correcting general and district registers, preparing preliminary street lists and street lists.

He also, from the Committee on Municipal Government, reported as committed, Senate Bill No. 607, entitled:

An Act to amend the act approved the twenty-sixth day of May, one thousand nine hundred forty-three (P. L. 837), entitled "An act providing that the terms of constables hereafter elected in cities of the second, second class A and third classes, boroughs and townships, shall be for six years," by extending the terms of constables hereafter elected in incorporated towns to six years.

Mr. CARR, from the Committee on Agriculture, reported as committed, House Bill No. 457, entitled:

An Act to permit the sale and purchase of imitation butter or oleomargarine for consumption by inmates and employes of charitable and penal institutions within the Commonwealth for a period of two years, and suspending certain provisions of the law prohibiting such sales and purchase for the same period of time under certain circumstances; requiring the keeping of records and the making of reports; and providing penalties.

He also, from the Committee on Agriculture, reported as committed, Senate Bill No. 374, entitled:

An Act to fix the standard weights of containers for wheat and corn flours, corn meals, hominy, and hominy grits; and to provide penalties for the violation of this act.

Mr. WAGNER, from the Committee on Municipal Government, reported as committed, House Bill No. 167, entitled:

An Act to amend section four of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 340) entitled "An act empowering cities of the third class boroughs incorporated towns and townships to cooperate with each other through joint agreements in the exercise of their governmental powers duties and functions relating to the public health recreation zoning and municipal planning" authorizing employing retaining and contracting for planning engineers consultants and professional planning services.

He also, from the Committee on Municipal Government, reported as committed, House Bill No. 240, entitled:

An Act providing for local referendums in wards of cities of the first class before public parks may be diverted to other use.

He also, from the Committee on Municipal Government, reported as committed, House Bill No. 307, entitled:

An Act to further amend section two thousand five hundred four of the act approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by further providing for the triennial assessment of taxable property.

He also, from the Committee on Municipal Government, reported as amended, Senate Bill No. 360, entitled:

An Act to amend the title and section two of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 340), entitled "An act empowering cities of the third class, boroughs, incorporated towns and townships, to co-operate with each other through joint agreements in the exercise of their governmental powers, duties and functions relating to the public health, recreation, zoning and municipal planning," by extending the power of municipalities to co-operate in the exercise of their powers, duties and functions.

He also, from the Committee on Municipal Government, reported as committed, Senate Bill No. 446, entitled:

An Act to further amend section one thousand nine hundred two of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," exempting certain contracts from the provisions of said act regulating advertising and bidding for contracts.

He also, from the Committee on Municipal Government, reported as committed, Senate Bill No. 567, entitled:

An Act to further amend section two of the act, approved the twenty-eighth day of June, one thousand eight hundred and ninety-five (P. L. 408), entitled "A

supplement to the twenty-fourth section of an act, entitled 'An act to provide revenue by taxation, approved the seventh day of June, one thousand eight hundred and seventy-nine,' approved the first day of June, one thousand eight hundred and eighty-nine, amending the twenty-fourth section, by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth," by providing a method for the allocation of the tax on premiums of foreign fire insurance companies to cities, boroughs, towns and townships for firemen's relief fund associations uses.

Mr. THOMAS, from the Committee on Mines and Mining, reported as amended, House Bill No. 1, entitled:

An Act to amend the title and certain sections, and to add certain new sections to the act approved the twenty-second day of June, one thousand nine hundred thirty-seven, (P. L. 1987), entitled "An act to preserve and improve the purity of the waters of the Commonwealth for the protection of public health, animal and aquatic life, and for industrial consumption, and recreation; empowering and directing the creation of indebtedness or the issuing of non-debt revenue bonds by political subdivisions to provide works to abate pollution; providing protection of water supply; providing for the jurisdiction of courts, magistrates, aldermen and justices of the peace in the enforcement thereof; and providing additional remedies for abating pollution of waters; imposing certain penalties; and repealing certain acts", by changing the definitions of "establishment" and "industrial waste", by changing penalties for violations and requiring prosecutions to be instituted or approved by the Attorney General by prohibiting the discharge of silt into any waters of the Commonwealth and regulating the discharge of acid mine drainage into waters thereof authorizing the Sanitary Water Board to establish standards of purity and to determine the time for compliance with the provisions of the act in certain cases and requiring the Board's approval of plans for opening reopening or extending coal mines, by authorizing the acquisition by purchase or condemnation or otherwise by the Sanitary Water Board of easements or right of ways and the acquisition or construction of pipes conduits drains or tunnels and pumps and pumping equipment and providing for the payment of the costs thereof by the Commonwealth.

Mr. STEVENSON, from the Committee on Municipal Government, reported as committed, House Bill No. 338, entitled:

An Act to amend sections two, seventeen, eighteen, twenty and twenty-six of the act, approved the fourth day of June, one thousand nine hundred and forty-three (P. L. 886), entitled "An act creating a Municipal Employes' Retirement System for the payment of retirement allowances to officers and employes of political subdivisions and institutions supported and maintained by them, and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor; imposing certain duties on the State Employes' Retirement Board and the actuary thereof; providing the procedure whereby political subdivisions may join such system, and imposing certain liabilities and obligations on such political subdivisions in connection therewith, and as to certain existing retirement and pension systems, and upon officers and employes of such political subdivisions and institutions supported and maintained by them; providing certain exemptions from taxation, execution, attachment, levy and sale; and making an appropriation," changing certain definitions, clarifying provisions relating to local pension and retirement systems; changing the formulae for the ascertainment of contributions by members and by municipalities; eliminating the provision requiring retirement at age seventy; and reappropriating the unexpended balance of the prior appropriation.

He also, from the Committee on Municipal Government, reported as committed, House Bill No. 507, entitled:

An Act to further amend section eight hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" regulating contracts and purchases by townships and prescribing penalties.

He also, from the Committee on Municipal Government, reported as amended, House Bill No. 527, entitled:

An Act to amend section four thousand three hundred one of the act approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class and amending revising and consolidating the law thereto," by further regulating the administration of the police pension fund.

He also, from the Committee on Municipal Government, reported as committed, House Bill No. 696, entitled:

An Act to further amend sections one two three and four of the act approved the twenty-first day of May one thousand nine hundred thirty-seven (P. L. 787) entitled as amended, "An act authorizing subject to approval of the court of common pleas the compromise or reduction of tax and municipal claims on real property purchased by any county city borough town school district or poor district at any sale for the nonpayment of taxes or municipal claims and the reconveyance or private sale of such property" requiring such reconveyance and private sale to have the approval of the municipality or municipalities having a majority interest therein

He also, from the Committee on Municipal Government, reported as committed, House Bill No. 756, entitled:

An Act to reenact and amend clause XIII of section fifteen hundred and two of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (P. L. 1206) entitled "An act concerning townships of the first class and amending revising consolidating and changing the law relating thereto" by providing for the furnishing of street lighting by contract with lighting companies upon petition of property owners in villages and for the assessment and collection of the costs and maintenance thereof upon property benefited thereby and validating petitions of property owners contracts entered into between townships and lighting companies taxes levied to pay the costs and maintenance of lighting service and the collection receipt and payment out of the revenues therefrom notwithstanding such petitions were filed contracts entered into and taxes levied collected and paid out under unconstitutional laws violating agreements and understandings between townships and lighting companies to continue lighting service pending the enactment of valid laws regulating and providing for the expenditure of moneys arising from special lighting taxes and authorizing the payment of the costs and expenses of maintaining lighting service until valid laws are enacted to collect charges from property owners benefited thereby out of the township tax and the creation and transfer of moneys to a special account for such purposes at any time notwithstanding the prior adoption of the budget and authorizing any light and power company to apply the net rate and to waive the gross rate or to grant discounts and to waive penalties in the same manner as if payments had been made by the township within the time required by the contract and the company's schedules or tariffs

BILLS INTRODUCED AND COMMITTED

Mr. HOMSHER read in his place and presented to the Chair Senate Bill No. 621, entitled:

An Act to further amend paragraph (d) and to amend paragraph (f) of section one thousand two hundred five of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled; "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by further regulating the employment, dismissal, suspension, demotion and retirement of professional employes.

Which was committed to the Committee on Education.

Mr. CROWE read in his place and presented to the Chair Senate Bill No. 622, entitled:

An Act to amend section three hundred two of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682) entitled, "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws"; further regulating the issuance of stock and the rights of owners thereof.

Which was committed to the Committee on Insurance.

Mr. CARR read in his place and presented to the Chair Senate Bill No. 623, entitled:

An Act for the protection of the public health by regulating the conduct and operation of public eating and drinking places within this Commonwealth; requiring their licensing; imposing certain duties on the Department of Health of this Commonwealth and on the local health authorities; and providing penalties.

Which was committed to the Committee on Public Health.

Mr. SNOWDEN read in his place and presented to the Chair Senate Bill No. 624, entitled:

An Act removing certain roads or sections of road from the state highway system and providing for their future maintenance and construction.

Which was committed to the Committee on Highways.

Mr. JAMES read in his place and presented to the Chair Senate Bill No. 625, entitled:

An Act to amend section ten of the act, approved the third day of May, one thousand nine hundred thirty-three (P. L. 242), entitled "An act to promote the public Health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture; defining beauty culture, and regulating beauty culture shops, schools, students, apprentices, teachers, managers and operators; conferring powers and duties upon the Department of Public Instruction; providing for appeals to certain courts by applicants and licensees; and providing penalties," by further regulating the number of apprentices in beauty shops.

Which was committed to the Committee on Education.

Mr. STEVENSON read in his place and presented to the Chair Senate Bill No. 626, entitled:

An Act to add section one point one to the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-one (P. L. 202), entitled "An act providing for the licensing and regulation of motor boats operated or navigated upon any public stream, artificial or natural body of water, or non-tidal waters of any river within the Commonwealth; conferring powers and imposing duties on certain police officers and the Board of Fish Commissioners, including the enforcement of certain existing laws; and prescribing penalties," by further limiting the operation of motor boats on certain waters.

Which was committed to the Committee on Forests and Waters, Game and Fish.

Mr. BOWERS on behalf of Mr. WALKER read in his place and presented to the Chair Senate Bill No. 627, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions. and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards, and commissions shall be determined," transferring the administration and control over the State mental hospitals from the Department of Welfare to the Department of Health.

Which was committed to the Committee on State Government.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. CHAPMAN. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on March 29, 1945.

Mr. STEVENSON. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 29, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

JEFFERSON COUNTY

Mrs. Alice E. Carrier, Summerville April 13, 1945.

ALLEGHENY COUNTY

Earl R. Glass, Jr., Pittsburgh, 307 Henry W. Oliver Bldg., April 27, 1945.
George J. Mayer, Pittsburgh, 1000 N. Lincoln Ave. N. S. (12), April 27, 1945.
John G. Rainey, Pittsburgh, 101 Court House, April 27, 1945.

DELAWARE COUNTY

Miss Catharine M. Gallagher, Upper Darby Twp., 69th St. Blvd. at Locust St., Upper Darby, April 27, 1945.

ERIE COUNTY

Fred S. McDonald, Erie, April 27, 1945.

FAYETTE COUNTY

Miss Bertha L. Darby, Uniontown, April 27, 1945.

LANCASTER COUNTY

Walter A. Buckius, Lancaster, April 27, 1945.

McKEAN COUNTY

Mrs. Marie Fessenden, Kane, April 27, 1945.
Byron Wolfe, Bradford, April 27, 1945.

MONTGOMERY COUNTY

Miss Elizabeth R. Fox, Norristown, April 27, 1945.
G. Carroll Hoover, Norristown, April 27, 1945.

NORTHAMPTON COUNTY

James E. Knipe, Bethlehem, April 27, 1945.

PHILADELPHIA COUNTY

R. G. Bannister, Phila., 2012 Chestnut St., April 27, 1945.
Alexander O. Dunlap, Phila., 5554 Market St., April 27, 1945.
Jacob Gable, Phila., 3109 N. 12th St., April 27, 1945.
Charles H. Young, Phila., 1215 W. Glenwood Ave., April 27, 1945.

WESTMORELAND COUNTY

L. Russell Grove, New Kensington, April 27, 1945.
Miss M. P. Poole, Greensburg, April 27, 1945.

YORK COUNTY

A. A. Zeigler, Goldsboro, April 27, 1945.

EDWARD MARTIN.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 29, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Wm. J. Herbster,, Pittsburgh, 653 Morewood Ave. (13,

BLAIR COUNTY

Clyde R. Diehl, Altoona.
Mrs. Pauline Hoenstine, Altoona.

CLINTON COUNTY

Cleston P. Albright, Loganton.

DELAWARE COUNTY

John Dennis, Haverford Twp., 600 Lancaster Ave., Bryn Mawr.

PHILADELPHIA COUNTY

Miss Celestine A. McNally, Phila., 1700 Sansom St. Bldg.
Herman E. Salkowe, Phila., 508 Market St. Natl. Bank Bldg.
Mrs. Marion G. Stokes, Phila., 424 Walnut St.

POTTER COUNTY

Miss Jeanne E. Raymond, Coudersport.

SCHUYLKILL COUNTY

Marvin W. Shellhamer, Tamaqua.

VENANGO COUNTY

James B. Miller, Franklin.

EDWARD MARTIN.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. CHAPMAN and Mr. STEVENSON,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	Farrell,	Klein,	Tallman,
Becker,	Geltz,	Leader,	Taylor,
Berger,	Gourley,	Letzler,	Thomas,
Blass,	Haluska,	Mallery,	Troutman,
Bowers,	Heyburn,	Margie,	Tyler,
Carr,	Holland,	McGinnis,	Wade,
Chapman,	Homsher,	Ruth,	Wagner,
Coleman,	James,	Scarlett,	Wilson,
Cox,	Jaspan,	Snowden,	Woodring,
Crowe,	Jones,	Stevenson,	Walker,
Dent,	Kephart,	Stiefel,	Presiding Officer
DiSilvestro,			

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 123, as follows:

An Act to repeal paragraphs (a) (b) and (d) of Section one thousand thirty-three (1033) of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibusses bicycles pedestrians and the riding of animals upon the highways

of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" and all amendments to said paragraphs (a) (b) and (d)

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That paragraphs (a) (b) and (d) of section one thousand thirty three (1033) of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibusses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the Act approved May twenty-first one thousand nine hundred forty-three (P. L. 559) and all amendments to said paragraphs (a) (b) and (d) are hereby repealed

Section 2 This act shall become effective immediately upon final enactment

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	Farrell,	Klein,	Tallman,
Becker,	Geltz,	Leader,	Taylor,
Berger,	Gourley,	Letzler,	Thomas,
Blass,	Haluska,	Mallery,	Troutman,
Bowers,	Heyburn,	Margie,	Tyler,
Carr,	Holland,	McGinnis,	Wade,
Chapman,	Homsher,	Ruth,	Wagner,
Coleman,	James,	Scarlett,	Wilson,
Cox,	Jaspan,	Snowden,	Woodring,
Crowe	Jones,	Stevenson,	Walker
Dent,	Kephart,	Stiefel,	Presiding Officer
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILLS ON FINAL PASSAGE

OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 36, on final passage, entitled:

An Act to add section seven hundred thirty-four to the act approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," making wilful abandonment or nonsupport of an aged or indigent person a misdemeanor; and prescribing penalties

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 238, on final passage, entitled:

An Act to amend section nine hundred ten, and subsection (e) of section nine hundred fifty-one of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts and codifying, revising and consolidating the laws acts relating to elections" changing the requirements for affidavits of candidates for judge of a court of record who are in the armed forces of the United States and whose whereabouts is unknown or who is out of the country

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of House Bill No. 456, as follows:

An Act authorizing and empowering minors seventeen years of age or older to contract for and to make loans in accordance with the provisions of the act of Congress known as the "Servicemen's Readjustment Act of 1944" or any agency of the Commonwealth hereafter created and saving and relieving the parents guardians and trustees of such minors from any liability therefor unless joining therein

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Any minor who is at least seventeen years of age is hereby authorized and empowered to enter into any contract in this Commonwealth for any loan or loans guaranteed by the United States or any agency thereof in accordance with the provisions of the act of Congress known as the "Servicemen's Readjustment Act of 1944" as amended and supplemented and the rules and regulations promulgated from time to time pursuant thereto or any agency of the Commonwealth hereafter created and such minor is also authorized and empowered to

execute and acknowledge all documents deeds mortgages and other or similar papers necessary and incident to such contracts In the event such a minor obtains such a loan or loans he shall not despite any law or decision of any court to the contrary be permitted to avoid the contract of such loan or loans because of his age nor shall he be permitted to interpose the defense that he is a minor in any action or actions based upon such contract or contracts or arising out of any loan or loans authorized herein nor shall the parent or parents or guardian or guardians or trustee or trustees of such minor be liable in any way whatsoever because of or on account of such contract or contracts or loan or loans which may be entered into by such minor pursuant hereto unless expressly a party thereto

Section 2 This act shall take effect immediately upon final enactment

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	Farrell,	Klein,	Tallman,
Becker,	Geltz,	Leader,	Taylor,
Berger,	Gourley,	Letzler,	Thomas,
Blass,	Haluska,	Mallery,	Troutman,
Bowers,	Heyburn,	Margie,	Tyler,
Carr,	Holland,	McGinnis,	Wade,
Chapman,	Homsher,	Ruth,	Wagner,
Coleman,	James,	Scarlett,	Wilson,
Cox,	Jaspan,	Snowden,	Woodring,
Crowe,	Jones,	Stevenson,	Walker,
Dent,	Kephart,	Stiefel,	Presiding Officer
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 38, as follows:

An Act to further amend section four hundred twenty-one of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" broadening the definition of the term "deceased service persons" to include members of any women's organization officially connected with any of the armed forces of the United States and requiring county commissioners of each county to contribute to the funeral expenses of such persons

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred twenty-one of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as last amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 286) is hereby further amended to read as follows

Section 421 Definitions The term "deceased service persons" as used in this act shall be defined and construed to mean and include

(1) Any deceased person who at the time of his or her death was serving (whether or not in a combat zone) in the Army Navy Marine Corps [or] Coast Guard or any women's organization officially connected therewith during any war in which the United States has been is now or shall hereafter be engaged or who at the time of his or her death was serving in a zone where a campaign or state or condition of war then existed in which the United States was is or shall be a participant The existence of a campaign or state or condition of war and the participation of the United States therein as well as the fact that the deceased person served in a zone where such campaign or state or condition of war existed shall in each case be established by the records of the War or Naval Departments of the Federal Government or

(2) Any deceased person who had so served at any time during his or her life and whose separation from such service was honorable whether by discharge or otherwise or who at the time of his or her death was continuing in such service after the cessation of the war campaign or state or condition of war during or in which he or she served or

(3) Any deceased person who was in active service in the militia of the State of Pennsylvania under and in pursuance of any proclamation issued by the Governor during the Civil War and not duly mustered into the service of the United States and has been honorably discharged or relieved from such service

The term "legal residence" as used in this act shall be construed as synonymous with "domicile" and is hereby defined as actual residence coupled with intention that it shall be permanent or a residence presently fixed with no definite intention of changing it or of returning to a former residence at some future period Legal residence is to be determined by abode of person and his or her intention to abandon his or her former domicile and establish a new one The legal residence of a deceased service person shall be prima facie in the county where he or she made his or her abode at the time of his or her death

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	Farrell,	Klein,	Tallman,
Becker,	Geltz,	Leader,	Taylor,
Berger,	Gourley,	Letzler,	Thomas,
Blass,	Haluska,	Mallery,	Troutman,
Bowers,	Heyburn,	Margie,	Tyler,
Carr,	Holland,	McGinnis,	Wade,
Chapman,	Homsher,	Ruth,	Wagner,
Coleman,	James,	Scarlett,	Wilson,
Cox,	Jaspan,	Snowden,	Woodring,
Crowe,	Jones,	Stevenson,	Walker,
Dent,	Kephart,	Stiefel,	Presiding Officer
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 46, as follows:

An Act to further amend section one of the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 676) entitled as amended "An act providing for the burial of certain persons who are have been or shall be soldiers sailors marines or members of the enlisted nurse corps designated as 'deceased service men' defining the term 'deceased service men' authorizing county commissioners to provide markers and burial plots for such deceased service men at the expense of such county in which they shall die or have a legal residence at the time of their death and providing for the burial of widows of soldiers sailors or marines" broadening the definition of the term "deceased service men" to include members of any women's organization officially connected with any of the armed forces of the United States and requiring county commissioners of each county to contribute to the funeral expenses of such persons

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 676) entitled as amended "An act providing for the burial of certain persons who are have been or shall be soldiers sailors marines or members of the enlisted nurse corps designated as 'deceased service men' defining the term 'deceased service men' authorizing county commissioners to provide markers and burial plots for such deceased service men at the expense of such county in which they shall die or have a legal residence at the time of their death and providing for the burial of widows of soldiers sailors or marines" as last amended by section one of the act approved the thirteenth day of April one thousand nine hundred thirty-three (P. L. 32) is hereby further amended to read as follows

Section 1 Be it enacted Et Cetera That the term "deceased service man" as used in this act shall be defined and construed to mean and include any soldier sailor marine of members of [the enlisted nurse corps] any women's organization officially connected with any of the armed forces of the United States having a legal residence within any county within this Commonwealth who has died or shall hereafter die anywhere within or without the United States while in the service of the United States in the military naval or other branch of the [combative] forces of said United States during any war in which the United States has been or shall hereafter be engaged or where a state or condition of war has existed or shall hereafter exist in the United States or any foreign country or territory or upon the high seas or of any soldier sailor marine or member of [the enlisted nurse corps] any women's organization officially connected with any of the armed forces of the United States who served or who shall hereafter serve in any such [combative] force of the United States during any war in which the United States has been or shall hereafter be engaged or who has served or shall hereafter serve in any such combative force of the United States where a state or condition of war existed or shall hereafter exist in the United States or any foreign country or territory or upon the high seas whose separation from such active service was honorable whether by discharge or otherwise or any soldier sailor marine or member of [the enlisted nurse corps] any women's organization officially connected with any of the armed forces of the United States whose separation from active service with the military or naval forces of the United States was honorable whether by discharge or otherwise who has died or may hereafter die in any county of this Commonwealth although he or she may not have a legal residence in any county of this Commonwealth Whenever the body of said soldier sailor marine or member of [the enlisted nurse corps] any women's organization officially connected with any of the armed forces of the United States is unclaimed by any relatives or friends and the county commissioners are notified of this condition in writing giving the facts by any organization of veterans and upon investigation the county commissioners shall find such condition to exist or who was in active service in the militia of the State of Pennsylvania under and in pursuance of any proclamation issued by the Governor during the Civil War and not duly mustered into the service of the United States and has been or hereafter shall be honorably discharged or relieved from such service and who shall have a legal residence in any county of this Commonwealth and shall hereafter die either within or without the county of his legal residence.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	Farrell,	Klein,	Tallman,
Becker,	Geltz,	Leader,	Taylor,
Berger,	Gourley,	Letzler,	Thomas,
Blass,	Haluska,	Mallery,	Troutman,
Bowers,	Heyburn,	Margie,	Tyler,
Carr,	Holland,	McGinnis,	Wade,
Chapman,	Homsher,	Ruth,	Wagner,
Coleman,	James,	Scarlett,	Wilson,
Cox,	Jaspan,	Snowden,	Woodring,
Crowe,	Jones,	Stevenson,	Walker,
Dent,	Kephart,	Stiefel,	Presiding Officer
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 72, as follows:

An Act to prohibit the unlawful wearing of uniforms of the armed forces or branches thereof and imposing penalties for violation thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Any person who without authority under the laws of the United States or of this State wears the uniform or a distinctive part thereof or a uniform or part thereof similar to the uniform of the State Guard National Guard or any branch of the armed forces of this State or of the United State Army Navy Marine Corps or Coast Guard shall be guilty of a misdemeanor and punishable by a fine not exceeding three hundred dollars ($300.00) or by imprisonment not exceeding six (6) months or by both Provided that the foregoing provision shall not be construed so as to prevent officers or enlisted men of the National Guard or State Guard from wearing in pursuance of law and regulations the uniform lawfully prescribed to be worn by such officers or enlisted men of the National Guard or State Guard nor to prevent members of the organization known as the Boy Scouts of America or the Naval Militia or such other organizations as may by law be allowed to wear official uniform nor to prevent persons who in time of war have served honorably as officers of the United States Army Navy or Marine Corps Regular or Volunteer and whose most recent service was terminated by an honorable discharge muster out or resignation from wearing upon occasions of ceremony the uniform of the highest grade they have held by brevet or other commission in such Regular or Volunteer service nor to prevent any person

who has been honorably discharged from the United States Army Navy or Marine Corps Regular of Volunteer from wearing his uniform from the place of his discharge to his home within three months after the date of such discharge nor to prevent the members of military societies composed entirely of honorably discharged officers or enlisted men or both of the United States Army Navy or Marine Corps Regular or Volunteer from wearing upon occasions of ceremony the uniform duly prescribed by such societies to be worn by the members thereof nor to prevent the instructors and members of the duly organized cadet corps of a State university State college or public high school offering a regular course in military instruction from wearing the uniform duly prescribed by the authorities of such university college or public high school for wear by the instructors and members of such cadet corps nor to prevent the instructors and members of the duly organized cadet corps of any other institution of learning offering a regular course in military instruction and at which an officer or enlisted man of the United States Army Navy or Marine Corps is lawfully detailed for duty as instructor in military science and tactics from wearing the uniform duly prescribed by the authorities of such institution of learning for wear by the instructors and members of such cadet corps nor to prevent civilians attendant upon a course of military or naval instruction authorized and conducted by the military or naval authorities of the United States from wearing while in atendance upon such course of instruction the uniform authorized and prescribed by such military or naval authorities for wear during such course of instruction nor to prevent any person from wearing the uniform of the United States Army Navy or Marine Corps in any playhouse or theater or in moving-picture films while actually engaged in representing therein a military or naval character not tending to bring discredit or reproach upon the United States Army Navy or Marine Corps

As used in this section the terms "uniform" or "part" or "distinctive part" of a uniform shall not include such articles of wearing apparel as shoes socks shirts ties or scarfs and shall not include trousers overalls rain coats field jackets and headgear from which the service buttons insignia and other distinctive markings have been removed

Section 2 This act shall take effect immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	Farrell,	Klein,	Tallman,
Becker,	Geltz,	Leader,	Taylor,
Berger,	Gourley,	Letzler,	Thomas,
Blass,	Haluska,	Mallery,	Troutman,
Bowers,	Heyburn,	Margie,	Tyler,
Carr,	Holland,	McGinnis,	Wade,
Chapman,	Homsher,	Ruth,	Wagner,
Coleman,	James,	Scarlett,	Wilson,
Cox,	Jaspan,	Snowden,	Woodring,
Crowe,	Jones,	Stevenson,	Walker,
Dent,	Kephart,	Stiefel,	Presiding Officer
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 207, as follows:

An Act to provide for the receiving as evidence in any court office or other place in this State official findings records reports or certified copies thereof of death presumed death missing or other status issued by the Secretaries of War and Navy and other Federal officers and employees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 A written finding of presumed death made by the Secretary of War the Secretary of the Navy or other officer or employee of the United States authorized to make such finding pursuant to the Federal Missing Persons Act (56 Stat 143 1092 and Pamphlet Laws 408 Ch 371 2d Sess 78th Cong 50 U S C App Supp 1001-17) as now or hereafter amended or a duly certified copy of such finding shall be received in any court office or other place in this State as prima facie evidence of the death of the person therein found to be dead and the date circumstances and place of his disappearance

Section 2 An official written report or record or duly certified copy thereof that a person is missing in action interned in a neutral country or beleaguered besieged or captured by an enemy or is dead or is alive made by any officer or employee of the United States authorized by the Act referred to in Section 1 or by any other law of the United States to make same shall be received in any court office or other place in this State as prima facie evidence that such person is missing missing in action interned in a neutral country or beleaguered besieged or captured by an enemy or is dead or is alive as the case may be

Section 3 For the purposes of Section 1 and Section 2 of this Act any finding report or record or duly certified copy thereof purporting to have been signed by such an officer or employee of the United States as is described in said sections shall prima facie be deemed to have been signed and issued by such an officer or employe pursuant to law and the person signing same shall prima facie be deemed to have acted within the scope of his authority If a copy purports to have been certified by a person authorized by law to certify the same such certified copy shall be prima facie evidence of his authority so to certify

Section 4 If any provision of this act or the application thereof to any person or circumstance be held invalid such invalidity shall not affect any other provision or application of the act which can be given effect without the invalid provision or application and to this and the provisions of this act are declared to be severable

Section 5 This act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	Farrell,	Klein,	Tallman,
Becker,	Geltz,	Leader,	Taylor,
Berger,	Gourley,	Letzler,	Thomas,
Blass,	Haluska,	Mallery,	Troutman,
Bowers,	Heyburn,	Margie,	Tyler,
Carr,	Holland,	McGinnis,	Wade,
Chapman,	Homsher,	Ruth,	Wagner,
Coleman,	James,	Scarlett,	Wilson,
Cox,	Jaspan,	Snowden,	Woodring,
Crowe,	Jones,	Stevenson,	Walker,
Dent,	Kephart,	Stiefel,	Presiding Officer
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 270, as follows:

An Act to amend section three hundred two of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by exempting for the duration of the present war any resident of the Commonwealth who is in service with the Armed Forces of the United States or any of its Allies from the payment of a fee to the Commonwealth for a Resident Hunter's License

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three hundred two of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows

Section 302 Resident License Fee Each such resident as provided in the preceding section upon application made in writing to any agent authorized to issue such licenses within the Commonwealth the presentation of proof that he is a citizen of the United States and a bonafide resident of this Commonwealth under the requirements of this article and the establishment of his identity to the satisfaction of the authority issuing the license or to the satisfaction of the justice of the peace magistrate or notary public or any agent designated to receive applications for licenses when taking such applications as hereinafter authorized by producing a bank book letters lodge cards police cards a motor vehicle driver's license or some other positive means of identification and in the case of naturalized foreign-born applicants the production of such applications naturalization papers unless any such person has been disqualified for a license in the manner hereinafter specified and the payment to said agent or the Department of Revenue of Revenue of two dollars ($2.00) shall be entitled to a resident hunter's license and a tag with the number of the license thereon which shall entitle the holder to hunt or trap for all wild birds and wild animals which may legally be hunted or trapped in this Commonwealth except as otherwise provided

For the duration of the present war any person with the above qualifications who is in service with the Armed Forces of the United States or any of its Allies shall be issued such license upon application to any county treasurer within the Commonwealth without payment of the above license fee provided for the use of the Commonwealth

The application for the issuance of a license in such case shall in addition to the other information required give the serial number of the branch of service to which the applicant is attached together with the applicant's rank company battalion regiment division and other military organization.

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	Farrell,	Klein,	Tallman,
Becker,	Geltz,	Leader,	Taylor,
Berger,	Gourley,	Letzler,	Thomas,
Blass,	Haluska,	Mallery,	Troutman,
Bowers,	Heyburn,	Margie,	Tyler,
Carr,	Holland,	McGinnis,	Wade,
Chapman,	Homsher,	Ruth,	Wagner,
Coleman,	James,	Scarlett,	Wilson,
Cox,	Jaspan,	Snowden,	Woodring,
Crowe,	Jones,	Stevenson,	Walker,
Dent,	Kephart,	Stiefel,	Presiding Officer
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 281, on third reading, entitled:

An Act to amend section two thousand twenty-two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" authorizing township commissioners to record certificates denying responsibility for certain roads streets lanes alleys or drainage facilities in connection therewith

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 284, as follows:

An Act to amend section one of the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 270) entitled "An act appropriating moneys received from the Federal Government for housing and maintaining naval military or other personnel at the Soldiers' and Sailors' Home at Erie to the Department of Military Affairs for the maintenance and operation of said home" by including moneys received for the housing and maintaining of certain discharged service men

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 270) entitled "An act appropriating moneys received from the Federal Government for housing and maintaining naval military or other personnel at the Soldiers' and Sailors' Home at Erie to the Department of Military Affairs for the maintenance and operation of said homes" is hereby amended to read as follows

Section 1 All moneys received from the Federal Government as compensation for housing and maintaining naval military or other personnel at the Soldiers' and Sailors' Home at Erie and for housing and maintaining honorably discharged soldiers sailors marines and coast guardsmen who served in the armed forces of the United States and who are now guests at said home shall be paid into the State Treasury through the Department of Revenue and shall be credited to the current biennial ap-

propriation made out of the General Fund to the Department of Military Affairs for the maintenance and operation of said home Such moneys are hereby appropriated to the Department of Military Affairs for the maintenance and operation of said home The moneys appropriated hereby shall be in addition to all other appropriations for such purpose

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	Farrell,	Klein,	Tallman,
Becker,	Geltz,	Leader,	Taylor,
Berger,	Gourley,	Letzler,	Thomas,
Blass,	Haluska,	Mallery,	Troutman,
Bowers,	Heyburn,	Margie,	Tyler,
Carr,	Holland,	McGinnis,	Wade,
Chapman,	Homsher,	Ruth,	Wagner,
Coleman,	James,	Scarlett,	Wilson,
Cox,	Jaspan,	Snowden,	Woodring,
Crowe,	Jones,	Stevenson,	Walker,
Dent,	Kephart,	Stiefel,	Presiding Officer
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 341, as follows:

An Act to repeal except as to counties of the first class clause (b) 1 of section one of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 415) entitled "An act relating to the qualification jurisdiction powers and duties of registers of wills and regulating proceedings before said registers and the costs thereof the effects of their acts and appeals therefrom"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (b) 1 of section one of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 415) entitled "An act relating to the qualification jurisdiction powers and duties of registers of wills and regulating proceedings before said registers and the costs thereof the effects of their acts and appeals therefrom" which reads as follows

Section 1 (a) * * * * *

"(b) 1 He shall also with one of more sureties to be approved by the judge or judges if there be more than one of the orphans' court of the county for which the register shall be elected or appointed and also by the Governor give a joint and several bond to the Commonwealth in a sum equal to half the sum prescribed by law for the official bond of the sheriff for the time being of the same county with condition faithfully to execute the duties of his said office and well and truly to account for and pay according to law all moneys received by him for the use of the Commonwealth and to deliver up the books seals records and other writings belonging to his said office whole safe and undefaced to his successor in office which said bond shall be for the use of all persons concerned and for the relief of all who may be aggrieved by the facts or neglect of such register" be and the same is hereby repealed except as to counties of the first class

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	Farrell,	Klein,	Tallman,
Becker,	Geltz,	Leader,	Taylor,
Berger,	Gourley,	Letzler,	Thomas,
Blass,	Haluska,	Mallery,	Troutman,
Bowers,	Heyburn,	Margie,	Tyler,
Carr,	Holland,	McGinnis,	Wade,
Chapman,	Homsher,	Ruth,	Wagner,
Coleman,	James,	Scarlett,	Wilson,
Cox,	Jaspan,	Snowden,	Woodring,
Crowe,	Jones,	Stevenson,	Walker,
Dent,	Kephart,	Stiefel,	Presiding Officer
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, this bill is not on the desks of the Senators, therefore I ask unanimous consent that Senate Bill No. 342, on third reading, entitled:

An Act to amend section two hundred thirty-two of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" requiring each register of wills to give a joint and several bond approved by the judges of the orphans' court and by the Governor

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 344, on third reading, entitled:

An Act to further amend section five hundred and forty of the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" further defining the duties of the secretary to the board of supervisors and providing for the preservation and turning over to the successor in office of township records and for the destruction of certain records

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 382, on third reading, entitled:

An Act to amend section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by authorizing such townships to regulate parking

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 414, on third reading, entitled:

An Act to provide protection in all cases secured or to be secured by individual surety or sureties in courts of record or proceedings therein by specifying the requirements of such suretyship and the qualifications of such surety

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 418, as follows:

An Act authorizing the common pleas judges and the county commissioners jointly to create medical clinics for the examination of certain persons convicted of the commission of a crime prior to the sentencing thereof as a means of decreasing the number of habitual offenders providing for the creation of joint medical clinics among the several counties and imposing the costs of maintaining and operating such clinics upon the county or counties creating the same

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In each county the common pleas judges and the county commissioners shall be and they are hereby constituted a board which is hereby authorized if a majority of the members thereof deem it desirable and advisable to create a mental clinic which mental clinic shall pass upon the mental and physical condition of all persons convicted of any crime who are (1) first offenders when requested by the court (2) obviously mental cases (3) convicted of sex offenses or (4) alcoholic or narcotic cases

Such examinations shall be made and a report of each thereof shall be presented to the sentencing judge prior to the imposition of any sentence upon any such person

Section 2 The medical clinic shall examine each such person for the purpose of determining if either the physical or mental condition of the person convicted attributed directly or indirectly to the commission of the crime and to recommend the curative or corrective treatment available for such persons so as to prevent or which is calculated to prevent or lessen the possibility of such persons becoming habitual offenders

Section 3 If the board shall create a medical clinic under the provisions of this act the minimum number of appointees thereof shall be one psychiatrist who shall be the director of such clinic one psychologist and such investigators and clerical help as is needed and the board shall fix the compensation paid to each such appointee

Section 4 The salaries paid to the appointees of the clinic the accommodations equipment and costs of operation thereof shall be upon the county in which such clinic is established and the county commissioners are hereby authorized to determine the total amount to be spent for the maintenance and operation of such clinics

Section 5 Two or more counties may join in the creation of a joint clinic if a majority of the judges of the common pleas court and the county commissioners of each county joining therein deem the establishment of such a joint medical clinic desirable and advisable in which event the costs of maintaining and operating such joint clinic shall be proportional between or among the counties joining in such clinic subject however upon a majority of the county commissioners in such joint board approving the total expenditures required for the maintenance and operation of such a joint clinic

Section 6 All acts and parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	Farrell,	Klein,	Tallman,
Becker,	Geltz,	Leader,	Taylor,
Berger,	Gourley,	Letzler,	Thomas,
Blass,	Haluska,	Mallery,	Troutman,
Bowers,	Heyburn,	Margie,	Tyler,
Carr,	Holland,	McGinnis,	Wade,
Chapman,	Homsher,	Ruth,	Wagner,
Coleman,	James,	Scarlett,	Wilson,
Cox,	Jaspan,	Snowden,	Woodring,
Crowe,	Jones,	Stevenson,	Walker,
Dent,	Kephart,	Stiefel,	Presiding Officer
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 425, on third reading, entitled:

An Act authorizing individual co-fiduciaries, in certain cases to consent to holding of investments in the name of their corporate co-fiduciaries' nominee, and validating such consents heretofore given

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 457, on third reading, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" further revising and changing the penal laws of the Commonwealth

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 459, on third reading, entitled:

An Act to amend section six of the act, approved the twelfth day of June, one thousand eight hundred seventy-eight (P. L. 196), entitled "An act to consolidate revise and amend the penal laws of this Commonwealth," by fixing the time for the commencement and prosecution of indictments for certain felonies committed by certain persons

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 462, on third reading, entitled:

An Act establishing a mode of selecting and drawing jurors for counties of the first class, and imposing penalties

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 523, on third reading, entitled:

An Act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts, and vocational school districts; conferring powers and imposing duties on tax collectors, courts and various officers of said polical subdivisions; and prescribing penalties

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 530, on third reading, entitled:

An Act authorizing the Department of Justice to prescribe rules of practice for administrative departments departmental administrative boards and commissions independent administrative boards and commissions officers and other agencies of the Commonwealth authorizing such agencies to adopt rules providing for the appointment of an Administrative Rules Committee and fixing its powers and duties and imposing certain duties upon State officers and agencies

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 727, as follows:

An Act providing for the issuance of certified copies of birth death and marriage certificates by the proper city and county officers in cities of the first class to disabled war veterans and their dependents in death and compensation cases free of charge

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever application shall be made in cities of the first class of this Commonwealth to the proper city or county officers by or on behalf of any disabled war veteran of any war in which the United States has been is now or shall hereafter be engaged or by or on behalf of any dependent of any such veteran for a certified copy of any death birth or marriage certificate for use in connection with any claim for death benefits and compensation allowance it shall be the duty of such officer to furnish such certified copy free of any charge therefor

Section 2 So much of the act approved the eighth day of March one thousand eight hundred sixty (P. L. 130) and the act approved the eleventh day of June one thousand nine hundred forty-one (P. L. 114) and all other acts and parts of acts as are inconsistent herewith be and the same are hereby repealed

Section 3 This act shall become effective ten days after its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	Farrell,	Klein,	Tallman,
Becker,	Geltz,	Leader,	Taylor,
Berger,	Gourley,	Letzler,	Thomas,
Blass,	Haluska,	Mallery,	Troutman,
Bowers,	Heyburn,	Margie,	Tyler,
Carr,	Holland,	McGinnis,	Wade,
Chapman,	Homsher,	Ruth,	Wagner,
Coleman,	James,	Scarlett,	Wilson,
Cox,	Jaspan,	Snowden,	Woodring,
Crowe,	Jones,	Stevenson,	Walker,
Dent,	Kephart,	Stiefel,	Presiding Officer
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 771, on third reading, entitled:

An Act to further amend clause (b) section six of the act approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" by conferring the authority to issue writs of habeas corps in desertion and nonsupport cases

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 780, on third reading, entitled:

An Act to further amend section six of the act approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and presribing its powers and duties regulating the procedure therein and providing for the expenses thereof" by extending jurisdiction to cases for support of illegitimate children where the putative father admits parentage

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 9, entitled:

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of costs incurred by the Department in acting as purchasing agent for the Department of Highways

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 40, on second reading, entitled:

An Act to amend or further amend the title and sections one five seven nine and ten of the act approved the eighth day of June one thousand nine hundred seven (P. L. 496) entitled "An act to establish a Board of Commissioners of Navigation for the river Delaware and its navigable tributaries regulating their jurisdiction over ships vessels and boats and wharves piers bulkheads docks slips and basins and exempting cities of the first class from certain of its provisions and making an appropriation therefor" changing the membership of the Navigation Commission for the Delaware River and its navigable tributaries and excepting the Port of Chester from certain provisions of said act

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 60, entitled:

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 67, entitled:

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 67, the bill just read, be recommitted to the Committee on Appropriations.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 108, on second reading, entitled:

An Act to provide assistance for typhoid fever carriers and persons having typhoid fever carriers in their households and imposing certain responsibilities upon the Secretary of Health and the Secretary of Public Assistance and the Secretary of Welfare in connection therewith

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 134, on second reading, entitled:

An Act to further amend section eleven of the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 988) entitled "An act providing for and regulating the State registration of nurses and licensed attendants the annual recording of registration certificates and regulating the profession of nursing and repealing certain existing laws" by setting forth specific grounds for the suspension or revocation of certificates of registration of registered nurses and licensed attendants and providing for the reissue of such certificates

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 170, on second reading, entitled:

An Act to amend section seven hundred one of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," abolishing capital punishment in the case of murder of the first degree

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 204, entitled:

An Act to amend sections fourteen and twenty of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 414) entitled "An act relating to vital statistics and to make uniform the law with reference thereto" by changing the conditions under which information or records may be furnished and certified copies of birth certificates shall be issued.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 239, on second reading, entitled:

An Act to promote the public welfare and to protect mental defectives by prescribing circumstances under which selective sterilization of certain types of individuals may be performed without civil or criminal liability; and providing penalties

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 293, entitled:

An Act to amend section one of the act approved the seventeenth day of May one thousand nine hundred twenty-nine (P. L. 1798-No. 591) entitled "An act providing a fixed charge payable by the Commonwealth on lands acquired by the State and the Federal Government for forest reserves or for the purpose of preserving and perpetuating a portion of the original forests of Pennsylvania and preserving and maintaining the same as public places and parks and the distribution of the same for county school township and road purposes in the counties school districts and townships where such forests are located and making an appropriation" increasing the amount which the counties will receive from the State for forest reserves

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 296, on second reading, entitled:

An Act providing that taxes levied by political subdivisions of the Commonwealth on real estate of service persons shall not bear interest or be subject to penalties; and providing for abatement of certain accrued interest and penalties

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 315, entitled:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drug' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" providing that persons who have served as registered assistant pharmacists for ten years or longer shall be qualified for examination as pharmacists

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 317, on second reading, entitled:

An Act to amend Section One of an act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 403) entitled "An act relating to the form execution revocation and interpretation of wills to nuncupative wills to the appointment of testamentary guardians to spendthrift trusts to forfeiture of devise or legacy in case of murder of testator to elections to take under or against wills and to the recording and registering of such elections and of decrees relative thereto and to the fees therefor" by authorizing members of or persons called for induction into the armed forces of the United States or of any allied or associated power who have attained the age of seventeen years to dispose of real and personal estate by will

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 321, on second reading, entitled:

An Act to amend the title and section one of the act approved the eleventh day of May, one thousand eight hundred ninety-nine (P. L. 289), entitled "An act providing for the payment to the county or counties of the moneys or bonus which any foreign railway corporation is required to pay into the State Treasury for the right to pass through said county or counties, and by which payment such foreign railway corporation is relieved from local taxation" by providing for payments to counties irrespective of whether relief from payment of local taxes results from payment of the bonus

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 375, on second reading, entitled:

An Act to amend sections one thousand one hundred five one thousand one hundred twenty-one one thousand one hundred twenty-seven one thousand one hundred thirty-four and one thousand one hundred thirty-seven of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further providing for the term of office and the election of county superintendents assistant county superintendents district superintendents and assistant district superintendents in all second third and fourth class school districts of the Commonwealth

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 387, on second reading, entitled:

An Act to further amend section fourteen of the act approved the nineteenth day of March one thousand nine hundred nine (P. L. 46) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" by further regulating grounds for refusal revocation of suspension of the right to practice as osteopaths in the State of Pennsylvania

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 412, on second reading, entitled:

An Act to amend subdivision five of the Compact contained in the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1664) entitled "An act to ratify and adopt a compact or agreement negotiated by commissioners designated by the Governor of the Commonwealth of Pennsylvania and commissioners designated by the Governor of the State of Ohio relative to the development use and control of the Pymatuning Lake and the State owned land surrounding said lake for fishing hunting recreational and park purposes" so as to permit the operation on portions thereon of boats equipped with motors of six horsepower or less

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 420, entitled:

An Act to amend the act approved the twelfth day of May one thousand nine hundred and forty-three (P. L. 259) entitled "An act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employes' Retirement System and in certain other cases into the State Employes' Retirement Fund for certain purposes" by providing for allocation and distribution of such moneys and further prescribing their use

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 448, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of California State Teachers' College to acquire a tract of land for the use of California State Teachers' College and making an appropriation therefor

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 448, the bill just read, be recommitted to the Committee on Appropriations.

Mr. SCARLETT. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 452, on second reading, entitled:

An Act to add section two thousand three hundred twenty-two to the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by imposing upon the Department of Welfare the duty to investigate the subject of crime prevention and to stimulate develop and coordinate crime prevention activities in this Commonwealth

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 465, entitled:

An Act to further amend section one of the act approved the nineteenth day of July one thousand nine hundred thirty-five (P. L. 1356) entitled "An act to regulate the sale and delivery of solid fuel as herein defined providing for appointment of licensed weighmasters prescribing their powers and duties authorizing substitute licensed weighmasters imposing certain duties on the Department of Internal Affairs and providing penalties" by defining the word "vehicle"

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 470, entitled:

An Act to further amend section four of the act approved the eighth day of May one thousand nine hundred nine (P. L. 470) entitled "An act to prevent the manufacture and sale of adulterated or misbranded drugs defining the word 'drug' prescribing penalties for violation of this act and the method of its enforcement" by further defining what shall constitute misbranding of drugs.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 472, entitled:

An Act prohibiting the sale of drugs chemicals and preparations thereof without a label bearing certain information and prescribing a penalty.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 475, on second reading, entitled:

An Act requiring cities boroughs towns and townships to notify adjacent political subdivisions of proposed streets roads and highways leading into them

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 493, on second reading, entitled:

An Act to repeal the special acts approved the twelfth day of March one thousand eight hundred sixty-six (P. L. 171) and the fourteenth day of February one thousand eight hundred sixty-seven (P. L. 207) relating to the fees of the sheriff, prothonotary register recorder clerk of courts and district attorney in Washington County

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 493, entitled:

A Supplement to the act approved the fourth day of June one thousand nine hundred and forty-three (Appropriation Acts page fifty-nine) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-three" providing for a deficiency in the appropriation made by said act to the Department of Auditor General for the fiscal biennium ending May thirty-first one thousand nine hundred and forty-five.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 519, entitled:

An Act to amend section eight of the act approved the third day of June one thousand nine hundred nineteen (P. L. 366) entitled "An act reorganizing the Department of State Police creating therein a Bureau of Fire Protection providing for a State Police Force and defining the powers and duties of the same includin the enforcement of laws relating to game fish forestry and water supply and certain other laws and including the collection of information useful for the detection of crime and the apprehension of criminals providing for the equipment maintenance and transportation of such police providing for barracks and substations therefor and prescribing penalties" by providing for and requiring additional credit in examinations of honorably discharged persons who served in the armed forces of the United States during any war in which the United States was engaged

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 527, entitled:

An Act providing for the indexing of the Legislative Journal and fixing the sum allowed therefor

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 532, entitled:

An Act to amend section two of the act approved the thirtieth day of April one thousand nine hundred and twenty-nine (P. L. 903) entitled "An act relating to corporations providing methods of determining what stockholders shall be entitled to vote at meetings or to receive dividends or allotments of rights or to exercise rights and the effect thereon of transfers of stock within sixty days of any election or meeting" by making further provision for such determination in lieu of closing the stock transfer books

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 538, entitled:

An Act to amend section eight of the act approved the eighth day of May one thousand nine hundred forty-four (Act No. 2) entitled "A supplement to the act approved the third day of June one thousand nine hundred thirty-seven (P. L. one thousand three hundred thirty-three) entitled 'An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections'" by further regulating the disposition of military files

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 539, entitled:

An Act to amend Section nine of the Act approved the fifth day of May one thousand nine hundred forty-four (Act No. 1) entitled "A supplement to the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled 'An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections'" further regulating the disposition of military files

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 544, on second reading, entitled:

An Act to regulate the sale and possession of penicillium (penicillin) and its derivatives preparations and compounds in the interest of public health

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 548, on second reading, entitled:

An Act relating to chattel mortgages on any chattel or chattels of any kind or description including among other things livestock poultry farm machinery farm equipment and crops grown growing or to be grown designating the operation and effect of the lien of such mortgages providing for the filing indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states regulating the assignment release satisfaction and extension of the lien of such mortgages prescribing methods of foreclosure defining defaults and violations and fixing penalties

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 548, on second reading, entitled:

An Act providing that when the contract of a fiduciary is made by him or approved by court inadequacy of price or an offer to deal on other terms shall not relieve the fiduciary of his obligation or constitute ground for any court to set aside the contract or to refuse to enforce it

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 570, on second reading, entitled:

A Joint Resolution proposing an amendment to article nine section eight of the Constitution of the Commonwealth of Pennsylvania

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 571, on second reading, entitled:

An Act providing for the naming of state bridges and parks in honor of American heroes of World War II by the Governor Adjutant General and the county commissioners of the county where such site is located

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 573, on second reading, entitled:

An Act to further amend section one of the act approved the fourth day of June one thousand nine hundred fifteen (P. L. 828) entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations co-partnership associations and joint-stock associations providing the manner of collecting such tax and prescribing penalties" by modifying the rates of tax imposed by the said act

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 574, on second reading, entitled:

An Act to amend section three of the act approved the fourth day of June one thousand nine hundred and fifteen (P. L. 828) entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations copartnership associations and joint-stock associations providing the manner of collecting such tax and prescribing penalties" by providing an alternative method of collection of such tax

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 577, entitled:

An Act to amend section seven hundred eight and to further amend clause (f) of section seven hundred thirty-one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and chang-

ing the law relating thereto" by changing the time limitation for tagging big game controlling the removal and transportation thereof requiring report of such killing and providing penalties

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 579, entitled:

An Act to safeguard human life prohibiting the performance of operations previous to the making of certain pre-operative studies and tests and the inspection thereof by the person performing the operation except an emergency operation defining an emergency operation and a pre-operative study and providing penalties

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 662, entitled:

An Act to promote interstate cooperation for the conservation and protection of water resources in the Delaware River Basin

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

ERRATUM

Mr. HEYBURN. Mr. President, I wish to call to the attention of the desk an obvious error appearing on page 19 of today's Calendar, where Bills Nos. 719 and 942 are listed as being Senate bills; these apparently are House bills. I suggest that the attention of the printer be called to this error.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 719, on second reading, entitled:

An Act to amend section one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 558) entitled "An act authorizing the Department of Property and Supplies to sell and convey a lot or pieces of land in Delaware County" correcting an erroneous measurement.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 942, on second reading, entitled:

An Act to amend the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 439) entitled "An act authorizing the Governor of the Commonwealth of Pennsylvania with the advice of the Attorney General and the approval of certain members of the General Assembly for a limited period of time to suspend or modify laws either in whole or in part under certain circumstances during the existence of the present war" by extending the effective period of the act

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

RECESS

Mr. HEYBURN. Mr. President, I move that the Senate do now take a short recess.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed the Senate will be in order.

BILLS ON FIRST READING

Mr. HEYBURN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. SCARLETT. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1, entitled:

An Act to amend the title and certain sections and to add certain new sections to the act approved the twenty-second day of June one thousand nine hundred thirty-seven (P. L. 1987) entitled "An act to preserve and improve the purity of the waters of the Commonwealth for the protection of the public health animal and aquatic life and for industrial consumption and recreation empowering and directing the creation of indebtedness or the issuing of non-debt revenue bonds by political subdivisions to provide works to abate pollution providing protection of water supply providing for the jurisdiction of courts magistrates aldermen and justices of the peace in the enforcement thereof and providing additional remedies for abating pollution of waters imposing certain penalties and repealing certain acts" by changing the definitions of 'establishment' and 'industrial waste' by changing penalties for violations and requiring prosecutions to be instituted or approved by the Attorney General by prohibiting the discharge of silt into any waters of the Commonwealth and regulating the discharge of acid mine drainage into waters thereof authorizing the Sanitary Water Board to establish standards of purity and to determine the time for compliance with the provisions of the act in certain cases and requiring the Board's approval of plans for opening reopening or extending coal mines by authorizing the acquisition by purchase or condemnation or otherwise by the Sanitary Water Board of easements or rights of ways and the acquisition or construction of pipes conduits drains or tunnels and pumps and pumping equipment and providing for the payment of the costs thereof by the Commonwealth

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 167, entitled:

An Act to amend section four of the act approved the twenty-first day of May, one thousand nine hundred

forty-three (P. L. 340), entitled "An act empowering cities of the third class, boroughs, incorporated towns and townships, to cooperate with each other through joint agreements in the exercise of their governmental powers, duties and functions relating to the public health, recreation, zoning and municipal planning," authorizing employing, retaining and contracting for planning engineers, consultants and professional planning services.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 240, entitled:

An Act providing for local referendums in wards of cities of the first class before public parks may be diverted to other use

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 307, entitled:

An Act to further amend section two thousand five hundred four of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by further providing for the triennial assessment of taxable property.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 338, entitled:

An Act to amend sections two seventeen eighteen twenty and twenty-six of the act approved the fourth day of June one thousand nine hundred and forty-three (P. L. 886) entitled "An act creating a Municipal Employes' Retirement System for the payment of retirement allowances to officers and employes of political subdivisions and institutions supported and maintained by them and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor imposing certain duties on the State Employes' Retirement Board and the actuary thereof providing the procedure whereby political subdivisions may join such system and imposing certain liabilities and obligations on such political subdivisions in connection therewith and as to certain existing retirement and pension systems and upon officers and employes of such political subdivisions and institutions supported and maintained by them providing certain exemptions from taxation execution attachment levy and sale and making an appropriation" changing certain definitions clarifying provisions relating to local pension and retirement systems changing the formulae for the ascertainment of contributions by members and by municipalities eliminating the provisions requiring retirement at age seventy and reappropriating the unexpended balance of the prior appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 360, entitled:

An Act to amend the title and section two of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 340) entitled "An act empowering cities of the third class boroughs incorporated towns and townships to co-operate with each other through joint agreements in the exercise of their governmental powers duties and functions relating to the public health recreation zoning and municipal planning" by extending the power of municipalities to co-operate in the exercise of their powers duties and functions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 374, entitled:

An Act to fix the standard weights of containers for wheat and corn flours, corn meals, hominy, and hominy grits; and to provide penalties for the violation of this act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 446, entitled:

An Act to further amend section one thousand nine hundred two of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," exempting certain contracts from the provisions of said act regulating advertising and bidding for contracts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 457, entitled:

An Act to permit the sale and purchase of imitation butter or oleomargarine for consumption by inmates and employes of charitable and penal institutions within the Commonwealth for a period of two years and suspending certain provisions of the law prohibiting such sales and purchase for the same period of time under certain circumstances requiring the keeping of records and the making of reports and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 499, entitled:

An Act to further amend the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers,

municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," by revising and changing the provisions of said act relating to the times of registering electors, their enrolment as members of political parties, change of party enrollment, removal notices, and comparing and correcting the general and district registers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 500, entitled:

An Act to further amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; perscribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, regstrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legislation" by revising and changing the provisions of said act relating to the times of registering electors, their enrollment as members of political parties, change of party enrollment, removal notices, and comparing and correcting the general and district registers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 501, entitled:

An Act to further amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 814), entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; perscribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointeees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," by revising and changing the provisions of said act relating to the times of registering electors, their enrollment as members of political parties, change of party enrollment, removal notices, comparing and correcting general and district registers, preparing preliminary street lists and street lists.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 502, entitled:

An Act to further amend the act, approved the thirtieth day of March, one thousand nine hundred thirty-seven (P. L. 115), entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commission, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents, certain public service companies, persons, firms, and corporations operating vehicles for moving furniture and household goods, and boards of school directors; and imposing penalties" by revising and changing the provisions of said act relating to the times of registering electors, and comparing and correcting the general and district registers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 503, entitled:

An Act to further amend the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1132), entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," by revising and changing the provisions of said act relating to the times of registering electors, their enrollment as members of political parties, change of party enrollment, removal notices, comparing and correcting general and district registers, preparing preliminary street lists and street lists.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 507, entitled:

An Act to further amend section eight hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class and amending re-

vising consolidating and changing the law relating thereto" regulating contracts and purchases by townships and prescribing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 527, entitled:

An Act to amend section four thousand three hundred one of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by further regulating the administration of the police pension fund.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 567, entitled:

An Act to further amend section two of the act, approved the twenty-eighth day of June, one thousand eight hundred and ninety-five (P. L. 408), entitled "A supplement to the twenty-fourth section of an act, entitled 'An act to provide revenue by taxation, approved the seventh day of June, one thousand eight hundred and seventy-nine,' approved the first day of June, one thousand eight hundred and eighty-nine, amending the twenty-fourth section, by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth," by providing a method for the allocation of the tax on premiums of foreign fire insurance companies to cities, boroughs, towns and townships for firemen's relief fund association uses.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 607, entitled:

An Act to amend the act, approved the twenty-sixth day of May, one thousand nine hundred forty-three (P. L. 637), entitled "An act providing that the terms of constables hereafter elected in cities of the second, second class A and third classes, boroughs and townships, shall be for six years," by extending the terms of constables hereafter elected in incorporated towns to six years.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 696, entitled:

An Act to further amend sections one two three and four of the act approved the twenty-first day of May one thousand nine hundred thirty-seven (P. L. 787) entitled as amended "An act authorizing subject to approval of the court of common pleas the compromise or reduction of tax and municipal claims on real property purchased by any county city borough town school district or poor district at any sale for the nonpayment of taxes or municipal claims and the reconveyance or private sale of such property" requiring such reconveyance and private sale to have the approval of the municipality or municipalities having a majority interest therein

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 756, entitled:

An Act to reenact and amend clause XIII of section fifteen hundred and two of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (P. L. 1206) entitled "An act concerning townships of the first class and amending revising consolidating and changing the law relating thereto" by providing for the furnishing of street lighting by contract with lighting companies upon petition of property owners in villages and for the assessment and collection of the costs and maintenance thereof upon property benefited thereby and validating petitions of property owners contracts entered into between townships and lighting companies taxes levied to pay the costs and maintenance of lighting service and the collection receipt and payment out of the revenues therefrom notwithstanding such petitions were filed contracts entered into and taxes levied collected and paid out under unconstitutional laws validating agreements and understandings between townships and lighting companies to continue lighting service pending the enactment of valid laws regulating and providing for the expenditure of moneys arising from special lighting taxes and authorizing the payment of the costs and expenses of maintaining lighting service until valid laws are enacted to collect charges from property owners benefited thereby out of the township tax and the creation and transfer of moneys to a special account for such purposes at any time notwithstanding the prior adoption of the budget and authorizing any light and power company to apply the net rate and to waive the gross rate or to grant discounts and to waive penalties in the same manner as if payments had been made by the township within the time required by the contract and the company's schedules or tariffs.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

SENATE BILL No. 25, PRINTER'S No. 230, TAKEN FROM TABLE

Mr. HEYBURN. Mr. President, I call from the table Senate Bill No. 25, Printer's No. 230, recalled from the Governor.

RECONSIDERATION OF SENATE BILL No. 25

Mr. HEYBURN. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 25, entitled:

An Act to amend the first paragraph, section one of the act approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521), entitled, as amended, "An act to further amend the title, to reenact and further amend paragraph (e) of section one, and to further amend section thirty-nine of the act, approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521) entitled, as amended 'An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any

such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal,' by defining as a transfer and taxing the right of survivorship in property as to which such right exists; and providing for the extension of the Commonwealth's lien on real property for a further period of time," by exempting military pay due deceased service persons and veterans from the taxes herein imposed.

passed finally.

The PRESIDING OFFICER. How did the Senator vote?

Mr. HEYBURN. Mr. President, I voted "aye".

Mr. WADE. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. WADE. Mr. President, I voted "aye".

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. HEYBURN. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDING OFFICER. How did the Senator vote?

Mr. HEYBURN. Mr. President, I voted "aye".

Mr. WADE. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. WADE. Mr. President, I voted "aye".

The motion was agreed to.

The PRESIDING OFFICER. The bill will appear on the third reading Calendar of the next Legislative day.

SENATE BILL No. 230, PRINTER'S No. 102, TAKEN FROM TABLE

Mr. HEYBURN. Mr. President, I call from the table Senate Bill No. 230, Printer's No. 102, recalled from the Governor.

RECONSIDERATION OF SENATE BILL No. 230

Mr. HEYBURN. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 230, entitled:

An Act to amend the title and the act approved the thirtieth day of April, one thousand nine hundred and forty-three (P. L. 145), entitled "An act providing for and regulating the accumulation, investment and expenditures by counties, cities, boroughs, incorporated towns and townships of funds for post war projects," extending the provisions of said act to school districts; and defining the term "post war period"

passed finally.

The PRESIDING OFFICER. How did the Senator vote?

Mr. HEYBURN. Mr. President, I voted "aye".

Mr. WADE. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. WADE. Mr. President, I voted "aye".

The motion was agreed to.

And the question recurring.

Shall the bill pass finally?

Mr. HEYBURN. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDING OFFICER. How did the Senator vote?

Mr. HEYBURN. Mr. President, I voted "aye".

Mr. WADE. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. WADE. Mr. President, I voted "aye".

The motion was agreed to.

The PRESIDING OFFICER. The bill will appear on the third reading Calendar of the next Legislative day.

The PRESIDING OFFICER. The Chair invites the President Pro Tempore to the rostrum.

The PRESIDENT PRO TEMPORE (M. Harvey Taylor) in the Chair.

BILLS SIGNED

The PRESIDENT PRO TEMPORE (M. Harvey Taylor) announced that the Acting Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 18, entitled:

An Act to amend sections one and two of the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1303) entitled "An act to regulate the sale of certain hypnotic analgesic and body-weight reduction drugs in the interest of public health" by redefining the meaning of "other hypnotic drugs or analgesic drug or body-weight reducing drug" and adding "inhalers" to the remedies permitted to be sold at retail

Senate Bill No. 188, entitled:

An Act to amend section four hundred twenty as added to the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled, "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by including annuity policy contracts.

Senate Bill No. 243, entitled:

An Act to amend section one hundred three, and to further amend section two hundred one of the act, approved the eleventh day of July, one thousand nine hundred twenty-three (P. L. 998), entitled "An act for the prevention and treatment of mental diseases, mental defect, epilepsy, and inebriety; regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics; governing the transfer, discharge, interstate rendition, and deportation of mental patients; providing for the payment by individuals, counties, or the Commonwealth of the cost of the admission, care, and discharge of mental patients; and imposing penalties," requiring persons, co-partnerships, associations and corporations, who undertake the care of mental patients to make application and obtain a license from the Department of Welfare.

House Bill No. 333, entitled:

An Act to reenact sections five hundred one, five hundred two, five hundred three, five hundred four, five hundred five and five hundred six of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "Pennsylvania Election Code."

Whereupon,

The PRESIDENT PRO TEMPORE (M. Harvey Taylor) in the presence of the Senate signed the same.

The PRESIDING OFFICER (John M. Walker) in the Chair.

ADJOURNMENT

Mr. HEYBURN. Mr. President, I move that the Senate do now adjourn until Monday, April 2, 1945, at 4:00 o'clock p. m., Eastern War Time.

Mr. BOWERS. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 1:08 o'clock p. m., Eastern War Time until Monday, April 2, 1945, at 4:00 o'clock p. m., Eastern War Time.

HOUSE OF REPRESENTATIVES

THURSDAY, March 29, 1945

The House met at 11 a. m.

The SPEAKER (Ira T. Fiss) in the Chair.

PRAYER

The Chaplain, Rev. Lester C. Updegrove, offered the following prayer:

God of our fathers, who has raised up this nation for a glorious mission, deepen in us the sense of our surpassing opportunities in this time of war, as witnesses to Thee; help us the more faithfully to consider Thy will and share Thy Spirit and follow Thy way. Bless our leaders with vision and strength in upholding the high cause of human liberty. Enlighten and quicken us that we may, in union with all men of good will, be fit instruments to Thy glory, increasing the righteousness which alone exalteth a nation, and hastening Thy kingdom; through Jesus Christ our Lord. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Wednesday, March 28, 1945.

The Clerk proceeded to read the Journal of Wednesday, March 28, 1945, when, on motion of Mr. BONAWITZ, unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. ANDREWS. HOUSE BILL No. 1270.

An Act making an appropriation to the Treasury Department out of the Fire Insurance Tax Fund to pay replacement checks issued in lieu of outstanding checks which are lost or destroyed.

Referred to the Committee on Appropriations.

By Mr. TURBETT. HOUSE BILL No. 1271.

An Act authorizing the laying out, opening, construction and maintenance of a State highway route in the County of Juniata, and making an appropriation.

Referred to the Committee on Highways.

By Mr. ELDER. HOUSE BILL No. 1272.

An Act to amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by further regulating the discharge of firearms; and providing penalties.

Referred to the Committee on Game.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 3.

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum, Philadelphia.

Referred to the Committee on Appropriations.

SENATE BILL No. 16.

An Act making an appropriation from the State Stores Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Stores Fund.

Referred to the Committee on Appropriations.

SENATE BILL No. 17.

An Act making appropriations to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented and to adjust errors.

Referred to the Committee on Appropriations.

SENATE BILL No. 29.

An Act making an appropriation from the Banking Department Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes Retirement System with respect to State Employes receiving compensation from the Banking Department Fund.

Referred to the Committee on Appropriations.

SENATE BILL No. 42.

An Act making an appropriation from the Game Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Game Fund.

Referred to the Committee on Appropriations.

SENATE BILL No. 43.

An Act making an appropriation from the Motor License Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Motor License Fund.

Referred to the Committee on Appropriations.

SENATE BILL No. 49.

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth.

Referred to the Committee on Appropriations.

SENATE BILL No. 51.

An Act making an appropriation from the Manufacturing Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Manufacturing Fund.

Referred to the Committee on Appropriations.

SENATE BILL No. 61.

An Act making an appropriation from the Motor License Fund to the Board of Finance and Revenue to meet interest sinking fund and service requirements on the State debt.

Referred to the Committee on Appropriations.

SENATE BILL No. 64.

An Act making an appropriation to the Moore Institute of Art Science and Industry formerly Philadelphia School of Design for Women at Philadelphia Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 66.

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia.

Referred to the Committee on Appropriations.

SENATE BILL No. 90.

An Act making an appropriation to the Department of Health for the purpose of conducting cancer research.

Referred to the Committee on Appropriations.

SENATE BILL No. 180.

An Act making an appropriation to the Pennsylvania School for the Deaf at Philadelphia, Pennsylvania, for the purpose of replacing and renewing certain equipment and machinery.

Referred to the Committee on Appropriations.

SENATE BILL No. 222.

An Act abating certain tax penalties interest and costs on unpaid county, city, borough, town, township, school district, poor district, and county institution district taxes with certain exceptions, prohibiting the sale of real property for the nonpayment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 349.

An Act making an appropriation to the Department of Property and Supplies for payment to Somerset County Institution District to reimburse said district on account of certain property damages, under agreement between the Commonwealth and the institution district.

Referred to the Committee on Appropriations.

SENATE BILL No. 469.

An Act to repeal the act, approved the twenty-first day of March, one thousand nine hundred twenty-nine (P. L. 34), entitled "An act authorizing the judges of the courts of common pleas and orphans' courts in counties of the third class to employ stenographers, typists, and clerks to facilitate the business of the courts, and to provide for the payment of their compensation by the county, and validating former employments and payments therefor."

Referred to the Committee on Counties.

SENATE BILL No. 476.

An Act to amend section five hundred ninety of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by extending provisions of act to include memorials erected to commemorate services of women who have been members of organizations officially connected with the armed forces of the United States.

Referred to the Committee on Counties.

SENATE BILL No. 526.

A Supplement to the act approved the fourth day of June, one thousand nine hundred forty-three (Appropriation Acts, page 59), entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and forty-three; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and forty-three," providing a deficiency for indexing the Legislative Journal.

Referred to the Committee on Appropriations.

RESOLUTION INTRODUCED AND REFERRED

By Messrs. CULLEN and HEATHERINGTON.

(Concurrent) RESOLUTION No. 45.

In the House of Representatives, March 28, 1945.

Now that the war in Germany is in its final stages and victory is imminent, it is time to prepare for the peace that will keep secure all the things we have saved through the sacrifices made.

The war will have been won and the peace secured through the magnificant courage and valor of plain G. I. Joe, and it is to the enlisted man in the ranks who sacrificed everything dear to man, that the American way of life will continue.

If this man has won the war, he should be given a chance to frame the peace; therefore be it

Resolved (if the Senate concurs), That the General Assembly of the Commonwealth of Pennsylvania hereby memorializes the Congress of the United States to pass such legislation as will insure a seat at the peace table to a plain G. I. Joe, who has seen service during the war and to further provide that such representative of the fighting men shall be selected by the President of the United States from a list of twelve G. I. Joes nominated by the Congress of the United States; and be it further

Resolved, That a copy of this resolution shall be forwarded by the Chief Clerk of the House and the Secretary of the Senate to the presiding officers of the Senate and House of Representatives of the Congress of the United States.

Referred to the Committee on Rules.

LEAVES OF ABSENCE

By consent of the House leave of absence was granted as follows:

Mr. Kline for Mr. BREISCH for today's session.

Mr. O'Brien for Mr. CORRIGAN for today's session.

Mr. Andrews for Messrs. PENTRACK and CHERVENAK for today's session.

Mr. Cohen for Mr. TATE for today's session.

Mr. CULLEN for himself for Monday, April 2, 1945.

Mr. Reynolds for Mr. MIHM for today's session.

COMMITTEE REPORTS

Mr. DAVID P. REESE from the Committee on Mines and Mining reported as committed House Bill No. 28, entitled:

An Act authorizing the Department of Mines to make or cause to be made a survey of all abandoned coal holes in the Southern and Western middle coal fields of the anthracite region of this Commonwealth, for the protection of the public and for the protection of those persons who may be engaged in future mining.

Mr. PICKENS from the Committee on Mines and Mining reported as committed House Bill No. 135, entitled:

An Act fixing the salaries of State Mine Inspectors, under the jurisdiction of the Department of Mines in this Commonwealth, and the expenses incident to this office.

Mr. FREED from the Committee on Cities—Third Class reported as committed House Bill No. 647, entitled:

An Act to amend section two thousand one of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by fixing the minimum salaries or compensation for paid policemen in police departments or bureaus in such cities.

Mr. DILLON from the Committee on Insurance reported as committed House Bill No. 1116, entitled:

An Act to further amend subsection (c) of section two hundred two and to amend subsection (c) of section two hundred six of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," authorizing stock casualty insurance companies to be organized for purpose of guaranteeing transfers of evidences of indebtedness by fiduciaries, requiring a minimum capitalization for such companies and prohibiting other companies from engaging in such business.

Mr. MILLER from the Committee on Insurance reported as amended House Bill No. 652, entitled:

An Act to further amend section four hundred four and to amend section four hundred five of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance; amending, revising and consolidating the law, providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by changing requirements relating to the investment of the capital reserves and surplus of mutual and stock life insurance companies organized under the laws of this Commonwealth, and creating a new Section, 405.1 relating to investment restrictions.

Mr. MAHANY from the Committee on Mines and Mining reported as committed House Bill No. 639, entitled:

An Act to amend section four of the act, approved the first day of June, one thousand nine hundred and thirty-three (P. L. 1409), entitled as amended "An act authorizing the creation of State mining commissions, with judicial powers, to have exclusive jurisdiction with certain exceptions over the mining of coal within or under land, easements or right of ways purchased, condemned or otherwise acquired by the Commonwealth, and over the assessment and award of benefits, improvements, and damages for coal required to be left in place by reason of the obligation to furnish support for land, easements or right of ways purchased, condemned or otherwise acquired by the Commonwealth, whether the damages are payable by the Commonwealth or a county or a municipality; authorizing counties and municipalities to enter into agreements to indemnify or reimburse the Commonwealth for damages to its lands, easements or right of ways caused by the removal of coal under or adjacent thereto; waiving vertical and lateral support therefor under certain conditions; reserving the right to acquire absolute vertical and lateral support; reserving the power to establish detours for the removal of coal underlying State highways; providing for appeals to the courts of common pleas from orders assessing damages for coal required to be left in place," by waiving under certain conditions where no damages are payable vertical or lateral support to all lands, easements and right of ways purchased, condemned or otherwise acquired by the Commonwealth.

Mr. HELM from the Committee on Education reported as committed House Bill No. 933, entitled:

An Act to add section one thousand six hundred and fifteen to the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing for the release of pupils from the public schools for religious instruction.

Mr. HELM from the Committee on Education reported as amended House Bill No. 446, entitled:

An Act to amend section six hundred eight of the act approved the eighteenth day of May, one thousand nine hundred eleven, (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by authorizing school boards to re-acquire old school buildings having historical value.

SENATE MESSAGES

The Clerk of the Senate, Mr. Steinfelt, being introduced, presented extracts from the Journal of the Senate which were laid on the table.

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 333.

An Act to reenact sections five hundred one five hundred two five hundred three five hundred four five hundred five and five hundred six of the act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections

With the information that the Senate has passed the same without amendment.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 333.

An Act to reenact sections five hundred one, five hundred two, five hundred three, five hundred four, five hundred five and five hundred six of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections"

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 52

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 28, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 52, Printer's No. 298, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

EDWARD MARTIN.

RECONSIDERATION OF VOTE

Mr. LICHTENWALTER. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. SORG. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Lehigh, Mr. Lichtenwalter vote on the final passage of this bill?

Mr. LICHTENWALTER. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Elk, Mr. Sorg vote on the final passage of this bill?

Mr. SORG. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. LICHTENWALTER. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. LICHTENWALTER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend section 1, page 4, line 13, by striking out with bold face brackets, after the word "service", the balance of the line.

Amend section 1, page 4, by striking out with bold face brackets line 14.

Amend section 1, page 4, line 15, by striking out with bold face brackets, the following: [not be denied his disability rights].

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 164

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 28, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 164, Printer's No. 29, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

EDWARD MARTIN.

RECONSIDERATION OF VOTE

Mr. LICHTENWALTER. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. SORG. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Lehigh, Mr. Lichtenwalter vote on the final passage of this bill?

Mr. LICHTENWALTER. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Elk, Mr. Sorg vote on the final passage of this bill?

Mr. SORG. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. LICHTENWALTER. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. LICHTENWALTER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend page 2, line 2 of the title by inserting after the word "thereof", the following: "substituting the Department of Public Instruction and the Governor for the State Council of Education and placing additional duties and powers upon the trustees of State Teachers Colleges."

Amend page 3, section 1, line 9, by striking out after the figures "2002.1" the balance of the line.

Amend page 3, section 1, by striking out lines 10 to 13 inclusive.

Amend page 3, section 1, line 14, by striking out at the beginning of the line before the word "and", and letters: "[tivities]" and inserting in lieu thereof the following: "The trustees of any State Teachers College with the approval of the Department of Public Instruction and the Governor may cooperate with municipal State Federal and other agencies in vocational education and rehabilitation programs in the furtherance of national defense and post-war activities.

Amend page 3, section 1, line 18 by adding at the end of the line after the word "college", the following: "and they also shall have power to convert the whole or any part of one or more of such State Teachers Colleges for any other State purpose.

Amend page 3, section 2, line 20, by striking out after the word "enactment" the balance of the line.

Amend page 3, section 2, by striking out lines 21, 22 and 23, inclusive.

Amend page 3, section 2, line 26, by adding at the end of the line after the letters "ment", the following: "It is the intention of this act to make the provisions of Section 2002.1 of said act effective indefinitely."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 374

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 28, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 374, Printer's No. 176, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

EDWARD MARTIN.

RECONSIDERATION OF VOTE

Mr. LICHTENWALTER. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. SORG. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Lehigh, Mr. Lichtenwalter, vote on the final passage of this bill?

Mr. LICHTENWALTER. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Elk, Mr. Sorg, vote on the final passage of this bill?

Mr. SORG. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. LICHTENWALTER. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. LICHTENWALTER. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend page 1, line 1 of the title by striking out after the word "the" and before the word "paragraph" the word: "[third]" and inserting in lieu thereof, the word: "second."

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

The SPEAKER. The Chair requests the gentleman from Bedford, Mr. Foor, to preside during the first reading calendar.

MR. FOOR IN THE CHAIR

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 136, entitled:

An Act to amend section one of the act approved the sixth day of May one thousand nine hundred forty-three (P. L. 190) entitled "An act authorizing in certain cases the renewal of old motor vehicles operators license for persons honorably discharged from the armed forces of the United States or from any women's organization officially connected therewith without a learner's permit examination or additional fee and while in such service the operation of motor vehicles without renewal of operator's license and the temporary suspension of existing laws requiring the same" by providing that honorably discharged veterans may make application for renewal of old motor vehicles operators' license for a period of one year from the date of honorable discharge in certain cases and authorizing such applications also to be certified by and sworn to before a notary public

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 749, entitled:

An Act to amend section eight hundred ninety-two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" permitting and protecting the sale of American War Mothers' carnations

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 854, entitled:

An Act to further amend section two hundred and two of and to add section four hundred and fifty-three to the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative offices and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" creating a departmental administrative board in the Department of Public Instruction known as State Real Estate Commission and fixing qualifications and compensation of members

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 884, entitled:

An Act relating to the Tuberculosis Hospital of the City of Pittsburgh Pittsburgh Pennsylvania providing for the transfer of such institution to the Commonwealth providing for the management and operation of closing and abandonment thereof and maintenance of tuberculosis patients therein including the collection of maintenance in certain cases providing for the retransfer under certain circumstances conferring powers and imposing duties on the Governor and Department of Health

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 969, entitled:

An Act to repeal sections one thousand one hundred ninety to one thousand one hundred ninety-six of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" relating to opening making amending and repairing highways and bridges by contracts with taxpayers

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1001, entitled:

An Act to further amend section two hundred two to add section one thousand three hundred seven point one and to repeal section two thousand two hundred nine of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Departmenta thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" designating the State Council of Education as the State Board of Vocational Education for certain purposes and transferring the administration of vocational rehabilitation from the Department of Labor and Industry to the State Board of Vocational Education

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1012, entitled:

An Act to further amend section one thousand and three of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by further regulating the newspaper publication of the auditor report

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1014, entitled:

An Act authorizing township supervisors to declare dogs running at large in packs a nuisance and directing the killing of such dogs

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1038, entitled:

An Act to add sections six hundred thirty and six hundred thirty-one to Article VI of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" authorizing township to pay expenses of delegates attending conventions of certain municipal officers

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1081, entitled:

An Act to amend clause twelve of section three of the act approved the tenth day of May one thousand nine hundred and thirty-nine (P. L. 11) entitled "An act relating to and providing for the promotion and development of business industry and commerce in the Commonwealth conferring powers and duties upon the Department of Commerce and other agencies of the Commonwealth abolishing the Pennsylvania State Publicity Commission terminating the terms of its members and conferring its powers upon and transferring and appropriating the balance of its current appropriation to the Department of Commerce and repealing certain laws" providing for the inspection of mineral production the gathering and compilation of composite statistics for reports to the General Assembly by agencies administering production control plans and for their termination of such plans under certain circumstances

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1130, entitled:

An Act to further amend section four hundred four and to amend sections four hundred five and four hundred six of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds association reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws" by authorizing stock and mutual life insurance companies to invest in housing projects either through stock ownership or real estate acquisition or use subject to certain regulations and restrictions

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1131, entitled:

An Act to authorize the State public bodies as defined to aid redevelopment authorities in the elimination of blighted areas and their redevelopment by entering into contracts to furnish and by furnishing to said authorities and to any Federal governmental agency parks playgrounds streets and other improvements and facilities and by donating or lending money and making appropriations therefor by accepting payments and exercising certain other powers and duties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1133, entitled:

An Act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth by declaring acquisition sound replanning and redevelopment of such areas to be for the promotion of health safety convenience and welfare creating public bodies corporate and politic to be known as Redevelopment Authorities authorizing them to engage in the elimination of blighted areas and to plan and contract with private corporate or governmental redevelopers for their redevelopment providing for the organization of such authorities defining and providing for the exercise of their powers and duties including the acquisition of property by purchase gift or eminent domain the leasing and selling of property including borrowing money issuing bonds and other obligations and giving security therefor restricting the interest of members and employes of authorities providing for notice and hearing supplying certain mandatory provisions to be inserted in contracts with redevelopers prescribing the remedies of obligees of redevelopment authorities conferring certain duties upon local planning commissions the governing bodies of cities and counties and on certain State officers boards and departments

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1189, entitled:

An Act to further amend the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodies regulating the sale thereof and providing penalties for violation hereof" defining further words and terms used herein further regulating the sale of commodities authorizing the Secretary of Internal Affairs to adopt rules and regulations to carry into effect the provisions of the act and granting additional powers to inspectors of weights and measures

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 63, entitled:

An Act to further amend section one of the act approved the thirteenth day of June, one thousand eight hundred eighty-three (P. L. 118), entitled "An act ceding concurrent jurisdiction of this State over certain lands owned or hereafter acquired by the United States", by further regulating cession of jurisdiction by the Commonwealth of Pennsylvania to the United States of America.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1201, entitled:

An Act authorizing townships of the second class to appropriate out of general road funds and out of special funds for future road and sewer construction and development a sum each year not to exceed one mill for the purpose of preparing plans and engineering for road and sewer projects scheduled for future development and providing for the ultimate payment of the cost thereof by assessment against real estate benefied.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1211, entitled:

An Act to further amend section six hundred sixteen of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claim registration of certain vehicles and licensing the operators thereof upon payment of presribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing or disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further prescribing the time when certain penalties imposed under the said act shall become effective.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 84, entitled:

An Act concerning the powers and duties of policemen appointed by the Delaware River Joint Toll Bridge Commission

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 250, entitled:

An Act to further amend section two thousand three hundred nineteen of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined" by changing the name "Western State Psychiatric Hospital" to "Western State Psychiatric Institute and Clinic."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 251, entitled:

An Act to amend the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 1199, No. 324), entitled "An act for the acceptance of a site from the University of Pittsburgh, and for surveys and the preparation of preliminary plans and estimates for a Western State Psychiatric Hospital; providing for the erection, construction, and equipment of said hospital when appropriations are made available, and for its management by the Department of Welfare," by changing the name "Western State Psychiatric Hospital" to "Western State Psychiatric Institute and Clinic."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 386, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by permitting departments, boards, or commissions to make transfers of surplus products of the soil, meats, livestock, timber, or other materials raised or grown upon or taken from property of the Commonwealth, or their by-products, to other State agencies and receive credit to their appropriation, under certain conditions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 406, entitled:

An Act to regulate the sale of second-hand watches; and providing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS NOT ON FILE

The SPEAKER pro tempore:
House Bill No. 986, Printer's No. 431 and
Senate Bill No. 314, Printer's No. 252,
on page 9 of today's calendar, bills on first reading are not on file and will be passed over.

THE SPEAKER (Ira T. Fiss) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Bedford, Mr. Foor, for presiding.

BILLS ON SECOND READING

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 553, entitled:

An Act to amend section two hundred twelve of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws," changing the retaliatory provisions of law so as to equalize the burdens and prohibitions as herein defined placed on and relating to the insurance business and the insurance of motorists and motor vehicles between other states and this Commonwealth

The first section was read.
On the question,
Will the House agree to the section?

BILL POSTPONED

Mr. WAGNER. Mr. Speaker, I move that this bill be placed on the postponed calendar.
The motion was agreed to.

BILL PASSED OVER

There being on objection
Senate Bill No. 52, Printer's No. 231
was passed over at the request of the SPEAKER.

Agreeably to order,
The House proceeded to the second reading and consideration of Senate Bill No. 57, entitled:

An Act providing for the Pennsylvania Register for the publication and distribution of certain orders, regulations, rules, notices, proclamations, and similar instruments; imposing powers and duties on the Legislative Reference Bureau and the Department of Property and Supplies; creating the Pennsylvania Register Board and defining its powers and duties; and making an appropriation for payment of expenses and costs of publication, and distribution of the Pennsylvania Register.

The first section was read.
On the question,
Will the House agree to the section?

BILL RECOMMITTED

Mr. DAVID P. REESE, Jr. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further consideration.
The motion was agreed to.

BILLS PASSED OVER

There being no objection
Senate Bill No. 59, Printer's No. 122
Senate Bill No. 197, Printer's No. 233
were passed over at the request of the SPEAKER.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 103, entitled:

An Act to permit the purchase by the cities counties and other political subdivisions of this Commonwealth of surplus war materials supplies and commodities from the Government of the United States or any of its agencies without advertisement or competitive bidding.

And said bill having been read at length the second time, and agreed to,
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 255, entitled:

An Act abating certain tax penalties and interest on unpaid county city borough town township school district poor district and county institution district taxes with certain exceptions prohibiting the sale of real property for the nonpayment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof

And said bill having been read at length the second time, and agreed to,
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 306, entitled:

An Act to authorize cities boroughs incorporated towns townships and school districts to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost and providing for the reinstatement of the liens of such claims and judgments

And said bill having been read at length the second time, and agreed to,
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 632, entitled:

An Act authorizing the county commissioners of the respective counties to grant rights of way and licenses for rights of way for certain purposes on and across lands purchased by the county at tax sales and not redeemed

And said bill having been read at length the second time, and agreed to,
Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 675, entitled:

An Act to further amend section fifteen of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" extending the lien of debts on decedent's real estate in certain cases

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 784, entitled:

An Act to add section one point one to the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 322) entitled "An act providing for the issuance of certified copies of death birth and marriage certificates and divorce decrees by county officers free of charge to disabled war veterans and their dependents in death and compensation cases and prescribing penalties" requiring counties to pay the fees of officers compensated on a fee basis

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 849, entitled:

An Act to further amend section six of the act approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" by providing for surety of the peace in certain cases

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 852, entitled:

An Act to further amend section six of the act approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" providing for the transfer of cases of support in fornication and bastardy cases from the court of quarter sessions to the county court of Allegheny County

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 853, entitled:

An Act to further amend section four hundred two of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 853) entitled "An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws" by further providing for the assessment and valuation of buildings under construction repair or reconstruction in counties of the second class

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 915, entitled:

An Act relating to health and sanitary conditions of leased dwellings in cities of the first class requiring such cities to establish landlord-tenant codes setting minimum standards for housing facilities relating to health and sanitation requiring occupancy permits to be issued to landlords requiring standard leases to be sued in the rental of such dwellings prohibiting landlords and tenants from waiving any provisions of such lease or of existing law and providing penalties

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1062, entitled:

An Act to further amend section nine of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 363) entitled "An act relating to the organization jurisdiction and procedure of the orphans' courts the powers and duties to the judges thereof and appeals therefrom" by giving trustees the right to hold certain estates under certain conditions

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1186, entitled:

An Act providing for the discharge of mortgages judgments and other liens given in favor of the Commonwealth by persons receiving assistance by sheriff's sales tax sales and other judicial sales

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1186, entitled:

An Act to amend the title and section one of the act approved the twentieth day of May one thousand nine hundred thirty-seven (P. L. 755) entitled "An act providing for the fixing of the salaries and compensation of officers clerks stenographers and employes appointed by judges of the courts of this Commonwealth in counties of the second class where salary boards exist by law" by extending the provisions of the act to include court criers and tipstaves and repealing certain inconsistent acts.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection

Senate Bill No. 53, Printer's No. 133,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 352, entitled:

An Act to amend section two hundred thirteen of the act, approved the twenty-fifth day of June, one thousand nine hundred forty-one (P. L. 159), entitled "An act amending, revising, consolidating and changing the law relating to the borrowing of money by certain political subdivisions, the authorization, issuance and sale of general obligation bonds as herein defined, of bonds imposing no general obligation of debt and of bonds not deemed to constitute a debt for certain purposes, and to the funding of debt and the refunding of bonds; regulating the keeping and use of sinking funds; imposing powers and duties upon the Department of Internal Affairs and upon corporate bodies and officers of political subdivisions; imposing penalties, and repealing existing laws," by authorizing temporary investments in certain obligations.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 918, entitled:

An Act to amend subsections one and two of section nine of the act approved the twenty-fourth day of July one thousand nine hundred forty-one (P. L. 490) entitled "An act relating to acknowledgments of written instruments and to make uniform the law with relation thereto" defining how certificates of certain acknowledgments taken without the State shall be authenticated

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 221, entitled:

An Act authorizing political subdivisions to purchase surplus material equipment property and supplies from the Surplus Property Board or any other Federal agency without complying with any requirement of existing law as to specifications advertising award of contract and approval of purchases by a state agency

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

BILLS PASSED OVER

The SPEAKER:

House Bill No. 336, Printer's No. 414,

bill on final passage recalled from the Governor

House Bill No. 581, Printer's No. 380, on final passage

House Bill No. 528, Printer's No. 232

House Bill No. 717, Printer's No. 332

House Bill No. 1099, Printer's No. 331

Senate Bill No. 72, Printer's No. 7

Senate Bill No. 113, Printer's No. 124 and

Senate Bill No. 356, Printer's No. 172,

bills on this reading were passed over at the request of the SPEAKER.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1093, as follows:

An Act to establish a separate orphans' court in and for the County of Beaver

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In the county of Beaver a separate orphans' court is hereby established the name and style of which shall be the Orphans' Court of Beaver County Said court shall be a court of record and shall consist of one judge learned in the law

Section 2 At the first municipal election which shall occur after the passage of this act a judge of said court shall be elected and commissioned to hold office from the first Monday of January next succeeding such election for the same term and in the same manner as the judges of the court of common pleas of the county The annual salary of said judge shall be the same as is paid to the judges of the court of common pleas of said county and shall be paid in the same manner as the salaries of said judges of the court of common pleas

Section 3 Said court shall have and exercise all the jurisdiction and powers now vested in or which may hereafter be conferred upon the orphans' courts of this Commonwealth under and by virtue of the laws thereof The terms of said orphans' court shall be established by the judge thereof as he shall deem necessary and proper

Section 4 The commissioners of said county shall provide proper and suitable rooms in which said orphans' court shall be held and its business transacted and in

which the records thereof shall be safely and securely kept

Section 5 The Governor is hereby authorized to appoint one competent person learned in the law as such orphans' Court judge for Beaver County to serve until the first Monday in January succeeding the next municipal election

Section 6 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—163

Andrews,	Getchey,	Lovett,	Reynolds,
Baker,	Gibson,	Lyons,	Riley,
Barrett,	Goodling,	Madden,	Robertson,
Barton,	Green,	Madigan,	Royer,
Baumunk,	Greenwood,	Mahany,	Rudisill,
Bentzel,	Greer,	Matthews,	Scanlon,
Boles,	Guthrie,	McAtee,	Schuster,
Bonawitz,	Gyger,	McClester,	Serrill,
Boory,	Haberlen,	McCormack,	Shaffer,
Bower,	Hall,	McDowell,	Shoemaker,
Brice,	Hamilton,	McKinney,	Sloan,
Brothers,	Hare,	McLanahan,	Smith,
Brunner, C. H.,	Haudenshield,	McMillen,	Snider,
Brunner, P. A.,	Heatherington,	McNair,	Snyder,
Cohen,	Helm,	McNally,	Sollenberger,
Coleman,	Herman,	Mikula,	Sorg,
Cook,	Hersch,	Miller,	Stank,
Coulson,	Hewitt,	Milliken,	Stockham,
Cullen,	Hoffman,	Mills,	Stonier,
Dague,	Hoggard,	Mooney,	Swope,
Dalrymple,	Hoopes,	Moore, C. E.,	Tittle,
Dennison,	Howells,	Moran,	Trachtman,
Depuy,	Hunter,	Moser,	Trent,
Dillon,	Huntley,	Murray, P. G.,	Trout,
Dix,	James,	Myhan,	Turbett,
Dougherty,	Jones,	Nelson,	Turner,
Duffy,	Kennedy,	O'Brien,	Verona,
Dye,	Kirley,	O'Donnell,	Wachhaus,
Elder,	Kline,	O'Neill,	Wagner,
Elish,	Komorofski,	Petrosky,	Waterhouse,
Erb,	Krise,	Pickens,	Watkins,
Ewing,	Kurtz,	Polaski,	Weiss,
Flack,	Lane,	Polen,	Welsh,
Foor,	Laughner,	Powers,	Wescott,
Fox,	Lee,	Propert,	Wood, N.,
Freed,	Leisey,	Readinger,	Worley,
Frost,	Leonard,	Reagan,	Wright,
Fullerton,	Lichtenwalter,	Reese, D. P.,	Yeakel,
Gaffney,	Loftus,	Reese, R. E.,	Yester,
Gallagher,	Longo,	Reidenbach,	Fiss,
Gardner,	Lopez,	Reilly,	Speaker.

NAYS—1

Nagel.

NOT VOTING—10

Bentley,	Munley,	Rose,	Skale,
Hering,	Regan,	Salus,	Tahl,
Levy,	Root,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

Senate Bill No. 195, Printer's No. 72,

was passed over at the request of the SPEAKER.

There being no objection

House Bill No. 685, Printer's No. 364,

was passed over at the request of Mr. ANDREWS.

INTERROGATION

Mr. ANDREWS. Mr. Speaker, I would like to inquire of the gentleman from Venango, Mr. McKinney, whether he has prepared his amendments to this bill.

Mr. McKINNEY. Mr. Speaker, in answer to the gentleman from Cambria, Mr. Andrews, I will state that I have no amendment to this bill. My motion to recommit on account of the unconstitutionality of the bill was voted down, and thereby the House did not sustain my position.

Mr. ANDREWS. Mr. Speaker, I will ask that the bill go over and we will present the amendments Monday evening from this side of the House.

BILLS PASSED OVER

There being no objection

House Bill No. 1110, Printer's No. 361 and

House Bill No. 411, Printer's No. 377

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 739, as follows:

An Act authorizing the judges of the courts of common pleas and the county commissioners jointly to create medical clinics for the examination of persons prior to trial and of persons convicted of the commission of any crime prior to sentencing thereof providing for the creation of point medical clinics among the several counties and imposing costs of maintenance and operating such clinics upon the county or counties creating same

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In each county the judges of the courts of common pleas and the county commissioners shall be and they are hereby constituted a board which is hereby authorized if a majority of members thereof deem it desirable necessary and advisable to create a medical clinic to study observe and pass upon the mental and physical condition of persons charged with or convicted of a criminal offense or a child as defined under the act approved the second day of June one thousand nine hundred thirty-three (P. L. 1433) as amended and the act approved the third day of June one thousand nine hundred thirty-three (P. L. 1449) as amended charged with delinquency when the court deems it necessary

Such examination shall be made and a report thereof shall be presented to the trial or sentencing judge prior to the trial or prior to the imposition of any sentence upon or commitment of any such person A copy of such report shall be made available to the district attorney and to the attorney for the defendant and such report may be used by the sentencing judge in determining the mental condition of the accused the sentence to be imposed or the disposition to be made of the case

Section 2 The medical clinic shall examine each such person for the purpose of determining if either or both the physical or mental condition or other condition of such person contributed directly or indirectly to the commission of the crime if such person is mentally competent to defend himself at trial and to recommend the curative or corrective treatment available to such person so as to prevent or lessen the possibility of such person repeating unlawful acts

Section 3 If the board shall create a medical clinic under the provisions of this act the appointees thereof shall be at least one qualified psychiatrist who shall direct the medical clinic and such other professional and clerical staff as is needed and the salary board of the county or if there be no salary board then the board of County Commissioners shall fix the compensation paid to each appointee

Section 4 The salaries paid to the appointees of the medical clinic the accommodations equipment and costs of operation thereof shall be upon the county in which such medical clinic is established and the county commissioners are hereby authorized to determine the total amount to be spent for the maintenance and operation of such clinic

Section 5 Two or more counties may join in the creation of a joint clinic if a majority of the judges of the common pleas courts and the county commissioners of each county joining therein deem the establishment of such a joint medical clinic desirable necessary and advisable in which event the costs of maintaining and operating such joint clinic shall be apportioned among the counties joining in such clinic Provided however That a majority of the county commissioners in such joint board shall approve the total expenditures required for the maintenance and operation of such a joint clinic

Section 6 All acts and parts of acts inconsistent herewith are hereby repealed

Section 7 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—164

Andrews,	Gibson,	Lyons,	Reynolds,
Baker,	Goodling,	Madden,	Riley,
Barrett,	Green,	Madigan,	Robertson,
Barton,	Greenwood,	Mahany,	Royer,
Baumunk,	Greer,	Matthews,	Rudisill,
Bentzel,	Guthrie,	McAtee,	Scanlon,
Boles,	Gyger,	McClester,	Schuster,
Bonawitz,	Haberlen,	McCormack,	Serrill,
Boory,	Hall,	McDowell,	Shaffer,
Bower,	Hamilton,	McKinney,	Shoemaker,
Brice,	Hare,	McLanahan,	Sloan,
Brothers,	Haudenshield,	McMillen,	Smith,
Brunner, C. H.,	Heatherington,	McNair,	Snider,
Brunner, P. A.,	Helm,	McNally,	Snyder,
Cohen,	Herman,	Mikula,	Sollenberger,
Coleman,	Hersch,	Miller,	Sorg,
Cook,	Hewitt,	Milliken,	Stank,
Coulson,	Hoffman,	Mills,	Stockham,
Cullen,	Hoggard,	Mooney,	Stonier,
Dague,	Hoopes,	Moore, C. E.,	Swope,
Dalrymple,	Howells,	Moran,	Tittle,
Dennison,	Hunter,	Moser,	Trachtman,
Depuy,	Huntley,	Murray, P. G.,	Trent,
Dillon,	James,	Myhan,	Trout,
Dix,	Jones,	Nagel,	Turbett,
Dougherty,	Kennedy,	Nelson,	Turner,
Duffy,	Kirley,	O'Brien,	Verona,
Dye,	Kline,	O'Donnell,	Wachhaus,
Elder,	Komorofski,	O'Neill,	Wagner,
Elish,	Krise,	Petrosky,	Waterhouse,
Erb,	Kurtz,	Pickens,	Watkins,
Ewing,	Lane,	Polaski,	Weiss,
Flack,	Laughner,	Polen,	Welsh,
Foor,	Lee,	Powers,	Wescott,
Fox,	Leisey,	Propert,	Wood N.,
Freed,	Leonard,	Readinger,	Worley,
Frost,	Lichtenwalter,	Reagan,	Wright,
Fullerton	Loftus,	Reese, D P.,	Yeakel,
Gaffney,	Longo,	Reese, R E.,	Yester,
Gallagher,	Lopez,	Reidenbach,	Fiss,
Gardner,	Lovett,	Reilly,	Speaker.
Getchey,			

NAYS—0

NOT VOTING—10

Bentley,	Munley,	Rose,	Skale,
Hering,	Regan,	Salus,	Tahl,
Levy,	Root,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 850, as follows:

An Act to further amend sections five hundred twenty-two and five hundred twenty-four and to repeal section five hundred twenty-three of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by providing regulations relating to standard fire insurance policies

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred twenty-two of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" as last amended by the act approved the twelfth day of July one thousand nine hundred thirty-five (P. L. 959) is hereby further amended to read as follows

Section 522 [Permitted Provisions in Standard Fire Policies] Fire Insurance Contract Standard Policy Provisions Permissible Variations 1 The printed form of a policy of fire insurance as set forth in subsection three of this section shall be known and designated as the "Standard Fire insurance Policy of the State of Pennsylvania"

2 No stock fire insurance company shall issue fire insurance policies except policies of perpetual insurance policies of reinsurance [except] policies of fire insurance on automobiles aircraft or other motor vehicles and [except] policies insuring [for] against loss [of] by fire resulting directly or indirectly from invasion insurrection riot civil war or commotion or military or usurped power or by order of civil authority on property in this Commonwealth other than those of the standard form herein set forth in subsection three of this section except as follows

(a) A company may print on its policies its name such device or devices as the company issuing said policy shall desire the location of its principal office as specified in its charter and the date of incorporation plan of operation the amount of its paid up capital stock the name of its officers and agents the number and date of the policy and if it is issued through an agent the words "This policy shall not be valid [until] unless countersigned by the duly authorized agent of the company at ....."

[(b) A company may print or use in its policies printed forms of descriptions and specifications of the property insured]

[(c)] (b) A company incorporated in this Commonwealth may print in its policies any provisions which it is authorized or required by law to insert therein and any company not incorporated in this Commonwealth may

with the approval of the Insurance Commissioner so print any provisions required by its charter or deed of settlement or by the laws of its own State or country not contrary to the laws of this Commonwealth but the Insurance Commissioner shall require any provision which in his opinion modifies the contract of insurance in such way as to affect the question of loss to be appended to the policy by a slip or rider as hereinafter provided

[(d)] (c) The blanks in said standard form may be filled in in print or writing

[(e)] (d) A company may print upon policies issued in compliance with the [preceding] provisions of this section the words ["Pennsylvania Standard Policy"] "Standard Fire Insurance Policy of the State of Pennsylvania" and may include the name of any State or States which may adopt this form of policy

[(f) A company may write upon the margin or across the face of the policy or print in type not less than seven (7) point upon separate slips or riders to be attached thereto provisions adding to or modifying those contained in the standard form and all such slips and provisions must be signed by the officers or agents of the company so issuing them]

(e) A company may add either upon the face of the policy or on riders or endorsements to be attached thereto printed or written forms of description and specification or schedules of the property covered by any particular policy and any other matter necessary to express clearly all the facts and conditions of insurance on any particular risk which facts or conditions shall in no case be inconsistent with or a waiver of any of the provisions or conditions of the Standard Policy herein prescribed Any endorsements or riders so attached must be signed by officers or agents of the company so issuing them

(f) Binders or other contracts for temporary insurance may be made orally or in writing for a period which shall not exceed thirty days and shall be deemed to include all the terms of such standard fire insurance policy and all such applicable endorsements approved by the Insurance Commissioner as may be designated in such contract of temporary insurance except that the cancellation clause of such standard fire insurance policy and the clause thereof specifying the hour of the day at which the insurance shall commence may be superseded by the express terms of such contract of temporary insurance

(g) Appropriate forms of supplemental contract or contracts or extended coverage endorsements whereby the interest in the property described in such policy shall be insured against one or more of the perils which the insurer is empowered to assume in addition to the perils covered by said standard fire insurance policy may be approved by the Insurance Commissioner and their use in connection with a standard fire insurance policy may be authorized by him The first page of the policy may in form approved by the Insurance Commissioner be rearranged to provide space for the listing of amounts of insurance rates and premiums for the basic coverage insured under the standard form of policy and for additional coverages or perils insured under endorsements attached and such other data as may be conveniently included for duplication on daily reports for office records

3 The form of the standard fire insurance policy of the State of Pennsylvania to be issued by any stock fire insurance company shall be plainly printed and no portion thereof shall be in type smaller than the type used in printing the form on file in the office of the Insurance Commission and shall be as follows

First Page of Standard Fire Policy

No

(Space for insertion of name of company or companies issuing the policy and other matter permitted to be stated at the head of the policy)

(Space for listing amounts of insurance rates and premiums for the basic coverages insured under the standard form of policy and for additional coverages or perils insured under endorsements attached)

In Consideration of the Provisions and Stipulations Herein or Added Hereto and of ..... Dollars Premium) (
this company for the term (from the ... day of ... 19..) of ..... (to the ..... day of ..... 19..)) (
at noon Standard Time at location of property involved to an amount not exceeding .....Dollars does insure .....
and legal representatives to the extent of the actual cash value of the property at the time of loss but not exceeding the amount which it would cost to repair or replace the property with material of like kind and quality within a reasonable time after such loss without allowance for any increased cost of repair or reconstruction by reason of any ordinance or law regulating construction or repair and without compensation for loss resulting from interruption of business or manufacture nor in any event for more than the interest of the insured against all Direct Loss by Fire Lightning and by Removal from Premises Endangered by the Perils Insured Against in this Policy Except as Hereinafter Provided to the property described hereinafter while located or contained as described in this policy or pro rata for five days at each proper place to which any of the property shall necessarily be removed for preservation from the perils insured against in this policy but not elsewhere

Assignment of this policy shall not be valid except with the written consent of this Company

This policy is made and accepted subject to the foregoing provisions and stipulations and those hereinafter stated which are hereby made a part of this policy together with such other provisions stipulations and agreements as may be added hereto as provided in this policy In Witness Whereof this Company has executed and attested these presents but this policy shall not be valid unless countersigned by the duly authorized Agent of this Company at .....
.....
Secretary President
Countersigned this .... day of ..... 19 ....
Agent

Second Page of Standard Fire Policy

1 Concealment This entire policy shall be void if whether
2 Fraud—before or after a loss the insured has wil-
3 fully concealed or misrepresented any ma-
4 terial fact or circumstance concerning this insurance or the
5 subject thereof or the interest of the insured therein or in case
6 of any fraud or false swearing by the insured relating thereto
7 Uninsurable—This policy shall not cover accounts bills
8 And—currency deeds evidences of debt money or
9 Excepted Property—securities nor unless specifically named
10 hereon in writing bullion or manuscripts
11 Perils Not—This Company shall not be liable for loss by
12 Included—fire or other perils insured against in this
13 policy caused directly or indirectly by (a)
14 enemy attack by armed forces including action taken by mili-
15 tary naval or air forces in resisting an actual or an immediately
16 impending enemy attack (b) invasion (c) insurrection (d)
17 rebellion (e) revolution (f) civil war (g) usurped power (h)
18 order of any civil authority except acts of destruction at the time
19 of and for the purpose of preventing the spread of fire provided
20 that such fire did not originate from any of the perils excluded
21 by this policy (i) neglect of the insured to use all reasonable
22 means to save and preserve the property at and after a loss or

23 when the property is endangered by fire in neighboring prem-
24 ises (j) nor shall this Company be liable for loss by theft
25 Other Insurance—Other insurance may be prohibited or the
26 amount of insurance may be limited by en-
27 dorsement attached hereto
28 Conditions Suspending or Restricting Insurance Unless Other-
29 wise Provided in Writing Added Hereto This Company Shall Not
30 Be Liable for Loss Occurring—
31 (a) while the hazard is increased by any means within the con-
32 trol or knowledge of the insured or
33 (b) while a described building whether intended for occupancy
34 by owner or tenant is vacant or unoccupied beyond a period of
35 sixty consecutive days or
36 (c) as a result of explosion or riot unless fire ensue and in
37 that event for loss by fire only
38 Other Perils—Any other peril to be insured against or sub-
39 Or Subjects—ject of insurance to be covered in this policy
40 shall be by endorsement in writing hereon or
41 added hereto
42 Added Provisions—The extent of the application of insurance
43 under this policy and of the contribution to
44 be made by this Company in case of loss and any other pro-
45 vision or agreement not inconsistent with the provisions of this
46 policy may be provided for in writing added hereto but no pro-
47 vision may be waived except such as by the terms of this policy
48 is subject to change
49 Waiver—No permission affecting this insurance shall
50 Provisions—exist or waiver of any provision be valid
51 unless granted herein or expressed in writing
52 added hereto No provision stipulation or forfeiture shall be
53 held to be waived by any requirement or proceeding on the part
54 of this Company relating to appraisal or to any examination
55 provided for herein
56 Cancellation—This policy shall be cancelled at any time
57 Of Policy—at the request of the insured in which case
58 this Company shall upon demand and sur-
59 render of this policy refund the excess of paid premium above
60 the customary short rates for the expired time This pol-
61 icy may be cancelled at any time by this Company by giving
62 to the insured a five days' written notice of cancellation with
63 or without tender of the excess of paid premium above the pro
64 rata premium for the expired time which excess if not ten-
65 dered shall be refunded on demand Notice of cancellation shall
66 state that said excess premium (if not tendered) will be re-
67 funded on demand
68 Mortgagee—If loss hereunder is made payable in whole
69 Interests—and in part to a designated mortgagee not
70 Obligations—named herein as the insured such interest in
71 this policy may be cancelled by giving to such
72 mortgagee a ten days' written notice of can-
73 cellation
74 If the insured fails to render proof of loss such mortgagee upon
75 notice shall render proof of loss in the form herein specified
76 within sixty (60) days thereafter and shall be subject to the pro-
77 visions hereof relating to appraisal and time of payment and of
78 bringing suit If this Company shall claim that no liability ex-
79 isted as to the mortgagor or owner it shall to the extent of pay-
80 ment of loss to the mortgagee be subrogated to all the mort-
81 gagee's rights of recovery but without impairing mortgagee's
82 right to sue or it may pay off the mortgage debt and require
83 an assignment thereof and of the mortgage Other provisions
84 relating to the interests and obligations of such mortgagee may
85 be added hereto by agreement in writing
86 Pro Rata Liability—This Company shall not be liable for a greater
87 proportion of any loss than the amount
88 hereby insured shall bear to the whole insurance covering the
89 property against the peril involved whether collectible or not
90 Requirements In—The insured shall give immediate written
91 Case Loss Occurs—notice to this Company of any loss protect
92 the property from further damage forthwith
93 separate the damaged and undamaged personal property put
94 it in the best possible order furnish a complete inventory of
95 the destroyed damaged and undamaged property showing in
96 detail quantities costs actual cash value and amount of loss
97 claimed And Within Sixty Days After The Loss Unless Such Time
98 Is Extended in Writing By This Company the Insured Shall Render
99 To This Company A Proof Of Loss signed and sworn to by the
100 insured stating the knowledge and belief of the insured as to
101 the following the time and origin of the loss the interest of the
102 insured and of all others in the property the actual cash value of
103 each item thereof and the amount of loss thereto all encum-
104 brances thereon all other contracts of insurance whether valid
105 or not covering any of said property any changes in the title
106 use occupation location possession or exposure of said prop-
107 erty since the issuing of this policy by whom and for what
108 purpose any building herein described and the several parts
109 thereof were occupied at the time of loss and whether or not it
110 then stood on leased ground and shall furnish a copy of all the
111 descriptions and schedules in all policies and if required verified
112 plans and specifications of any building fixtures or machinery

113 destroyed or damaged The insured as often as may be reason-
114 ably required shall exhibit to any person designated by this
115 Company all that remains of any property herein described and
116 submit to examinations under oath by any person named by this
117 Company and subscribe the same and as often as may be
118 reasonably required shall produce for examination all books of
119 account bills invoices and other vouchers or certified copies
120 thereof if originals be lost at such reasonable time and place as
121 may be designated by this Company or its representative and
122 shall permit extracts and copies thereof to be made
123 Appraisal—In case the insured and this Company shall
124 fail to agree as to the actual cash value or
125 the amount of loss then on the written demand of either each
126 shall elect a competent and disinterested appraiser and notify
127 the other of the appraiser selected within twenty days of such
128 demand The appraisers shall first select a competent and dis-
129 interested umpire and failing for fifteen days to agree upon
130 such umpire then on request of the insured or this Company
131 such umpire shall be selected by a judge of a court of record in
132 the state in which the property covered is located The ap-
133 praisers shall then appraise the loss stating separately actual
134 cash value and loss to each item and failing to agree shall
135 submit their differences only to the umpire An award in writ-
136 ing so itemized of any two when filed with this Company shall
137 determine the amount of actual cash value and loss Each
138 appraiser shall be paid by the party selecting him and the ex-
139 penses of appraisal and umpire shall be paid by the parties
140 equally
141 Company's—It shall be optional with this Company to
142 Options—take all or any part of the property at the
143 agreed or appraised value and also to re-
144 pair rebuild or replace the property destroyed or damaged with
145 other of like kind and quality within a reasonable time on giv-
146 ing notice of its intention so to do within thirty days after the
147 receipt of the proof of loss herein required
148 Abandonment—There can be no abandonment to this Com-
149 pany of any property
150 When Loss—The amount of loss for which this Company
151 Payable—may be liable shall be payable sixty days
152 after proof of loss as herein provided is
153 received by this Company and ascertainment of the loss is made
154 either by agreement between the insured and this Company ex-
155 pressed in writing or by the filing with this Company of an
156 award as herein provided
157 Suit—No suit or action on this policy for the recov-
158 ery of any claim shall be sustainable in any
159 court of law or equity unless all the requirements of this policy
160 shall have been complied with and unless commenced within
161 twelve months next after inception of the loss
162 Subrogation—This Company may require from the insured
163 an assignment of all right of recovery against
164 any party for loss to the extent that payment therefor is made
165 by this Company

Third Page of Standard Fire Policy
Attach Form Below This Line
Back of Standard Fire Policy
(Optional)

Standard Fire Insurance Policy of the States of

Expires .....
Property .....
Assured .....
No.....
(Company)

It is important that the written portions of all policies covering the same property read exactly alike if they do not they should be made uniform at once

Section 2 Section five hundred twenty-four of said act as last amended by the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 904) is hereby further amended to read as follows

Section 524 Penalty For Issuing Other Than Standard Fire Policies Upon satisfactory evidence that any person corporation or stock fire insurance company has issued or caused to be issued any policy or contract of fire insurance on property situated in this Commonwealth contrary to the provisions of [the two preceding sections] section five hundred twenty-two of this act the Insurance Commissioner may in his discretion take against the offending party any one or more of the following courses of action (1) Suspend or revoke the license of such offending person corporation or stock fire insurance company (2) refuse for a period of not to exceed one year thereafter to issue a new license to such offending person corporation or stock fire insurance company (3) impose a penalty of not more than one thousand dollars ($1,000) for each act of violation [or any] of said [sections] section When the Insurance Commissioner shall have taken any action as above set forth the party aggrieved may appeal to the court of common pleas of Dauphin County Any person corporation or stock fire insurance company that shall either as principal or agent wilfully issue or cause to be issued any policy or contract of fire insurance on property situated within this Commonwealth contrary to the provisions of [the two preceding sections] section five hundred twenty-two of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) Any policy issued in violation of this act shall nevertheless be construed in accordance with the provisions of this act [Provided however That as the provisions of the two preceding sections of this act are not applicable to policies of perpetual insurance such perpetual policies shall not be required to conform to the requirements of said sections]

Section 3 Section five hundred twenty-three of said act

approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" and all amendments thereto is hereby repealed except however that it shall be lawful for any fire insurance company to issue a policy contract as heretofore provided for under said section five hundred twenty-three and known as the "Pennsylvania Standard Policy" until the first day of July one thousand nine hundred forty-six

Section 4 All acts and parts of acts inconsistent herewith are hereby repealed

Section 5 This act shall become effective the first day of September one thousand nine hundred forty-five

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and yeas were taken and were as follows:

YEAS—164

Andrews,	Getchey,	Lovett,	Reilly,
Baker,	Gibson,	Lyons,	Reynolds,
Barrett,	Goodling,	Madden,	Riley,
Barton,	Green,	Madigan,	Robertson,
Baumunk,	Greenwood,	Mahany,	Royer,
Bentzel,	Greer,	Matthews,	Rudisill,
Boies,	Guthrie,	McAtee,	Scanlon,
Bonawitz,	Gyger,	McClester,	Schuster,
Boory,	Haberlen,	McCormack,	Serrill,
Bower,	Hall,	McDowell,	Shaffer,
Brice,	Hamilton,	McKinney,	Shoemaker,
Brothers,	Hare,	McLanahan,	Sloan,
Brunner, C. H.,	Haudenshield,	McMillen,	Smith,
Brunner, P. A.,	Heatherington,	McNair,	Snider,
Cohen,	Helm,	McNally,	Snyder,
Coleman,	Herman,	Mikula,	Sollenberger,
Cook,	Hersch,	Miller,	Sorg,
Coulson,	Hewitt,	Milliken,	Stank,
Cullen,	Hoffman,	Mills,	Stockham,
Dague,	Hoggard,	Mooney,	Stonier,
Dalrymple,	Hoopes,	Moore, C. E.,	Swope,
Dennison,	Howells,	Moran,	Tittle,
Depuy,	Hunter,	Moser,	Trachtman,
Dillon,	Huntley,	Murray, P. G.,	Trent,
Dix,	James,	Myhan,	Trout,
Dougherty,	Jones,	Nagel,	Turbett,
Duffy,	Kennedy,	Nelson,	Turner,
Dye,	Kirley,	O'Brien,	Verona,
Elder,	Kline,	O'Donnell,	Wachhaus,
Elish,	Komorofski,	O'Neill,	Wagner,
Erb,	Krise,	Petrosky,	Waterhouse,
Ewing,	Kurtz,	Pickens,	Watkins,
Flack,	Lane,	Polaski,	Weiss,
Foor,	Laughner,	Polen,	Welsh,
Fox,	Lee,	Powers,	Wescott,
Freed,	Leisey,	Propert,	Wood, N.,
Frost,	Leonard,	Readinger,	Worley,
Fullerton,	Lichtenwalter,	Reagan,	Wright,
Gaffney,	Loftus,	Reese, D. P.,	Yeakel,
Gallagher,	Longo,	Reese, R. E.,	Yeager,
Gardner,	Lopez,	Reidenbach,	Fiss,
			Speaker.

NAYS—0

NOT VOTING—10

Bentley,	Munley,	Ross,	Skale,
Hering,	Regan,	Salus,	Tahl,
Levy,	Root,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 795, as follows:

An Act to further amend clause (f) of section two hundred one and to add clause (n) to section two hundred one of the act approved the twenty-fifth day of May one thousand nine hundred thirty-three (P. L. 1001) entitled as amended "An act providing for the regulation of aeronautics within this Commonwealth conferring powers and imposing duties upon the Pennsylvania Aeronautics Commission and the Department of Revenue in respect thereto providing for the licensing and registration of airman and aircraft establishing the legal status of air navigation providing for sovereignty in and ownership of space providing for lawfulness of flights regulating civil causes of action arising out of operation of aircraft fixing the status of contracts crimes and torts in by or by means of operation of aircraft imposing duties upon officers burgesses magistrates aldermen justices of the peace the courts and clerks thereof providing for denial or revocation of licenses providing for certain penalties and their disposition and repealing certain existing laws" by authorizing the commission to assist in the construction of airports and landing fields and to expend moneys appropriated to it for such purposes and to accept moneys from the Federal Government and other sources

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (f) of section two hundred one of the act approved the twenty-fifth day of May one thousand nine hundred thirty-three (P. L. 1001) entitled as amended "An act providing for the regulation of aeronautics within this Commonwealth conferring powers and imposing duties upon the Pennsylvania Aeronautics Commission and the Department of Revenue in respect thereto providing for the licensing and registration of airman and aircraft establishing the legal status of air navigation providing for sovereignty in an ownership of space providing for lawfulness of flights regulating civil causes of action arising out of operation of aircraft fixing the status of contracts crimes and torts in by or by means of operation of aircraft imposing duties upon officers burgesses magistrates aldermen justices of the peace the courts and clerks thereof providing for denial or revocation of licenses providing for certain penalties and their disposition and repealing certain existing laws" as amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 451) is hereby further amended to read as follows

Section 201 Powers and Duties of Pennsylvania Aeronautics Commission The Pennsylvania Aeronautics Commission shall administer the provisions of this act and for such purpose is authorized and directed to promulgate such regulations as are necessary to execute the powers invested in it by this act and other applicable laws

It shall be the duty of the commission to

* * * * *

(f) Encourage and assist in the establishment and construction of airports civil airways and other air navigation facilities

Section 2 Section two hundred one of said act as last amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 451) is hereby further amended by adding thereto a new clause to be known as clause (n) and to read as follows

(n) Expend moneys appropriated to it for the use of

the commission in the making of surveys and plans and the purchase of lands for and the construction of airports and landing fields and other air navigation facilities to accept and expend moneys received from the Federal Government or any other source for such purposes and to utilize the construction services of other public agencies qualified to perform or supervise the work including other States agencies provided that in the expenditure of such money otherwise than in the performance of work by the Commission's own forces or by the public agencies hereinbefore mentioned the Commission shall conform to and observe all the provisions of Section twenty-four hundred and eight (2408) of the Administrative Code of April ninth nineteen hundred and twenty-nine P. L. 177 its amendments and supplements

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—164

Andrews,	Gibson,	Lyons,	Reynolds,
Baker,	Goodling,	Madden,	Riley,
Barrett,	Green,	Madigan,	Robertson,
Barton,	Greenwood,	Mahany,	Royer,
Baumunk,	Greer,	Matthews,	Rudisill,
Bentzel,	Guthrie,	McAtee,	Scanlon,
Boies,	Gyger,	McClester,	Schuster,
Bonawitz,	Haberlen,	McCormack,	Serrill,
Boory,	Hall,	McDowell,	Shaffer,
Bower,	Hamilton,	McKinney,	Shoemaker,
Brice,	Hare,	McLanahan,	Sloan,
Brothers,	Haudenshield,	McMillen,	Smith,
Brunner, C. H.,	Heatherington,	McNair,	Snider,
Brunner, P. A.,	Helm,	McNally,	Snyder,
Cohen,	Herman,	Mikula,	Sollenberger,
Coleman,	Hersch,	Miller,	Sorg,
Cook,	Hewitt,	Milliken,	Stank,
Coulson,	Hoffman,	Mills,	Stockham,
Cullen,	Hoggard,	Mooney,	Stonier,
Dague,	Hoopes,	Moore, C. E.,	Swope,
Dalrymple,	Howells,	Moran,	Tittle,
Dennison,	Hunter,	Moser,	Trachtman,
Depuy,	Huntley,	Murray, P. G.,	Trent,
Dillon,	James,	Myhan,	Trout,
Dix,	Jones,	Nagel,	Turbett,
Dougherty,	Kennedy,	Nelson,	Turner,
Duffy,	Kirley,	O'Brien,	Verona,
Dye,	Kline,	O'Donnell,	Wachhaus,
Elder,	Komorofski,	O'Neill,	Wagner,
Elish,	Krise,	Petrosky,	Waterhouse,
Erb,	Kurtz,	Pickens,	Watkins,
Ewing,	Lane,	Polaski,	Weiss,
Flack,	Laughner,	Polen,	Welsh,
Foor,	Lee,	Powers,	Wescott,
Fox,	Leisey,	Propert,	Wood, N.,
Freed,	Leonard,	Readinger,	Worley,
Frost,	Lichtenwalter,	Reagan,	Wright,
Fullerton,	Loftus,	Reese, D. P.,	Yeakel,
Gaffney	Longo,	Reese, R. E.,	Yester,
Gallagher,	Lopez,	Reidenbach,	Fiss,
Gardner,	Lovett,	Reilly,	Speaker.
Getchey,			

NAYS—0

NOT VOTING—10

Bentley,	Munley,	Rose,	Skale,
Hering,	Regan,	Salus,	Tahl,
Levy,	Root,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 100, Printer's No. 383,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 823, as follows:

An Act to further amend subsection (1) of section six of the act approved the nineteenth day of July one thousand nine hundred thirty-five (P. L. 1356) entitled "An act to regulate the sale and delivery of solid fuel as herein defined providing for appointment of licensed weighmasters prescribing their powers and duties authorizing substitute licensed weighmasters imposing certain duties on the Department of Internal Affairs and providing penalties" further regulating the return of part of the weighmaster's license fee to cities and counties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (1) of section six of the act approved the nineteenth day of July one thousand nine hundred thirty-five (P. L. 1356) entitled "An act to regulate the sale and delivery of solid fuel as herein defined providing for appointment of licensed weighmasters prescribing their powers and duties authorizing substitute licensed weighmasters imposing certain duties on the Department of Internal Affairs and providing penalties" as last amended by the act approved the twenty-fourth day of June one thousand nine hundred forty-one (P. L. 152) is hereby further amended to read as follows

Section 6 (1) No person shall make or issue a weighmaster's certificate of solid fuel unless licensed by the department except as otherwise provided in this act Application for such license shall be made upon a form prescribed by the department and shall show the place where the weighmaster shall perform this function and the type and capacity of the scale to be used by the applicant The applicant shall furnish satisfactory evidence that he owns or leases a scale suitable for weighing the tare and gross weight of a vehicle or vehicle and trailer transporting solid fuel or that he is regularly employed by the owner or lessee of such a scale and that he is of good moral character and of ability to weigh accurately and to make correct weight certificates The department may refer any application for a license as a weighmaster to any city or county inspector of weights and measures for report as to the accuracy of the statements made therein the suitability of the scale the moral character of the applicant and such other information as the department may require The applicant shall pay a license fee of five dollars ($5.00) to the department for remittance to the State Treasurer through the Department of Revenue and the State Treasurer shall return annually two dollars and fifty cents ($2.50) of each such fee to the treasurer of the city or county wherein such scale is located The license shall be for a period of one year from the date of issue A license may be renewed in the discretion of the department for successive periods of not exceeding one year each upon payment of a license fee of five dollars ($5.00) to the department for remittance to the State Treasurer through the Department of Revenue and the State Treasurer shall return annually two dollars and fifty cents ($2.50) of each such fee to the treasurer of the city or county wherein such scale is located In all cases where the county inspector of weights and measures also serves as such in any city the two dollars and fifty cents ($2.50) required to be returned to the city or county either for a new license or a renewal license shall be paid to the county notwithstanding the fact that the scale is located in such city and in all cases where there is an agreement between any county and any city for the inspection of weights and measures in such city such payment shall be divided between the county and the city in such propor-

tions as under such agreement the county and the city share the cost of inspection

(1.1) Each license shall be kept conspicuously displayed at the place where the weighmaster is engaged in weighing In the event of the change of any name or address appearing on any application the licensed weighmaster shall notify the department of such change within forty-eight hours

A license may be suspended or revoked by the department after hearing upon due notice to the licensee for dishonesty incompetency inaccuracy or failure to notify the department of any change of name or address stated in his application and may be revoked by the department without hearing if the licensed weighmaster has been found guilty of any violation of the provisions of this act or where the licensed weighmaster has ceased to be employed at the place of weighing for which the license has been issued Upon the revocation of a weighmaster's license the forms of weighmaster's certificates in his possession shall immediately be surrendered to the department

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—164

Andrews,	Getchey,	Lovett,	Reilly,
Baker,	Gibson,	Lyons,	Reynolds,
Barrett,	Goodling,	Madden,	Riley,
Barton,	Green,	Madigan,	Robertson,
Baumunk,	Greenwood,	Mahany,	Royer,
Bentzel,	Greer,	Matthews,	Rudisill,
Boies,	Guthrie,	McAtee,	Scanlon,
Bonawitz,	Gyger,	McClester,	Schuster,
Boory,	Haberlen,	McCormack,	Serrill,
Bower,	Hall,	McDowell,	Shaffer,
Brice,	Hamilton,	McKinney,	Shoemaker,
Brothers,	Hare,	McLanahan,	Sloan,
Brunner, C. H.,	Haudenshield,	McMillen,	Smith,
Brunner, P. A.,	Heatherington,	McNair,	Snider,
Cohen,	Helm,	McNally,	Snyder,
Coleman,	Herman,	Mikula,	Sollenberger,
Cook	Hersch,	Miller,	Sorg,
Coulson,	Hewitt,	Milliken,	Stank,
Cullen,	Hoffman,	Mills,	Stockham,
Dague,	Hoggard,	Mooney,	Stonier,
Dalrymple,	Hoopes,	Moore, C. E.,	Swope,
Dennison,	Howells,	Moran,	Tittle,
Depuy,	Hunter,	Moser,	Trachtman,
Dillon	Huntley,	Murray, P. G.,	Trent,
Dix,	James,	Myhan,	Trout,
Dougherty,	Jones,	Nagel,	Turbett,
Duffy,	Kennedy,	Nelson,	Turner,
Dye,	Kirley,	O'Brien,	Verona,
Elder,	Kline,	O'Donnell,	Wachhaus,
Elish,	Komorofski,	O'Neill,	Wagner,
Erb,	Krise,	Petrosky,	Waterhouse,
Ewing,	Kurtz,	Pickens,	Watkins,
Flack,	Lane,	Polaski,	Weiss,
Foor,	Laughner,	Polen,	Welsh
Fox,	Lee,	Powers,	Wescott,
Freed,	Leisey,	Propert,	Wood N.,
Frost,	Leonard,	Readinger,	Worley,
Fullerton,	Lichtenwalter,	Reagan,	Wright,
Gaffney,	Loftus,	Reese, D. P.,	Yeakel,
Gallagher,	Longo,	Reese, R. E.,	Yester,
Gardner,	Lopez,	Reidenbach,	Fiss,

Speaker.

NAYS—0

NOT VOTING—10

Bentley,	Munley,	Rose,	Skale,
Hering,	Regan,	Salus,	Tahl,
Levy,	Root,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 824, as follows:

An Act to repeal certain statutes relating to weights and measures

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following statutes dealing with weights and measures and the administration of laws relating thereto are hereby repealed

The act approved the tenth day of March one thousand eight hundred eighteen (P. L. 182) entitled "An act establishing a standard weight for grain and foreign salt"

Section three of the act approved the eleventh day of March one thousand eight hundred forty (P. L. 128) entitled "An act supplementary to an act granting certain powers to the authorities of the city of Lancaster and Philadelphia and for other purposes"

The act approved the twenty-seventh day of April one thousand eight hundred sixty-four (P. L. 618) entitled "An act regulating the standard number of shingles and lumber used in cooperage"

The act approved the twenty-fifth day of March one thousand eight hundred seventy-three (P. L. 48) entitled "An act regulating the sale of lumber upon the Ohio river and its tributaries within this state"

The act approved the twenty-fourth day of March one thousand eight hundred seventy-seven (P. L. 40) entitled "An act to establish the weight of a barrel of salt manufactured within this Commonwealth"

The act approved the eighteenth day of May one thousand eight hundred seventy-eight (P. L. 67) entitled "An act fixing the standard weight for a bushel of bituminous coal in this Commonwealth"

The act approved the twelfth day of May one thousand eight hundred ninety-one (P. L. 51) entitled "An act to provide for the establishment of standard weight and measurement of charcoal"

The act approved the twenty-sixth day of June one thousand eight hundred ninety-five (P. L. 334) entitled "An act to regulate and determine what weight of anthracite coal shall make a ton in deliveries by retail coal dealers and to impose penalties for short weight" and its amendments

Section three of the act approved the twenty-sixth day of June one thousand eight hundred ninety-five (P. L. 386) entitled "An act to provide for the appointment of inspectors by the Governor for the cities of the first and second class of this Commonwealth to inspect scales weights and measures and providing for their compensation"

The act approved the seventeenth day of May one thousand nine hundred twenty-nine (P. L. 1800) entitled "An act providing for the appointment of sworn weighers in the cities and counties of this Commonwealth who are to serve without compensation and perform certain duties in connection with the manufacturing company transportation company merchant or dealer having requested his appointment"

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—164

Andrews,	Getchey,	Lovett,	Reilly,
Baker,	Gibson,	Lyons,	Reynolds,
Barrett,	Goodling,	Madden,	Riley,
Barton,	Green,	Madigan,	Robertson,
Baumunk,	Greenwood,	Mahany,	Royer,
Bentzel,	Greer,	Matthews,	Rudisill,
Boies,	Guthrie,	McAtee,	Scanlon,
Bonawitz,	Gyger,	McClester,	Schuster,
Boory,	Haberlen,	McCormack,	Serrill,
Bower,	Hall,	McDowell,	Shaffer,
Brice,	Hamilton,	McKinney,	Shoemaker,
Brothers,	Hare,	McLanahan,	Sloan,
Brunner, C. H.,	Haudenshield,	McMillen,	Smith,
Brunner, P. A.,	Heatherington,	McNair,	Snider,
Cohen,	Helm,	McNally,	Snyder,
Coleman,	Herman,	Mikula,	Sollenberger,
Cook,	Hersch,	Miller,	Sorg,
Coulson,	Hewitt,	Milliken,	Stank,
Cullen,	Hoffman,	Mills,	Stockham,
Dague,	Hoggard,	Mooney,	Stonier,
Dalrymple,	Hoopes,	Moore, C. E.,	Swope,
Dennison,	Howells,	Moran,	Tittle,
Depuy,	Hunter,	Moser,	Trachtman,
Dillon,	Huntley,	Murray, P. G.,	Trent,
Dix,	James,	Myhan,	Trout,
Dougherty,	Jones,	Nagel,	Turbett,
Duffy,	Kennedy,	Nelson,	Turner,
Dye,	Kirley,	O'Brien,	Verona,
Elder,	Kline,	O'Donnell,	Wachhaus,
Elish,	Komorofski,	O'Neill,	Wagner,
Erb,	Krise,	Petrosky,	Waterhouse,
Ewing,	Kurtz,	Pickens,	Watkins,
Flack,	Lane,	Polaski,	Weiss,
Foor,	Laughner,	Polen,	Welsh,
Fox,	Lee,	Powers,	Wescott,
Freed,	Leisey,	Propert,	Wood, N.,
Frost,	Leonard,	Readinger,	Worley,
Fullerton,	Lichtenwalter,	Reagan,	Wright,
Gaffney,	Loftus,	Reese, D. P.,	Yeakel,
Gallagher,	Longo,	Reese, R. E.,	Yester,
Gardner,	Lopez,	Reidenbach,	Fiss, Speaker.

NAYS—0

NOT VOTING—10

Bentley,	Munley,	Rose,	Skale,
Hering,	Regan,	Salus,	Tahl,
Levy,	Root,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreebaly to order,

The House proceeded to the third reading and consideration of House Bill No. 844, as follows:

An Act to amend section ten of the act approved the twenty-eighth day of May one thousand nine hundred fifteen (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" including the solicitor for delinquent real estate tax and water rate liens and the employes of his office under the provisions of said act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section ten of the act approved the twenty-eighth day of May one thousand nine hundred fifteen (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" is hereby amended to read as follows

Section 10 The benefits conferred by this act shall apply to all persons employed in any capacity by or holding positions in the cities included in its provisions Provided That this act shall not apply to employes of such departments bureaus or offices as are now protected by pension authorized by the laws of this State and in force at the time of the passage of this act

For the purposes of this act the solicitor and all employes of the office of the solicitor for delinquent real estate tax and water rate liens provided for by the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 629) shall be regarded as persons employed by or holding positions in the cities included in the provisions of this act to the extent that they may if they so desire avail themselves of the benefits of the act to which this is an amendment by paying to the board of pensions monthly the amount provided for by said act

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—164

Andrews,	Getchey,	Lovett,	Reilly,
Baker,	Gibson,	Lyons,	Reynolds,
Barrett,	Goodling,	Madden,	Riley,
Barton,	Green,	Madigan,	Robertson,
Baumunk,	Greenwood,	Mahany,	Royer,
Bentzel,	Greer,	Matthews,	Rudisill,
Boies,	Guthrie,	McAtee,	Scanlon,
Bonawitz,	Gyger,	McClester,	Schuster,
Boory,	Haberlen,	McCormack,	Serrill,
Bower,	Hall,	McDowell,	Shaffer,
Brice,	Hamilton,	McKinney,	Shoemaker,
Brothers,	Hare,	McLanahan,	Sloan,
Brunner, C. H.,	Haudenshield,	McMillen,	Smith,
Brunner, P. A.,	Heatherington,	McNair,	Snider,
Cohen,	Helm,	McNally,	Snyder,
Cook,	Herman,	Mikula,	Sollenberger,
Coleman,	Hersch,	Miller,	Sorg,
Coulson,	Hewitt,	Milliken,	Stank,
Cullen,	Hoffman,	Mills,	Stockham,
Dague,	Hoggard,	Mooney,	Stonier,
Dalrymple,	Hoopes,	Moore, C. E.,	Swope,
Dennison,	Howells,	Moran,	Tittle,
Depuy,	Hunter,	Moser,	Trachtman,
Dillon,	Huntley,	Murray, P. G.,	Trent,
Dix,	James,	Myhan,	Trout,
Dougherty,	Jones,	Nagel,	Turbett,
Duffy,	Kennedy,	Nelson,	Turner,
Dye,	Kirley,	O'Brien,	Verona,
Elder,	Kline,	O'Donnell,	Wachhaus,
Elish,	Komorofski,	O'Neill,	Wagner,
Erb,	Krise,	Petrosky,	Waterhouse,
Ewing,	Kurtz,	Pickens,	Watkins,
Flack,	Lane,	Polaski,	Weiss,
Foor,	Laughner,	Polen,	Welsh,
Fox,	Lee,	Powers,	Wescott,
Freed,	Leisey,	Propert,	Wood, N.,
Frost,	Leonard,	Readinger,	Worley,
Fullerton,	Lichtenwalter,	Reagan,	Wright,
Gaffney,	Loftus,	Reese, D. P.,	Yeakel,
Gallagher,	Longo,	Reese, R. E.,	Yester,
Gardner,	Lopez,	Reidenbach,	Fiss, Speaker.

NAYS—0

NOT VOTING—10

Bentley,	Munley,	Rose,	Salus,
Hering,	Regan,	Tahl,	Skale,
Levy,	Root,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1004, as follows:

An Act to further amend sections one and six of the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) entitled as amended "An act relating to institutions of counties cities wards boroughs townships institution districts and other political subdivisions for the care maintenance and treatment of mental patients providing for the transfer of such institutions to the Commonwealth providing for the management and operation or closing and abandonment thereof and the maintenance of mental patients therein including the collection of maintenance in certain cases providing for the retransfer of certain property to counties cities wards boroughs township institution districts and other political subdivisions under certain circumstances conferring and imposing upon the Governor the Department of Welfare the courts of common pleas and counties cities wards boroughs townships institution districts and other political subdivisions certain powers and duties prohibiting cities counties wards boroughs townships institution districts and other political subdivisions from maintaining and operating institutions in whole or in part for the care and treatment of mental patients and repealing inconsistent laws" by further regulating the procedure relating to property of such institutions abandoned by the Commonwealth and to institutions closed

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one and six of the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) entitled as amended "An act relating to institutions of counties cities wards boroughs townships institution districts and other political subdivisions for the care maintenance and treatment of mental patients providing for the transfer of such institutions to the Commonwealth providing for the management and operation or closing and abandonment thereof and the maintenance of mental patients therein including the collection of maintenance in certain cases providing for the retransfer of certain property to counties cities wards boroughs township institution districts and other political subdivisions under certain circumstances conferring and imposing upon the Governor the Department of Welfare the courts of common pleas and counties cities wards boroughs townships institution districts and other political subdivisions certain powers wards boroughs townships duties prohibiting cities counties and institution districts and other political subdivisions from mantaning and operating institutions in whole or in part for the care and treatment of mental patients and repealing inconsistent laws" as reenacted and amended by the act approved the nineteenth day of May one thousand nine hundred forty-three (P. L. 262) are hereby further amended to read as follows

Section 1 All buildings acquired or erected by any county city ward borough township institution district or other political subdivision for the care maintenance and treatment of mental patients the personal property within such buildings or incidental thereto and any and all other grounds and lands connected therewith or annexed thereto are hereby transferred to and vested in the Commonwealth of Pennsylvania except that where any such buildings for mental patients are operated in conjunction with buildings dedicated to the care and maintenance of indigent persons who are not mental patients the buildings used for the care of such persons the lands actually occupied by such buildings the lands or yards presently set apart for the use of the indigent persons cared for in such buildings and the lands necessary for ingress and egress thereto and therefrom shall not be deemed to be hereby transferred but shall remain vested in the county city ward borough township institution district or other political subdivisions as theretofore

Where any lands and property so transferred are presently used by any county city ward borough township institution district or other political subdivision as a farm and woodlands in connection with buildings dedicated to the care and maintenance of indigent persons who are not mental patients the Department of Welfare of the Commonwealth with the approval of the Governor shall set apart and reconvey to the county city ward borough township institution district or other political subdivision through deed executed by the Secretary of Property and Supplies of the Commonwealth so much of such ground as the ratio of indigent persons bears to the total patient population of the institution as shall be determined by the Department of Welfare of the Commonwealth The metes and mounds of the lands so to be conveyed shall be determined by agreement between the Department of Welfare of the Commonwealth and the authorities of the county city ward borough township institution district or other political subdivision In case the Department of Welfare of the Commonwealth and the authorities of the county city ward borough township institution district or other political subdivision cannot agree as to the metes and mounds of the lands so to be conveyed to the county city ward borough township institution district or other political subdivision the matter shall be laid before the court of common pleas of the county where the lands are located by petition of either the Secretary of Welfare of the Commonwealth or the authorities in charge of the county city ward borough township institution district or other political subdivision which court after hearing all parties in interest on such notice as it shall direct shall determine the metes and bounds of the lands which shall be conveyed to the county city ward borough township institution district or other political subdivision and shall enter an order accordingly The action of the court shall be final

Where auxiliary structures and facilities furnishing light heat power water laundry kitchen sewage treatment services and coal supply are so transferred to the Commonwealth which were theretofore used in common for the buildings devoted to mental patients and also the buildings devoted to indigent persons the Commonwealth shall thereafter continue to furnish the proper county city ward borough township institution district or other political subdivision with such services at the actual cost thereof to the extent the same may thereafter be requested by the county city ward borough township institution district or other political subdivision

Any property so transferred to and vested in the Commonwealth shall if found suitable in accordance with this act be thereafter used as a State mental hospital but if such property shall [within one year thereafter] be found unsuitable for such purpose or shall [within one year after transfer to and use by the Commonwealth as a State mental hospital] be thereafter abandoned by the Commonwealth as such a hospital before substantial improvements thereto have been made then in either event such building lands and personal property so transferred to the Commonwealth shall absolutely revert to and vest in the county city ward borough township institution district or other political subdivision from which transferred and the Commonwealth shall have no further claim or title thereto

In the event that any personal property originally transferred to the Commonwealth cannot be returned to the political subdivisions from which transferred other personal property of value equivalent to that which was originally transferred to the Commonwealth may be returned by the Commonwealth to such political subdivisions or payment for all or any part of such personal property may be made by the Commonwealth to such political subdivisions from the funds appropriated to the Department of Welfare for such purpose

The words "substantial improvements" as used in this section shall be construed to mean capital investments involving an expenditure of at least two hundred and fifty thousand dollars ($250,000)

Section 6 In the event it shall be determined that any institution subject to this act shall be closed [the Department of Welfare shall take charge of such institution and] the terms of all officers and employes and the local management of such institution shall cease and terminate [The officers and employes of such institution shall thereupon become the employes of the Commonwealth subject to removal by the Secretary of Welfare] when their services are no longer required No new patients shall be admitted to any such institution after the date specified for its closing The Department of Welfare shall as soon as practicable transfer the patients in such institution to any other State mental hospital including any institution transferred to and being operated by the Commonwealth under this act as a State mental institution As far as practicable the department shall transfer such patients to such State mental hospital nearest to the locality in which the institution to be closed is located After the patients in such institution are transferred therefrom the Department of Welfare shall with the approval of the Governor turn the institution and its grounds over to the Department of Property and Supplies for use for any other State purpose as may be deemed necessary and advisable by the Governor unless such institution under the provisions of section one of this act would revert to a county city ward borough township institution district or other political subdivision in which event such institution shall be turned over to the proper authorities thereof and shall thereafter be used for such purposes not inconsistent with this act as the county city ward borough township institution district or other political subdivision may determine

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—164

Andrews,	Getchey,	Lovett,	Reilly,
Baker,	Gibson,	Lyons,	Reynolds,
Barrett,	Goodling,	Madden,	Riley,
Barton,	Green,	Madigan,	Robertson,
Baumunk,	Greenwood,	Mahany,	Royer,
Bentzel,	Greer,	Matthews,	Rudisill,
Boies,	Guthrie,	McAtee,	Scanlon,
Bonawitz,	Gyger,	McClester,	Schuster,
Boory,	Haberlen,	McCormack,	Serrill,
Bower,	Hall,	McDowell,	Shaffer,
Brice,	Hamilton,	McKinney,	Shoemaker,
Brothers,	Hare,	McLanahan,	Sloan,
Brunner, C H.,	Haudenshield,	McMillen,	Smith,
Brunner, P A.,	Heatherington,	McNair,	Snider
Cohen,	Helm,	McNally,	Snyder,
Coleman,	Herman,	Milliken,	Sollenberger,
Cook	Hersch,	Mills,	Sorg,
Coulson,	Hewitt,	Mikula,	Stank,
Cullen,	Hoffman,	Miller,	Stockham
Dague,	Hoggard,	Mooney,	Stonier,
Dalrymple,	Hoopes,	Moore, C. E.,	Swope,
Dennison,	Howells,	Moran,	Tittle,
Depuy,	Hunter,	Moser	Trachtman,
Dillon,	Huntley,	Murray, P. G.,	Trent,
Dix,	James,	Myhan,	Trout,
Dougherty,	Jones,	Nagel,	Turbett,
Duffy,	Kennedy,	Nelson,	Turner,
Dye,	Kirley,	O'Brien,	Verona,
Elder,	Kline,	O'Donnell,	Wachhaus,
Elish,	Komorofski,	O'Neill,	Wagner,
Erb,	Krise,	Petrosky,	Waterhouse,
Ewing,	Kurtz,	Pickens,	Watkins,
Flack,	Lane,	Polaski,	Weiss,
Foor,	Laughner,	Polen,	Welsh,
Fox	Lee,	Propert,	Wescott,
Freed,	Leisey,	Powers,	Wood N.,
Frost,	Leonard,	Readinger,	Worley,
Fullerton,	Lichtenwalter,	Reagan,	Wright,
Gaffney,	Loftus,	Reese, D. P.,	Yeakel,
Gallagher,	Longo,	Reese, R. E.,	Yester,
Gardner,	Lopez,	Reidenbach,	Fiss,

Speaker.

NAYS—0

NOT VOTING—10

Bentley,	Munley,	Rose,	Skale,
Hering,	Regan,	Salus,	Tahl,
Levy,	Root,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

HOUSE RESOLUTION No. 34

Mr. LICHTENWALTER. Mr. Speaker, at the request of the sponsor I call up House Resolution No. 34, Printers' No. 412.

The resolution was read by the Clerk as follows:

In the House of Representatives, March 5, 1945.

There are hundreds of young men of this Commonwealth fighting today in France and Beligum and Germany and on the islands of the Pacific who have been awarded their law degrees, but have not had the time and have been deprived of the opportunity to take the examination that must be successfully passed before they can be admitted to the Bar of the Supreme Court because of their enlistment or induction into the service.

They are learning more about life and more about justice, and fairness, and equity than they could absorb in a score of years at home, and they are doing it in order to preserve our courts and our system of government by law.

While they are doing these things, they are losing the years that are important in the practice of the law, they are forgetting many of the minor things that one must remember in order to pass a bar examination, and when they return many will be required to spend months in preparing for the taking of the required examination. Their sacrifies and their injuries and the long days spent in active service will have no value in any examination—those sacrifices, and that time will only make an examination more difficult and what they did for us will prove a handicap; therefore be it

Resolved, by the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania, that this House respectfully calls the attention of the members of the Supreme Court to the situation in which these boys have placed themselves, to the loss to them and to the great gain their sacrifice has meant to us, and suggests that it would be most fitting and appropriate to waive the taking of an examination to all those who have been in the armed service of the Nation for one year or more and who, before entering that service, had graduated from an accredited law school, and had no opportunity to take the State Bar Examinations; and be it further

Resolved, that a copy of these resolutions shall be forwarded by the Chief Clerk of the House to the Prothonotary of the Supreme Court of Pennsylvania at Philadelphia, with the request that they be handed by him to the members of that Court.

On the question,

Will the House adopt the resolution?

It was adopted.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, a session on Thursday next week will depend upon the Majority Leader's ability to produce a quorum. That is not a responsibility that rests upon this side of the House; it is a responsibility that rests upon the party in power. I shall most emphatically object and use every parliamentary expedient at my disposal to prevent a session next Thursday unless there is a quorum in the House.

I would ask the Rules Committee and those who formulate policy over the week end to consider whether we would not get more work done in more workmanlike fashion if we would alter the order of our procedure. Would not we get farther if we would assemble on Tuesdaly, abolish the Monday evening meeting, use Tuesday all day and in the evening have the committee meetings and party conferences, and use Wednesday, Thursday and Friday for the transaction of business, with only emergency meetings of committees? You would have your clear day for committee consideration, for party caucuses, and you would have three days of deliberations in the House. As it is, we waste part of Monday and we use the Monday evening session on many occasions for making speeches to the gallery. If we would change the hours I think we would get more work done.

I ask you to think it over and I also ask the Majority Leader to bear in mind his responsibility of producing a quorum for Thursday's session, if we meet next Thursday.

PERMISSION TO ADDRESS HOUSE

Mr. LICHTENWALTER asked and obtained unanimous consent to address the House.

Mr. Speaker, I would just briefly make a reply to the gentleman from Cambria and tell him that I am cognizant of the fact that we should have a quorum here in order to transact business in the Hall of the House, and that I shall endeavor to produce that quorum next Thursday. I do not know if we lack a quorum this morning or not. I certainly was very pleased to find that on this side of the House we have a very substantial group of men and women representing the majority party. This being Holy Week, I was very pleased to have the gentleman from Cambria work with me on an agreed calendar today because of many of the religious beliefs the Members of the House wanting to leave last evening to return to their homes today. Therefore, Mr. Speaker, I want to assure the gentleman from Cambria that as far as we are concerned on this side of the House we will certainly strive to produce that quorum so that we can meet next Thursday.

PUBLIC HEARING

There will be a public hearing on the major subsidy, equalization, and salary measures on Wednesday, April 4, 1945, at 8:15 p. m. in the Forum of Educational Building.

ADJOURNMENT

Mr. HALL. Mr. Speaker, I move that this House do now adjourn until Monday, April 2, 1945, at 9 p. m.

The motion was agreed to, and (at 12:12 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1945. 136th of the General Assembly.

Vol. 29. HARRISBURG, PA., MONDAY, APRIL 2, 1945. No. 37.

SENATE

MONDAY, April 2, 1945.

The Senate met at 4:00 o'clock, p. m., Eastern War Time. The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the Chair.

PRAYER

The Chaplain, Rev. EDWIN S. WALLACE, D. D. offered the following prayer:

Our presence here today is reason enough for each of us, O God, to give Thee thanks for in Thee we have lived and moved throughout the night and thus far through the day. May we be mindful of the fact that we have had God's protecting care, and be grateful.

For the security, peace and plenty we enjoy here at home we give Thee thanks. Let us not forget that for these blessings millions of our fellowmen and women are paying the high price of sacrifice of all they hold dear, fighting in far-off places for what they, and we, believe to be right, and dying to establish that right in a war-torn world. Hasten the day, we pray Thee, when victory will reward them for all their sacrifices, and they can return to homes and loved ones.

May no failure on our part hinder the progress of our armed forces. Let us maintain a united front of production, whatever be the cost to us of time, money, effort or surrender of personal gain, that they who are giving all may be supplied with all they need for victory. Anything less on the part of any of us will be treason. The army of production must be as loyal as the army of conquest.

Loyalty to God and country we pray for in the name of Him who for us was loyal to the death. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HEYBURN and Mr. SNOWDEN, the further reading was dispensed with, and the Journal was approved.

NOMINATION BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations.

MEMBER OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Commonwealth of Pennsylvania,
Commonwealth Office, Harrisburg March 29, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harold A. Scragg, Scranton, Lackawanna County, for appointment as a Member of the Pennsylvania Public Utility Commission, for the term ending April 1, 1955, vice Thomas C. Buchanan, Beaver, whose term expired.

EDWARD MARTIN.

COMMUNICATIONS FROM THE GOVERNOR

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

APPROVED AND SIGNED SENATE BILL No. 384, PRINTER'S No. 120

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 29, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 384, Printer's No. 120, entitled "An act to repeal section three hundred twenty and part of section three hundred twenty-one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled 'An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto' elminiating the provisions of said act which require licensees to forward to the commission reports of game and fur-bearing animals killed during the previous season."

EDWARD MARTIN.

APPROVED AND SIGNED SENATE BILL No. 324, PRINTER'S No. 117

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 29, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 324, Printer's No. 117, entitled "An Act to amend article nine of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled 'An act concerning game and other wild birds and wild animals and amend-

ing revising consolidating and changing the law relating thereto, providing for auxiliary State game refuge projects and repealing existing provisions for auxiliary State game refuges."

EDWARD MARTIN.

APPROVED AND SIGNED SENATE BILL No. 217, PRINTER'S No. 112

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 29, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 217, Printer's No. 112, entitled "An Act authorizing agreements between the Secretary of Highways and officials of political subdivisions of the Commonwealth or the Federal Government whereby Federal funds appropriated for the payment of property damages on State highways may be made available to the political subdivisions."

EDWARD MARTIN.

APPROVED AND SIGNED SENATE BILL No. 38 PRINTER'S No. 11

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 29, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 38, Printer's No. 11, entitled "An Act making an appropriation to the Department of Property and Supplies for completing the construction of accommodations and furnishing facilities for the conduct of a nautical school for use by the Navigation Commission for the Delaware River and its navigable tributaries."

EDWARD MARTIN.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 739, entitled:

An Act authorizing the judges of the courts of common pleas and the county commissioners jointly to create medical clinics for the examination of persons prior to trial and of persons convicted of the commission of any crime prior to sentencing thereof providing for the creation of joint medical clinics among the several counties and imposing costs of maintaining and operating such clinics upon the county or counties creating same.

Which was committed to the Committee on Judiciary General.

House Bill No. 795, entitled:

An Act to further amend clause (f) of section two hundred one, and to add clause (n) to section two hundred one of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-three (P. L. 1001), entitled, as amended "Aeronautical Code," by authorizing the commission to assist in the construction of airports and landing fields and to expend moneys appropriated to it for such purposes and to accept moneys from the Federal Government and other sources.

Which was committed to the Committee on Aeronautics.

House Bill No. 823, entitled:

An Act to further amend subsection (1) of section six of the act, approved the nineteenth day of July, one thousand nine hundred thirty-five (P. L. 1356), entitled "Licensed Weighmasters Act," further regulating the return of part of the weighmaster's license fee to cities and counties.

Which was committed to the Committee on State Government.

House Bill No. 824, entitled:

An Act to repeal certain statutes relating to weights and measures

Which was committed to the Committee on State Government.

House Bill No. 844, entitled:

An Act to amend section ten of the act, approved the twenty-eighth day of May, one thousand nine hundred fifteen (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities, and regulating the administration and the payment of such pensions," including the solicitor for delinquent real estate tax and water rate liens and the employes of his office under the provisions of said act.

Which was committed to the Committee on Municipal Government.

House Bill No. 850, entitled:

An Act to further amend sections five hundred twenty-two and five hundred twenty-four, and to repeal section five hundred twenty-three of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "Insurance Company Law of 1921," by providing regulations relating to standard fire insurance policies.

Which was committed to the Committee on Insurance.

House Bill No. 1004, entitled:

An Act to further amend sections one and six of the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) entitled "An act relating to institutions of counties cities and institution districts for the care maintenance and treatment of mental patients providing for the transfer of such institutions to the Commonwealth providing for the management and operation or closing and abandonment thereof and the maintenance of mental patients therein including the collection of maintenance in certain cases providing for the retransfer of certain property to institution districts under certain circumstances conferring and imposing upon the Governor the Department of Welfare the courts of common pleas and counties cities and institutions districts certain powers and duties prohibiting cities counties and institutions districts from maintaining and operating institutions in whole or in part for the care and treatment of mental patients and repealing inconsistent laws" as amended and reenacted by further regulating the procedure relating to property of such institutions abandoned by the Commonwealth and to institutions closed

Which was committed to the Committee on Welfare, Public Assistance and Pensions.

House Bill No. 1093, entitled:

An Act to establish a separate orphans' Court in and for the County of Beaver.

Which was committed to the Committee on County Government.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) announced that the Acting Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 115, entitled:

An Act to repeal Section forty-five of the Act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 447) entitled, as amended "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointement, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents."

Senate Bill No. 184, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in the Thirty-Fifth Ward in the City of Philadelphia, Commonwealth of Pennsylvania, known as the Naval Aviation Supply Depot; and ceding jurisdiction to the United States.

Senate Bill No. 185, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately twenty-seven acres of land in the Twenty-Sixth and Forty-Eighth Wards in the City of Philadelphia, known as the Naval Hospital; and ceding jurisdiction to the United States.

Senate Bill No. 186, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately sixty-five acres of land in the Fortieth Ward of the City of Philadelphia, known as the Naval Ammunition Depot at Fort Mifflin; and ceding jurisdiction to the United States.

Senate Bill No. 266, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America, of approximately two thousand four hundred acres of land in the County of Mercer, Commonwealth of Pennsylvania, for use in connection with Camp Reynolds, and ceding jurisdiction to the United States.

Senate Bill No. 357, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately five hundred fifty-seven acres of land in the Township of South Lebanon, County of Lebanon, and Commonwealth of Pennsylvania known as the Veterans' Administration Facility at Lebanon Pennsylvania and ceding jurisdiction to the United States.

Senate Bill No. 405, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of American of certain tracts of land in Chester County, Pennsylvania, for use in connection with the Valley Forge General Hospital, and ceding jurisdiction to the United States.

Senate Bill No. 422, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract of land in Lebanon County, Pennsylvania, containing approximately sixty-four acres, for use in connection with the Indiantown Gap Military Reservation; and ceding jurisdiction to the United States.

Senate Bill No. 424, entitled:

An Act to amend Section 686 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth" by providing that a cashier of a bank who engages in any gainful profession, occupation, or calling other than that of his duty as cashier shall not be guilty of a misdemeanor.

Senate Bill No. 429, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of three tracts of land in Cumberland County, Pennsylvania, containing approximately nine hundred forty-three acres, for use in connection with a military reservation known as Carlisle Barracks, and ceding jurisdiction to the United States.

Senate Bill No. 431, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of certain tracts of land in Dauphin County, Pennsylvania, for use in connection with the Middletown Air Depot, and ceding jurisdiction to the United States.

Senate Bill No. 460, entitled:

An Act to further amend Sub-section A of Section one thousand one of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National Banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary

powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by regulating the making of certain classes of loans and clarifying the powers and limitations on powers of banks and bank and trust companies

Whereupon,

The PRESIDENT (Lieutenant-Governor, John C. Bell, Jr.) in the presence of the Senate signed the same.

PETITIONS AND REMONSTRANCES

COMMUNICATIONS OPPOSING HOUSE BILL No. 315

Mr. DiSILVESTRO. Mr. President, I am in receipt of two communications, voicing protests against passage of House Bill No. 315.

I ask that these communications be spread up the record.

The PRESIDENT. Is there objective? The Chair hears none.

The communications are as follows:

P. A. R. D.

Philadelphia Association of Retail Druggists
2017 Spring Garden Street
Philadelphia, Pa.

March 16, 1945.

Honorable Anthony J. DiSilvestro
Member, Senate Committee on Public Health
Harrisburg, Penna.

Dear Sir:

We ask that you OPPOSE House Bill No. 215, referred to your committee, for the following reasons:

1. Bill No. 315 destroys safeguards erected by this state and in effect since 1905—which requires for the protection of public health that pharmacists be graduates of recognized colleges of pharmacy. The bill is a backdoor entrance to pharmacy, for many who do not have proper college, scientific and technical training.

2. Bill No. 315 serves neither the public health nor the public interest—and in fact—jeopardizes both by relaxing the educational requirements of an important public health profession.

3. Bill No. 315 holds up to ridicule and contempt the public health profession whose standards it would lower—and the state which would lower them.

We respectfully ask that you OPPOSE House Bill No. 315.

Sincerely yours,
JOHN C. WALTON, Chairman,
Legislative Committee
Philadelphia Association of
Retail Druggists.

Philadelphia Branch
American Pharmaceutical Association

March 20, 1945.

Honorable Anthony DiSilvestro
1505 South Fifteenth Street
Philadelphia, Pennsylvania

Dear Sir:

The members of the Philadelphia Branch of the American Pharmaceutical Association at their meeting on Thursday, March 15, 1945, passed a motion opposing the legislation contained in House Bill No. 315 now referred to your committee for action.

This bill includes a provision which would permit persons licensed as qualified assistants to take the examination for Registered Pharmacist without meeting the present requirement of graduating from an accredited college of pharmacy. Such legislation not only destroys the professional standards of pharmacy but it also materially weakens one of the safeguards of public health. With the advent of many new and powerful drugs no one not fully trained in an institution of higher learning can possibly give to the public the service and protection that is now the sole prerogative of the registered pharmaiist. We feel most strongly that this bill is the sort of vicious legislation that must be prevented from becoming law. The attention of your committee to its objectionable features is respectfully requested.

Very truly yours,
JOHN E. KRAMER,
Secretary-Treasurer.

PERMISSION TO ADDRESS SENATE

Mr. WAGNER asked and obtained unanimous consent to address the Senate.

Mr. WAGNER. Mr. President, I wonder if I may have just a few minutes in which to call the attention of the Senate to a matter that will never be quite as timely as it will be today.

I have in my hand a copy of a proclamation issued by Governor Martin designating today, the second of April, as Free School Day in Pennsylvania. He goes on to state that:

"The public school system of Pennsylvania stands as a monument to the men whose wisdom, foresight, and courage placed equal educational opportunities within the reach of every child in the Commonwealth.

"No act of government in our history has done more to promote good citizenship or to raise the cultural and economic level of our people than the Free School Act which was signed by Governor George Wolf on April 1, 1834.

"In this time of conflict when the spiritual and moral values which we prize so highly are menaced by evil forces it is appropriate that we give thought to the manifold blessings with which the free school system has enriched our lives.

"Therefore, I, Edward Martin, Governor of the Commonwealth of Pennsylvania, in accordance with the spirit and provisions of the Act of 1935, P. L. 275, do hereby proclaim Monday, April 2, 1945, as Free School Day to be observed as a day of grateful recognition of the efforts and achievements of Governor George Wolf and the brillian championship of free schools in the State Senate by the Honorable Samuel Breck and in the House of Representatives by the Honorable Thaddeus Stevens.

Futhermore, I request that appropriate exercises be held in the schools and other educational institutions and by patriotic civil, and fraternal organizations within the Commonwealth of Pennsylvania."

Mr. President, I do not know what celebrations or observance of this free school day there may be by civic organizations and by educational institutions, but I think, if we are going to keep in step with the thought of the Governor at this time, we should be mindful of the fact that in the remaining weeks of this session, which we expect will be few, we must very seriously consider what provisions we are going to make of a forward-looking nature for our public schools.

As I was driving to Harrisburg this morning I saw, as I have seen many places in the last several weeks,

bill-boards along the highway, on which appeared fresh posters, by a large refining company, calling attention to the fact that twenty-five years of petroleum progress has been made since Pearl Harbor. In other words, as always, since necessity is the mother of invention, science has been spurred on by the war to do marvelous things in a very short time, and that reminds me that that has been going on not only in petroleum but in a great many things.

We read that after the war we are going to have prefabricated houses, we are going to have glass that will not break and wood that will not burn; we are going to have stockings that will not run and clothes that refuse to wrinkle. We are making post-war plans for highways and various things, and I am hopeful we will not fail to keep in mind, as Legislators, the fact that the greatest hope of the future lies in the citizens of tomorrow, and what we really need—and I do not know where we can get it as surely and as certainly as we can from our public schools—what we need, lest we wake up from what seems to be a scientist's dream of heaven and find possibly we still have hell on Earth—we need to develop characters that will not crumble, minds that will not warp, and morals that will not easily wrinkle.

I trust that each and every one of we Senators, on this issue, which is completely non-partisan, will dedicate ourselves in the days ahead of us to seeing that an adequate job is done to further build the morale of those who operate our public schools and to give our boys and girls, yours and mine, that training which they are so sadly in need of, to take over and meet the challenge which will face them when peace comes in a short time.

PERMISSION TO ADDRESS SENATE

Mr. WOODWARD asked and obtained unanimous consent to address the Senate.

Mr. WOODWARD. Mr. President, my only adverse criticism of this celebration is that our public school system is much too free. I have two examples, where I live—one is a man I employ, who has four children, and they are all being educated free of cost and that man does not pay a penny in taxes of any kind; I also have a Czechoslovakian girl refugee and she is being educated in Philadelphia and she does not pay a red cent, nor her family.

Therefore I say it is a bit too free, but on the other side I would like to remind the Governor and the Senator—the Senator and the Governor, either way—that in the House of Representatives there is a beautiful mural painting of Pennsylvania notables, and it is very notable that not one governor appears in the painting and not one politican—the only man who appears in the mural painting is Thaddeus Stevens, because he was the father of the public school system.

REPORT FROM COMMITTEE

Mr. DiSILVESTRO, from the Committee on Public Health, reported as amended, House Bill No. 191, entitled:

An Act to amend sections three seven and fifteen and further to amend sections one and eight of the act approved the eleventh day of July, one thousand nine hundred seventeen (P. L. 758), entitled "An act for the protection of the public health by regulating the possession, control, dealing in, giving away, delivery, dispensing, administering, prescribing, and use of certain drugs, and keeping records thereof; by regulating the use of drugs in the treatment of the drug habit; by providing for the revocation and suspension of licenses of physicians, dentists, veterinarians, pharmacists, druggists, and registered nurses for certain causes, and by providing for the enforcement of this act, and penalties," further defining the words "physician" and "drug", specifying certain information to be disclosed on labels of narcotic prescriptions, requiring that narcotics be kept in the original container, requiring the disclosure of certain information to physician by patient, conferring certain authority upon professional licensing boards and providing additional penalties.

BILLS INTRODUCED AND COMMITTED

Mr. BERGER read in his place and presented to the Chair Senate Bill No. 628, entitled:

An Act to amend section thirteen hundred four of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," increasing the annual amount available for bear damages.

Which was committed to the Committee on Forests and Waters, Game and Fish.

He also read in his place and presented to the Chair Senate Bill No. 629, entitled:

An Act to amend section six hundred four of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto"; permitting for purposes of conservation, the designation and posting of beaver colonies; prohibiting the trapping of beavers at any time in such colonies and imposing penalties.

Which was committed to the Committee on Forests and Waters, Game and Fish.

Mr. TROUTMAN read in his place and presented to the Chair Senate Bill No. 630, entitled:

An Act to amend the act approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 594), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act," correcting the description of Route 59011 in Union County so as to correspond with existing conditions.

Which was committed to the Committee on Highways.

Mr. KEPHART read in his place and presented to the Chair Senate Bill No. 631, entitled:

An Act to further amend section one thousand eleven of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 565) entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over, and taking possession of and conducting or liquidating the business and property of, corpora-

tions, associations, and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries, and building and loan associations; providing for the payment of the expenses of the Department of Banking by supervised corporations, associations, or persons, and appropriating the Banking Department Fund; authorizing the Department of Banking, under certain circumstances, to examine corporations, associations, or persons affiliated, or having business transactions with supervised corporations, associations or persons; authorizing appeals to the Supreme Court, and prescribing and limiting the powers and duties of certain other courts and their prothonotaries, registers of wills, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services rendered under this act; providing penalties; and repealing certain acts and parts of act," by providing that hereafter any claim for the amount of any deficiency in the funds, property or investments of an estate of which the institution was fiduciary or any surcharge with respect to such estate shall have the same rank and priority upon liquidation by the secretary as receiver as is given to deposits and other claims enumerated in the third category set forth in said section.

Which was committed to the Committee on Banking.

PERMISSION TO ADDRESS SENATE

Mr. GOURLEY asked and obtained unanimous consent to address the Senate.

Mr. GOURLEY. Mr. President, before presenting this bill I want to make the following brief statement:

Mr. President and members of the Senate, during the last several months in Western Pennsylvania there has been a severe epidemic of rabies or hydrophobia among dogs, which has been communicated to many persons, both young and old, as a result of which there is a quarantine existing in most towns and cities in Western Pennsylvania, from the dogs running at large.

I have learned that skunks, or pole-cats, are one of the greatest carriers of rabies or hydrophobia. The skunks get in combat with the dogs, bite them, and the dogs in turn carry it to the individual.

Under the law, as it now exists, skunks can only be killed between the fifteenth of November and January 31, and from the information which I have received, I believe if we were to open the season on the killing of skunks it might be of some material help in curbing the communication of this disease from skunks to a dog or a cat which in turn bites individuals.

I therefore present to the Chair the following bill, which will open the season on the killing of skunks.

BILL INTRODUCED AND COMMITTED

Mr. GOURLEY read in his place and presented to the Chair Senate Bill No. 632, entitled:

An Act to amend section six hundred one and to repeal section six hundred nine of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by permitting the killing of skunk at any time.

Which was committed to the Committee on Forest and Waters, Game and Fish.

PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, on February 12 Senator Haluska, Senator Farrell and myself introduced a resolution pertaining to rheumatic fever. One of the provisions of the resolution called for studies under the joint auspices of the Senate Committee on Public Health, the House Committee on Health and Sanitation, and the Secretary of Health.

A long time has elapsed since that resolution was introduced and no program has been evolved. Therefore I took it upon myself to present a program to the Commonwealth, and I now read in place and present to the Chair the following bill.

BILLS INTRODUCED AND COMMITTED

Mr. STIEFEL read in his place and presented to the Chair Senate Bill No. 633, entitled:

An Act to add clause (1) to section two thousand one hundred two of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," providing a service program for children with heart disease; conferring powers; and imposing duties on the Department of Health.

Which was committed to the Committee on Public Health.

He also read in his place and presented to the Chair Senate Bill No. 634, entitled:

An Act providing that war orphans shall not be charged tuition or matriculation fees for attending secondary schools within this Commonwealth

Which was committed to the Committee on Education.

He also read in his place and presented to the Chair Senate Bill No. 635, entitled:

An Act to provide grants for the higher education of certain war orphans; conferring powers and imposing duties on the Superintendent of Public Instruction; requiring free tuition for war orphans attending secondary schools; and making an appropriation.

Which was committed to the Committee on Education.

Messrs. DENT and SNOWDEN read in place and presented to the Chair Senate Bill No. 636, entitled:

An Act to further amend section twelve hundred and eighteen of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by requiring pedestrians to comply with requests of peace officers

Which was committed to the Committee on Highways.

Mr. HALUSKA read in his place and presented to the Chair Senate Bill No. 637, entitled:

An Act making an appropriation to the Conemaugh Valley Memorial Hospital.

Which was committed to the Committee on Appropriations.

Mr. CROWE read in his place and presented to the Chair Senate Bill No. 638, entitled:

An Act to further amend section two hundred two of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by authorizing domestic stock and mutual insurance companies other than life to transact outside of the United States, its territories and possessions, any and all forms of insurance or reinsurance other than life insurance or annuities, authorizing such companies to accept any and all kinds of reinsurance other than life insurance or annuities, and providing for the maintenance in either case of a minimum policyholders' surplus of one million five hundred thousand dollars.

Which was committed to the Committee on Insurance.

He also read in his place and presented to the Chair Senate Bill No. 639, entitled:

An Act to amend paragraph eleven of subdivision (c) of section two hundred two of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by authorizing domestic stock and mutual casualty insurance companies to make insurances against loss or damage to automobiles and airplanes, seaplanes, dirigibles, or other aircraft, including loss or damage by fire and against perils to property resulting from the ownership, maintenance, or use of automobiles and airplanes, seaplanes, dirigibles, or other aircraft.

Which was committed to the Committee on Insurance.

He also read in his place and presented to the Chair Senate Bill No. 640, entitled:

An Act to amend paragraph (2) of subdivision (b) of section two hundred two of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by authorizing domestic stock and mutual fire marine and fire and marine insurance companies to make insurances against loss by reason of legal liability for damage to property or bodily injury to the person arising from the ownership or maintenance or use of aircraft, automobiles, or other vehicles.

Which was committed to the Committee on Insurance.

Messrs. WADE and DENT read in place and presented to the Chair Senate Bill No. 641, entitled:

An Act to amend the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 447), entitled "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents; rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with

the estates of decedents," as amended by further modifying the terms, qualifications, and other conditions under which the investment of trust funds may be made by fiduciaries.

Which was committed to the Committee on Banking.

REPORT FROM COMMITTEE

Mr. STEVENSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STEVENSON, from the Committee on Municipal Government, reported as amended, Senate Bill No. 157, entitled:

An Act authorizing cities of the third class with the approval of the court of common pleas to accept less than the full amount of municipal claims filed as a lien against real estate, in compromise settlements thereof.

RESOLUTIONS

TIME OF NEXT MEETING

Mr. DiSILVESTRO, offered the following resolution, which was twice read, considered and agreed to:

In the Senate, April 2, 1945.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday, April 9, 1945, at four o'clock, p. m.; and when the House of Representatives adjourns this week it reconvene on Monday, April 9, 1945, at nine o'clock, p. m.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

PERMISSION TO ADDRESS SENATE

Mr. COX asked and obtained unanimous consent to address the Senate.

Mr. COX. Mr. President, in 1943 I introduced Senate Resolution No. 39, which was passed by the Senate, and which directed the Joint State Government Commission to study the question of the penal institutions of Pennsylvania.

In conformity with that resolution a committee was set up not only to study the penal institutions but also the questions of the penal code and juvenile delinquency.

The gentleman from Allegheny, Senator Walker, was elected as the General Chairman of the Committee and the work was divided into three groups. Representative Thomas Lee of Philadelphia was sub-chairman of a committee to study penal affairs.

We have found that this problem of studying penal affairs in Pennsylvania is a tremendous problem and one which takes a great deal of time. The committee has not completed its study, and for that reason I present to the Chair at this time a resolution directing the Joint State Government Commission to continue the study of the subject of penal institutions in Pennsylvania.

I neglected to say, Mr. President, that I introduce this resolution on behalf of the gentleman from Allegheny, Senator Walker, and myself.

RECOMMENDING THAT THE JOINT STATE GOVERNMENT COMMISSION CONTINUE ITS COMMITTEE ON PENAL CODE, JUVENILE DELINQUENCY AND INSTITUTIONS FOR THE PURPOSE OF COMPLETING ITS INVESTIGATION AND STUDY

Messrs. COX and WALKER offered the following resolution which was twice read, considered and agreed to:

In the Senate, April 2, 1945.

Whereas, The welfare of the Commonwealth is dependent to a considerable extent upon the efficacy of its penal and correctional system, and it is important to this end that the administration of these functions be strengthened and placed upon the highest possible plane of achievement; and

Whereas, The Joint State Government Commission exists for the purpose of making investigations and studies and to gather information useful to the General Assembly; and

Whereas, Under Resolution, Serial No. 39, of the Regular Session of 1943, the Joint State Government Commission was requested to make a careful, thorough and impartial study of the whole question of crime prevention, incarceration, reform, probation, parole and pardon, as administered in the Commonwealth, and its Committee on Penal Code and Juvenile Delinquency has made a report, making certain recommendations which are incorporated in legislation and introduced in the House and Senate, as listed in the Summary Report of the Joint State Government Commission, dated March 5, 1945, but has not completed its entire study, and requests that it be continued into the next biennium; therefore be it

Resolved, That the Senate hereby directs the Joint State Government Commission that it continue to make and complete a careful, thorough and impartial study of the whole question of crime prevention, incarceration, reform, probation, parole and pardon, as administered in this Commonwealth, and report to the next regular session of the General Assembly its findings and its recommendations as to such changes, revisions and improvements as it may find to be necessary or desirable to correct any imperfections, insufficiencies and defects in the laws, and to correct any abuses and evils in any matter in connection with any phase of the general subject of such inquiry.

HOUSE RESOLUTION No. 11 TAKEN FROM TABLE

Mr. WALKER. Mr. President, last week the Committee on Judiciary General reported out, as amended, printed Resolution No. 11 from the House of Representatives.

I now call up that resolution from the table.

The Clerk read the resolution as follows:

In the House of Representatives, January 30, 1945.

Whereas, The Penal Code approved June 24, 1939 contains numerous inconsistencies and considerable language which is open to construction and should be carefully studied and revised in order to make it effective for its intended purposes; therefore be it

Resolved (if the Senate concurs), That the Joint State Government Commission is hereby directed to survey investigate, and consider all of the penal laws of the Commonwealth and to completely revise and restate such penal laws into codified form, and to report its findings and conclusions to the next regular session of the General Assembly, with a bill embodying a codification of the penal laws of the Commonwealth to be introduced at the next regular session of the General Assembly.

The Legislative Reference Bureau shall prepare the necessary drafts of all bills agreed on by the commission and shall furnish such advice and assistance as it may be called on to furnish

On the question,

Will the Senate concur in the same?

It was concurred in.

Ordered, That the Clerk return the same to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

CITIZENS OF THE MUNICIPALITY OF PATTON TO BE COMMENDED FOR THEIR PATRIOTISM AND LOYALTY WITH THEIR PLANS TO HONOR GENERAL GEORGE SMITH PATTON

Mr. HALUSKA offered the following resolution which was twice read, considered and agreed to:

In the Senate of Pennsylvania, April 2, 1945.

Whereas, General George Smith Patton is the hero of many successful engagaments on the battlefield in the European Theatre of Operations in World War II, and

Whereas, General George Smith Patton, by virtue of his many brave and valorous deeds on the field of Battle, his brilliant leadership and his willingness at all times to undergo the same hardships and the same hazards as the men in his command, thereby winning their undying loyalty, and the admiration of the entire Allied world, and

Whereas, The Municipality of Patton, in the County of Cambria, Commonwealth of Pennsylvania, was founded by John Patton and is the only municipality in the United States so named, and

Whereas, The citizens of the Municipality of Patton are eager to, and are making plans to pay homage to the great Allied Commander, General George Smith Patton, who bears the same name as the founder of the Municipality in which they reside, and

Whereas, The residents of the Municipality of Patton take justifiable pride in the fact that they live in the only Municipality of the name of Patton in the United States, and

Whereas, Letters received by the Postmaster of the Municipality of Patton from residents in all sections of the United States, requesting mail which bears the postmark of the Municipality of Patton, is an indication of the nation-wide attention which the Municipality of Patton is attracting, now, therefore be it

Resolved, That the Senate of the Commonwealth of Pennsylvania hereby commends the citizens of the Municipality of Patton for their patriotism and loyalty, and is in hearty accord with their plans to honor General George Smith Patton by staging a Welcome Home celebration at the end of the war, and inviting the President of the United States, General George Smith Patton and the Governor of the Commonwealth of Pennsylvania to take part in this outstanding occasion, and be it further

Resolved, That a copy of this Resolution be forwarded to the President of the United States, General George Smith Patton, The President of the United States Senate, the Speaker of the House of Representatives, and the Governor of the Commonwealth of Pennsylvania.

PERMISSION TO ADDRESS SENATE

Mr. HEYBURN asked and obtained unanimous consent to address the Senate.

Mr. HEYBURN. Mr. President, there are several bills before the General Assembly dealing with school subsidies. There is to be a public hearing, on Wednesday night of this week, and a resolution I am about to present to the Chair calls for information from the budget director as to the cost of the proposed bills. This has the approval of the Minority Leader of the Senate.

Mr. DENT. Mr. President, I want to announce that this resolution is as a result of the deliberations of a bipartisan committee, and I am seconding the motion for immediate consideration and ask the Senate to agree to it.

STATE SCHOOL COMMISSION AND THE DIRECTOR OF THE BUDGET PRESENT TO THE GENERAL ASSEMBLY A SUMMARY OF COMPARATIVE COST ENTAILED IN VARIOUS SCHOOL BILLS NOW IN COMMITTEES IN THE HOUSE AND SENATE

Mr. HEYBURN offered the following resolution which was twice read as follows, and agreed to:

In the Senate of Pennsylvania, April 2, 1945.

Whereas, There is present before the Legislature in the various committees of the House of Representatives and the Senate, legislation dealing with public school problems, and

Whereas, Said legislation has been the subject of controversy and speculation as to amounts of monies involved and necessary for the carrying out of the provisions of the bills as introduced, therefore be it

Resolved, (if the House of Representatives concur), That the State School Commission and the Director of the Budget, present to the House of Representatives and the Senate on or before Wednesday afternoon, April 4th at three o'clock, a summary of comparati e cost entailed in the various school bills now in the various committees in the House and Senate.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. EALY. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on April 2, 1945.

Mr. CHAPMAN. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 2, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

ALLEGHENY COUNTY

Samuel Papernick, Glassport, April 4, 1945.

PHILADELPHIA COUNTY

R. Lee Kass, Phila., SW Cor. 41st St. and Chester Ave., April 8, 1945.

MERCER COUNTY

John J. Donaldson, Greenville, April 13, 1945.

ALLEGHENY COUNTY

Duane S. Junker, McKeesport, April 14, 1945.

BUCKS COUNTY

E. S. Lovett, Morrisville, April 18, 1945.

EDWARD MARTIN.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 2, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Hiram R. Davis, Pittsburgh, 5900 Baum Blvd.
Miss Audrey R. Rebold, McKeesport.
Howard S. Rowe, Munhall.

ARMSTRONG COUNTY

Bartholomew C. Favero, Leechburg.

BRADFORD COUNTY

John P. Vallilee, Athens.

LACKAWANNA COUNTY

Miss Elizabeth C. Berghauser, Scranton.

LEBANON COUNTY

Walter H. Stahley, Lebanon.

LEHIGH COUNTY

Miles Weidner, Allentown.

MONTGOMERY COUNTY

Miss Ethel E. Brosz, Norristown.

PHILADELPHIA COUNTY

Joseph L. Farrell, Phila., 710 S. 20th St.
James T. Keating, Phila., 4441 Chestnut St.
Leo W. Lynch, Phila., Fidelity-Phila. Trust Bldg.
Mrs. Eleanor M. Martin, Phila., 1812 S. 22d St.

YORK COUNTY

Miss Pauline B. Schiding, York.

EDWARD MARTIN.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. EALY and Mr. CHAPMAN,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Edmonds,	Leader,	Tallman,
Berger,	Farrell,	Letzler,	Taylor,
Blass,	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	Margie,	Troutman,
Carr,	Haluska,	McCreesh,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE NOMINATIONS

A motion was made by Mr. EALY and Mr. GELTZ,

That the Senate do now resolve itself into Executive Session, for the purpose of considering the nominations of His Excellency, the Governor of the Commonwealth of Pennsylvania, which were laid on the table yesterday.

The motion was agreed to.

The Clerk read the nominations as follows:

JUDGE OF THE SUPERIOR COURT OF PENNSYLVANIA

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 27, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate John C. Arnold, Clearfield, Clearfield County, for appointment as Judge of the Superior Court of Pennsylvania, to serve until the first Monday of January, 1946, to fill the vacancy caused by the death of Honorable William H. Keller, President Judge, and the subsequent elevation of Honorable Thomas J. Baldrige as President Judge.

EDWARD MARTIN.

A motion was made by Mr. EALY and Mr. GELTZ,

That the Senate do advise and consent to the nomination reported.

On the question,

Will the Senate agree to the motion?

Mr. BARR. Mr. President and members of the Senate, it is very rarely that I elect to prepare a speech. The title of my subject today is juggling judgeships, and there have been so many juggling acts I was fearful I might miss one of them, so for that reason I have prepared the remarks I am about to make.

Governor Martin has placed the name of John Arnold, of Clearfield, before this honorable body for confirmation for the Superior Court. That is the occasion for my speaking. I do not, however, rise with the intention to cast reflection on the gentleman named.

I take this occasion rather to point out a well-established practice of the Republican leadership in this State, a practice to which Governor Martin is addicted and which has been more than common in my home City of Pittsburgh and County of Allegheny. It is the practice of juggling judgeships.

The Republican leadership which has so often cried piously that the Courts must be taken out of politics has apparently never even considered taking the politics out of the courts.

Their association with politics in the courts, indeed, is so long established, so old and comfortable and familiar that many members of the Grand Old Party do not recognize it as being anything out of order. Just recently we had an example which laid thumping emphasis on this fact. Governor Martin offered to Lieutenant-Governor Bell the place on the Superior Court bench to which he has now named Mr. Arnold. Mr. Bell declined with thanks and this astoundingly frank statement: "I can be of more service to my party as Lieutenant-Governor." Obviously, Mr. Bell saw nothing unusual in that statement because Republican judges have been serving the Republican Party for many, many years. Mr. Bell saw no reason to say "I can be of more service to the people

as Lieutenant-Governor," because that is not what he meant. And in saying this, I wish to laud him for his engaging honesty. After all, our Lieutenant-Governor meant that he could be of more service to his party and that is what he said.

But, of course, he did say more. "More", gentlemen, and the dictionary defines more as meaning "greater in size, quantity, amount, degree, quality and the like."

Mr. Bell's statement seems to have perplexed one newspaper in my home town of Pittsburgh. The Post-Gazette printed an editorial which said in part:—

> "Just what Mr. Bell means by being of greater service to his party as Lieutenant-Governor than as a judge is rather hard to figure out. We were under the impression that judges were supposed to drop their politics when they went on the bench and mete out even-handed justice without favoring any party or any person above another. In that case, we don't see how any judge could render any service to his party, and we think the public would be highly indignant if he attempted to do so."

I think the implication is plain enough. If our Lieutenant-Governor had accepted Governor Martin's appointment to the Superior Court vacancy which then existed, he would naturally in accordance with Republican custom have expected to be of "service to his party." But whether such service would have been greater or less is now an imponderable. We merely know that he expects to be of even greater service as Lieutenant-Governor.

Now Governor Martin has named Mr. Arnold, and I am sure that he will not be disappointed in him. He has not been disappointed in the other judges of his creation, except perhaps those who failed of re-election. The Republican Party has never been disappointed by any of them.

Let us take some cases in point.

There is Howard W. Hughes of Washington, Pa., about whom the newspapers said it was wonderful for Governor Martin "to appoint his old friend" to the Supreme Court of Pennsylvania on January 2, 1944. In the Fall of 1944, having become the Republican nominee in April, he was defeated by the Democratic candidate, now Justice Charles Alvin Jones. Not long after this defeat Mr. Hughes was retained by the Pennsylvania Railroad as an important member of its legal staff. He is well qualified to represent the Pennsylvania Railroad and, no doubt, will be of great value to them on appeals because of his vast public experience.

Another of Governor Martin's good friends who was appointed the same day as Judge Hughes is the present Judge Alexander Cooper, of Pittsburgh, who was named to the Common Pleas bench in Allegheny County to fill the vacancy created by the death of Judge Andrew T. Park. Previous thereto, Judge Cooper had been attorney for the General State Authority. Newspaper comment at that time was to the effect that the appointment of Cooper was effected "through George I. Bloom, Secretary to Governor Martin," and a mutual good friend and legal correspondent. It is understood that the Bloom law office in Washington County had considerable business with the Cooper law office in Allegheny County. I have heard it said that the Republican leadership of Allegheny County resented Mr. Bloom's invasion of their territory, but this can hardly be more than a rumor, for Governor Martin would certainly not let mere friendship interfere with practical politics.

Governor Martin is quite practical. As to judgeships he is eminently practical. For instance, the Orphans' Court of Allegheny County. In spite of the fact that Judge Edward C. Chalfant had retired and the Orphans' Court urgently needed a replacement, Governor Martin ignored the clamor of the newspapers and the public and waited month after month before finally appointing James Milholland to the vacancy. However, he made a point of naming Alexander C. Tener in the last week of December, 1943, to the vacancy in the same court created by the death of Judge H. Walton Mitchell. This was so Tener could be sworn in a few days before Judge Hugh C. Boyle, thus giving him seniority over Boyle, who had been elected by the people in November, 1943, defeating Martin's appointee, Judge Milholland, who had filled the Chalfant vacancy.

Governor Martin repeated this performance when he named Allegheny County's Common Pleas Court Judge, Heber Dithrich, to the Superior Court vacancy created by the resignation of Judge Charles W. Kenworthy, of Ardmore, Pa. Kenworthy was appointed by Governor Arthur James to a Superior Court judgeship in April of 1941. At that time, Kenworthy was a member of the Executive Committee of the Lower Merion Township Republican Club. He was elected to a full term that fall, but in 1944 he resigned to resume private practice with a Philadelphia law firm. It is well remembered that Kenworthy's resignation was purposely delayed so that the election of his successor by the people would not be included in the 1944 elections.

Governor Martin waited six months, but he did act before the end of the year 1944 so that when he named Judge Dithrich on December 29, 1944 he would have seniority over Superior Court Judge, F. Clair Ross, who had been elected by the people and would begin his term in January, 1945.

Judge Dithrich is an old line Republican judge. He was Chairman of the Regular Republican Campaign Committee in the famous Pepper-Fisher-Vare-Beidleman Primary election, when huge sums of money were spent so spectacularly that a United States Senate Committee held a sensational inquiry.

To the vacancy created by the resignation of Judge Dithrich from the Allegheny County Common Pleas bench, Governor Martin named William A. Challener, Sr., who, at seventy-eight years of age, is the oldest judge on the Allegheny Common Pleas bench. With this appointment there goes some more juggling of judgeships, because the present Judge Challener is not to be a candidate for re-election. He is merely a token appointment for a period of one year. The deal on this is for the present District Attorney of Allegheny County, Russell Adams, to be the candidate in the fall. If Adams does not win, he and the Republican Party still have the office of District Attorney. The Adams candidacy is the result of pressure brought upon Adams by Governor Martin and Secretary Bloom, the Washington County boys, after Adams had publicly stated that he would not be a candidate and would serve out his term as District Attorney. The other two candidates for the Common Pleas bench in Allegheny

County are Judge Cooper and Judge Joseph A. Richardson.

The candidacy of Judge Richardson is occasion for reminding the members of this honorable body that the Democratic Party made a determined effort to take the Courts out of politics, and, at the same time, take the politics out of the Courts, but we were rebuffed by the Republican Party which very apparently wants no part of this movement. In 1943, we endorsed Republican Judge Lencher, Judge Rowand and Judge Trimble. And the Republican Party turned around and refused to endorse the sitting Democratic Judge, Michael A. Musmanno, and the late Judge Ralph H. Smith.

Perhaps this attitude stems from a disregard of the public will and interest. Perhaps it springs from a more compelling interest in the affairs of the public utilities and the railroads and other interests of this State who can gain handsome service from judges who feel they have an obligation to these private interests which is greater than their sworn duty and obligation to public welfare. I am not unaware that public utility appeals are heard in the main by the Superior Courts of this State. It seems to me that it might prove of some importance if counsel for the utilities or other interests were former members of that bench perhaps or if they should address individuals whose—let me say—broad understanding of the problems of the utilities companies were greater than those of Democratic extraction. I allege nothing. I simply am wondering aloud if there can be some practical politics of a not too savory nature behind the juggling of judgeships which goes on in this State. I think it might be well if this honorable body would look further into the matter in the interests of public welfare, and perhaps too, in behalf of that poor creature, Justice, whose blindness may yet prompt the Republican Party to proffer her a Republican seeing eye dog.

I wish to close by recalling the most graceless piece of judgeship juggling in the history of this State. I refer to the case of Arthur H. James, of Plymouth, Luzerne County, Pa.

Judge James was on the Superior Court bench when he won the Republican nomination for the governorship on May 17, 1938. In spite of public opinion and the canons of the Bar, he did not resign from the bench. In fact, he refused to do so. That is, until the famous inaugural scene of January 17, 1939, when he took the oath of office and then turned and said "With the oath I now resign as a Judge of the Superior Court of Pennsylvania."

Arthur James took no chances. Neither does Ed. Martin.

On March 8, 1939, Governor James named William E. Hirt, of Erie, Pa., to fill the vacancy created by the resignation of Arthur H. James.

Governor James went out of Office in 1942, but on February 9, 1944, Martin named him to the Superior Court to fill the vacancy created by the death of Judge Joseph Stadtfeld, of Allegheny County. This appointment was made by the Governor, notwithstanding the fact that the American Bar Association denounced the poor ethics of Governor James a few years before. He was subsequently slated for a ten year term, but while he got the nomination, he was defeated when the Democratic candidates, Chester Rhodes and F. Claire Ross, defeated J. Frank Graff and our ex-Governor James.

I might add that, notwithstanding the fact that in 1939, the Democratic State Committee unanimously recommended the nomination for reelection of Judge William H. Keller, Republican, the judge jugglers refused to nominate on the Republican ticket Judge Chester H. Rhodes who had served ten years on the Superior Court bench with honor and distinction.

There are other cases throughout the history of Republican politics in this State. Judgeships are juggled openly. I am simply wondering today when the people are going to rise up and become indignant, as the Pittsburgh Post-Gazette says they would do. Or perhaps the people are kept too much in the dark about their judges. I think the newspapers of this State could do a magnificent job of enlightening the people about their courts, about what they do and especially about whom they serve.

The PRESIDENT. A little thought would convince anyone who considers the subject, that a person campaigning for judge can, during a campaign, be of little or great service to his state and party by the ideals and the principles he stands for. In the part of the state from which the Chair comes, which is different from Allegheny county, judges who were Republicans before they went on the Bench do not indulge in or practice politics on the Bench.

Mr. WALKER. May I say, Mr. President, that the remarks from the Chair incorporate part of the things I would like to say to the gentleman from Allegheny, who has delivered a very carefully prepared address, which he just read into the record in the Senate and, Mr. President, that is the kind of thing I do not like to hear, regardless of politics or regardless of which side of this Senate it might come from. It is one of those general blanket indictments which, like a Mother Hubbard apron, covers everything and touches nothing.

This is a deliberate attempt on the part of people who are deeply enmeshed in politics to run a campaign from the floor of the Senate, where the walls of this Senate Chamber can be used as a banking board for political philosophy and political propaganda.

The gentleman very carefully said "I allege nothing," and then he proceeded by a blanket indictment to attempt to point out that every judge in the Commonwealth of Pennsylvania who, before taking his oath of office and ascending to the Bench, happened to belong to the Republican Party and, believing in the Republican philosophy of government, was per se unfit to sit on the Bench because he favored the Republican Party in his judicial determinations.

That is the gist of the indictment the gentleman just laid down, and I say it is unfair. If he has any specific instances of where judges on the benches in the Commonwealth of Pennsylvania have not been true to their oaths of office and the canons and ethics of the Bench and Bar of Pennsylvania, he should lay them not before the newspapers of Pennsylvania but before the Senate, so that individual can be properly tried under the laws of the Commonwealth.

There are several fallacies in the indictment of the gentleman from Allegheny which I would like to bring to his attention. First, he mentioned the fact that the

Lieutenant-Governor, when offered this appointment, said very carefully, "I can be of more service to my party as Lieutenant-Governor." I want to point out to the gentleman from Allegheny that the Lieutenant-Governor of the Commonwealth of Pennsylvania is not appointed to that job, he is not annointed by God, he is elected by the people, and you do not get elected to any public office in Pennsylvania by turning your back on politics, and surely I do not for a second want to suggest that the Lieutenant-Governor refrains from politics before, during and after his tenure in office, and what the gentleman from Philadelphia, our esteemed Lieutenant-Governor, meant, was that once he takes that robe he withdraws from public and political life, and he is too busily involved with and feels a sense of responsibility for the welfare of the Commonwealth, and he feels that he can make a valuable contribution to the welfare of this Commonwealth by staying in public life, and it was not at all a supreme sacrifice.

That was not at all a supreme sacrifice, because the gentleman from Philadelphia, our Lieutenant-Governor, has a law practice that is respected, is admired and envied by every lawyer in Pennsylvania.

The gentleman from Allegheny also suggested that former Justice Hughes from Washington county, when defeated by one of the finest lawyers Allegheny County has ever produced, sought private employment. What lawyer, regardless of his prior position, would scorn an appointment of such a high nature as that given to former Justice Hughes? The gentleman has suggested that there was chicancery involved when the former Justice, having been defeated at the polls in 1944, sought private employment, and simply because he takes a position—not representing some governmental agency, as is the course of a lot of lame ducks who lose in Federal elections—but takes employment in private industry, he becomes a source of suspicion.

The gentleman suggested that perhaps there was skullduggery afoot when Alexander Cooper, who for years has been a reputable member of the Allegheny County Bar, was elevated to the Bench. If the gentleman from Allegheny has something specific on that point why does he not produce it? Why this innuendo or suspicion?

The gentleman suggested that Judge Milholland was appointed by Governor Edward Martin and it comes to my mind that Judge Milholland—and I am speaking strictly from a hazy memory—was appointed to the Bench by former Governor Arthur James and not by Governor Edward Martin, as suggested by the gentleman from Allegheny, Senator Barr.

Again we have his innuendoes as to a former member of the Superior Court, Judge Kenworthy, who resigned to take a position with a very fine law firm in the City of Philadelphia.

The gentleman suggests there is something vile, something suspicious, something that we should investigate, but Mr. President, there is no specific charge, and these innuendo speeches that attempt to create suspicion in the minds of the public concerning any of the three branches of government I say are unfair and should be severely criticized in the hall of the Senate.

Any time any public official violates his oath of office, violates his responsibility, or violates the laws of this Commonwealth, those charges should be specifically made on this floor, and at any time the Republican Party will back up those charges and attempt to bring the violator to the Bar of Justice, but at no time will we ever deliberately subscribe to innuendoes that cast a veil of suspicion over decent, upright and honest citizens.

Mr. DiSILVESTRO. Mr. President and gentlemen of the Senate, I am fully aware of and cognizant of the fact that the candidate for whom we are about to cast our votes is a Republican; but notwithstanding that fact I know of other Republicans that Governor Martin could have appointed, and I know one especially who, in my opinion, is not an American, an individual who would not have performed his duties as I believe, and I think, and I know, John Arnold will, because I have known John Arnold for almost fifteen years in my travels throughout this state, and especially in Clearfield county, and I say to you, gentlemen, that I welcome this opportunity of casting my vote for the confirmation of John Arnold, because I know that if the Governor had made another appointment that I was thinking of, it would have been very unwise on the part of our Chief Executive.

Mr. BARR. Mr. President, as usual, the gentleman from Allegheny, Senator Walker, waves a flag and makes a typical Walker Republican speech. I think that I should provide him, first of all, with a copy of my speech, because I named dates and I named judges; I did not allege anything, I gave facts. It was in regard to one paragraph about the Superior Court in which I said I alleged nothing and that was the only time, Mr. Walker, that I said I alleged nothing.

The gentleman from Allegheny, Senator Walker, was speaking about Judge Hughes. I would like to say that Judge Hughes has been a personal friend of mine, long before he ever knew Mr. Walker, and if the gentleman from Allegheny, Senator Walker, will read the speech I just made he will see my words contained nothing but praise for Judge Hughes.

So, Mr. President, I will ask one of the page boys to deliver a copy of my speech to Senator Walker so that he will know what is in the speech.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Edmonds,	Leader,	Tallman,
Berger,	Farrell,	Letzler,	Taylor,
Blass,	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	Margle,	Troutman,
Carr,	Haluska,	McCreesh,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

The Clerk read the additional nominations as follows:

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 26, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

Harvey E. Trump, R. D. No. 3, Lehighton, Carbon County, for appointment as Justice of the Peace in and for the Township of Towamensing, Carbon County, until the first Monday in January, 1946, to fill a vacancy.

William F. Rapp, 757 Euclid Street, Temple, Berks County, for appointment as Justice of the Peace in and for the Borough of Temple, Berks County, until the first Monday in January, 1946, vice James E. Stoudt, resigned.

EDWARD MARTIN.

MEMBERS OF THE BOARD OF TRUSTEES OF LOCUST MOUNTAIN STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 26, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Board of Trustees of Locust Mountain State Hospital, for terms of four years, and until their successors are qualified:

Evan Williams, Frackville, Schuylkill County. (Reappointment)

Joseph Nevadomski, Shenandoah, Schuylkill County. (Reappointment)

Mrs. Hawthorne L. Ball, Mahanoy City, Schuykill County. (Reappointment)

Edward Strolis, Shenandoah Heights, Shenandoah, Schuylkill County. (Reappointment)

John Ritz, Palo Alto, Pottsville, Schuylkill County. (Reappointment)

Robert Davidson, Brockton, Schuylkill County. (Reappointment)

Orville Breich, Ringtown, Schuylkill County, vice Herbert Ratzburg, Ringtown, whose term expired.

EDWARD MARTIN.

MEMBERS OF THE WASHINGTON CROSSING PARK COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 28, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Members of the Washington Crossing Park Commission:

H. W. Turner, New Hope, Bucks County, until the third Tuesday of January, 1947, and until his successor shall have been appointed and qualified.

Mrs. Anna Hawkes Hutton, R. D. No. 1, Bristol, Bucks County, until the third Tuesday of January, 1947, and until her successor shall have been appointed and qualified.

Emil Menkle, 6912 Cedar Park Avenue, Philadelphia, Philadelphia County, until the third Tuesday of January, 1947, and until his successor shall have been appointed and qualified.

Mrs. Linda R. Cassard, Chestnut Hill Apartments, Philadelphia, Philadelphia County, until the third Tuesday of January, 1947, and until her successor shall have been appointed and qualified.

Edward W. Pangborn, 4126 Decatur Street, Philadelphia, Philadelphia County, until the third Tuesday of January, 1947, and until his successor shall have been appointed and qualified.

Mrs. Helen Stubbs Smith, Keith Valley and Prospect Roads, R. D. No. 2, Hatboro, Montgomery County, until the third Tuesday of January, 1947, and until her successor shall have been appointed and qualified.

EDWARD MARTIN.

MEMBER OF THE WASHINGTON CROSSING PARK COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 21, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate B. Palmer Tomlinson, R. D., New Hope, Bucks County, for appointment as a Member of the Washington Crossing Park Commission, until the third Tuesday of January, 1947, and until his successor shall have been appointed and qualified, vice Elmer E. Althouse, Sellersville, whose term expired.

EDWARD MARTIN.

ALDERMAN, EIGHTH WARD, JOHNSTOWN, CAMBRIA COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 21, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James B. Hanson, 1117 Franklin Street, Johnstown, Cambria County, for appointment as Alderman in and for the Eighth Ward of the City of Johnstown, Cambria County, until the first Monday in January, 1946, vice Warren S. Krise, deceased.

EDWARD MARTIN.

MEMBER OF THE BOARD OF TRUSTEES OF LAURELTON STATE VILLAGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 21, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity wih law, I have the honor hereby to nominate for the advice and consent of the Senate Roy D. Wittes, New Berlin, Union County, for appointment as a Member of the Board of Trustees of Laurelton State Village, for the term of four years and until his successor is qualified, to fill a vacancy.

EDWARD MARTIN.

Whereupon,

A motion was made by Mr. EALY and Mr. GELTZ,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Edmonds,	Leader,	Tallman,
Berger,	Farrell,	Letzler,	Taylor,
Blass,	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	Margie,	Troutman,
Carr,	Haluska,	McCreesh,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,

Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. EALY. Mr. President, I move that the Executive Session do now rise.

Mr. WOODWARD. Mr. President, I second the motion.

The motion was agreed to.

BILL INTRODUCED AND COMMITTED

Mr. WALKER. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. WALKER and GELTZ read in place and presented to the Chair Senate Bill No. 642, entitled:

An Act making an appropriation to the Pennsylvania Post-War Planning Commission for the purpose of making a survey of the Port of Pittsburgh, and providing for the same as a post-war project.

Which was committed to the Committee on Appropriations.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 143, entitled:

An Act to amend clause (a) of section six hundred twenty-one and one-tenth of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by further regulating group, accident and health insurance.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Edmonds,	Leader,	Tallman,
Berger,	Farrell,	Letzler,	Taylor,
Blass,	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	Margie,	Troutman,
Carr,	Haluska,	McCreesh,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS OVER IN ORDER

Mr. JASPAN. Mr. President, with permission of the sponsor of this bill, I ask unanimous consent that Senate Bill No. 36, on final passage reading, entitled:

An Act to add section seven hundred thirty-four to the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" making wilful abandonment or nonsupport of an aged or indigent person a misdemeanor and prescribing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 238, on final passage reading, entitled:

An Act to amend section nine hundred ten and subsection (e) of section nine hundred fifty-one of the act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" changing the requirements for affidavits of candidates for judge of a court of record who are in the armed forces of the United States and whose whereabouts is unknown or who is out of the country

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I understand there is another bill coming over from the House which does a better job than this bill, so therefore, I move that Senate Bill No. 25, on third reading, entitled:

An Act to amend the first paragraph section one of the act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended "An act to further amend the title to reenact and further amend paragraph (e) of section one and to further amend section thirty-nine of the act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended 'An act providing for the imposition

and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal' by defining as a transfer and taxing the right of survivorship in property as to which such right exists and providing for the extension of the Commonwealth's lien on real property for a further period of time" by exempting (the estates of certain) military pay due deceased service persons and veterans from the taxes herein imposed.

be recommitted to the Committee on Military Affairs.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 230, entitled:

An Act to amend the title and the act approved the thirtieth day of April one thousand nine hundred and forty-three (P. L. 145) entitled "An act providing for and regulating the accumulation investment and expenditure by counties cities boroughs incorporated towns and townships of funds for post war projects" extending the provisions of said act to school districts and defining the term "post war period"

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. COLEMAN. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend page 1, line 8 of the title by inserting after the word "and" and before the word "defining" the following: "to the expenditure of such funds jointly with the Commonwealth or any department or agency thereof and"

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

Ordered, That the bill as amended lie over for printing on final passage.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 9, as follows:

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of costs incurred by that Department in acting as purchasing agent for the Department of Highways

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of fifty-five thousand dollars ($55.000) or as much thereof as may be necessary is hereby specifically appropriated from the Motor License Fund to the Department of Property and Supplies for the two fiscal years commencing the first day of June one thousand nine hundred forty-five for the payment of the salaries wages or other compensation of such bureau or division chiefs experts engineers accountants secretaries auditors inspectors examiners statisticians clerks stenographers bookkeepers messengers and other assistants and employes for the payment of postage traveling expenses telephone toll charges telegrams newspapers advertising and notices for the payment of the costs of advertising schedules of supplies proposals for executing any contract work readvertising any schedules or proposals when necessary for the purchase of office supplies and equipment stationery printing printing supplies and printing processes for the purchase of all other materials supplies and equipment and for the payment of such other expenses as may be necessary for the proper conduct of the work of the Department in acting as purchasing agent for the Department of Highways

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Edmonds,	Leader,	Tallman,
Berger,	Farrell,	Letzler,	Taylor,
Blass,	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	Margie,	Troutman,
Carr,	Haluska,	McCreesh,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 60, as follows:

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one million two hundred fifty thousand dollars ($1,250,000) or as much thereof as may be necessary is hereby appropriated to the Department of Labor and Industry for the payment of amounts payable from time to time during the two fiscal years beginning June first one thousand nine hundred forty-five by the Commonwealth as its share of the compensation payable to claimants for certain occupational diseases in accordance with agreements entered into or awards handed down under the provisions of the "Occupational Disease Compensation Act" approved the second day of July one thousand nine hundred thirty-seven (P. L. 2714) or The Pennsylvania Occupational Disease Act ap-

proved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) as the case may be and for the payment of any such amounts whatsoever due and payable prior to May thirty-first one thousand nine hundred forty-five

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Edmonds,	Leader,	Tallman,
Berger,	Farrell,	Letzler,	Taylor,
Blass,	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	Margie,	Troutman,
Carr	Haluska,	McCreesh,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 204, as follows:

An Act to amend sections fourteen and twenty of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 414) entitled "An act relating to vital statistics and to make uniform the law with reference thereto" by changing the conditions under which information or records may be furnished and certified copies of birth certificates shall be issued

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections fourteen and twenty of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 414) entitled "An act relating to vital statistics and to make uniform the law with reference thereto" is hereby amended to read as follows

Section 14 Certified Copies

(1) Subject to the requirements of sections 18 19 and 20 the department shall upon request furnish to any applicant a certified copy of any certificate or any part thereof except a certificate of birth in which case a partial certified copy shall be furnished containing only the name date of birth place of birth and the filing date relative to such record In compliance with any court order the department may issue a complete certified copy of any birth certificate and for official purposes upon request of any agency of the United States Government or the Commonwealth it may without charge verify directly to such agency complete information from the original record on forms furnished by the department

(2) Copies of the contents of any certificate on file in department or any part thereof certified by the department shall be considered for all purposes the same as the original subject to the requirements of sections 18 19 and 20

Section 20 Disclosure of Records

(1) The vital statistic records and files of the department are open to inspection subject to the provisions of this act and regulations of the department but it is unlawful for any officer or employe of the State to disclose data contained in vital statistical records except as authorized by this act and by the department

(2) Disclosure of illegitimacy of birth or of information from which it can be ascertained may be made only upon order of a court of competent jurisdiction in a case where such information is necessary for the determination of personal or property rights and then only for such purpose or upon a specific request therefor by the person if of age or by a parent or other lawful representative of the person to whom the record information or certificate relates When a person of illegitimate birth is living under or using a name different from his or her name originally recorded the department upon satisfactory proof that the facts on the original record apply to such person may issue a certificate substituting the name being used for the name contained in the original record

(3) The department shall not permit inspection of the records or issue a certified copy of a certificate or part thereof unless it is satisfied that the applicant therefor has a direct interest in the matter recorded and that the information therein contained is necessary for the determination of personal or property rights. Its decision shall be subject however to review by a court under the limitations of this section

(4) The department may permit the use of data contained in vital statistical records for research purposes only but no identifying use thereof shall be made

(5) Subject to the provisions of this section the department may direct local registrars to make a return upon the filing of birth death and stillbirth certificates with them of certain data shown thereon to Federal State or municipal agencies Payment by such agencies for such services may be made to local registrars as the department shall direct

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Edmonds,	Leader,	Tallman,
Berger,	Farrell,	Letzler,	Taylor,
Blass,	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	Margie,	Troutman,
Carr,	Haluska,	McCreesh,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Walker,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 281, on third reading, entitled:

An Act to amend section two thousand twenty-two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" authorizing township commissioners to record cer-

tificates denying responsibility for certain roads streets lanes alleys or drainage facilities in connection therewith

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 293, as follows:

An Act to amend section one of the act approved the seventeenth day of May one thousand nine hundred twenty-nine (P. L. 1798 Number 591) entitled "An act providing a fixed charge payable by the Commonwealth on lands acquired by the State and the Federal Government for forest reserves or for the purpose of preserving and perpetuating a portion of the original forests of Pennsylvania and preserving and maintaining the same as public places and parks and the distribution of the same for county school township and road purposes in the counties school districts and townships where such forests are located and making an appropriation" increasing the amount which the counties will receive from the State for forest reserves

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the seventeenth day of May one thousand nine hundred twenty-nine (P. L. 1798) Number 591) entitled "An act providing a fixed charge payable by the Commonwealth on lands acquired by the State and the Federal Government for forest reserves or for the purpose of preserving and perpetuating a portion of the original forests of Pennsylvania and preserving and maintaining the same as public places and parks and the distribution of the same for county school township and road purposes in the counties school districts and townships where such forests are located and making an appropriation" is hereby amended to read as follows

Section 1 Be it enacted &c That from and after the passage of this act all lands heretofore or hereafter acquired by the Commonwealth or by the Government of the United States for forest reserves or for the purpose of preserving and perpetuating any portion of the original forests of Pennsylvania and preserving and maintaining the same as public places and parks and which by existing laws are now exempt from taxation and all lands and property heretofore or hereafter acquired for the purpose of conservation of water or to prevent flood conditions upon which a tax is imposed by existing laws payable by the Commonwealth shall hereafter be subject to an annual charge of [one cent] two cents per acre for the benefit of the county in which said lands are located two cents per acre for the benefit of the schools in the respective school districts in which such lands are located and two cents per acre for the benefit of the roads in the township where such lands are located which charge shall be payable by the Commonwealth The annual charge payable by the Commonwealth on land acquired by the Government of the United States for forest reserves is to continue only until the receipts of money by treasurers and road supervisors of the said counties and school districts and townships in which national forest reserves are located provided for in act of April twenty-seventh one thousand nine hundred twenty-five P. L. 324 shall equal or exceed the amount paid by the Commonwealth in lieu of taxes

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally'

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Edmonds,	Leader,	Tallman,
Berger,	Farrell,	Letzler,	Taylor,
Blass,	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	Margie,	Troutman,
Carr,	Haluska,	McCreesh,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

BILLS ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 315, entitled:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drug' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" providing that persons who have served as registered assistant pharmacists for ten years or longer shall be qualified for examination as pharmacists

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. CARR. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection?

Mr. DiSILVESTRO. Mr. President, I desire to interrogate the gentleman from Butler, Senator Carr.

The PRESIDENT. Will the gentleman from Butler permit himself to be interrogated?

Mr. CARR. I will, Mr. President.

Mr. DiSILVESTRO. Mr. President, I rise not to object but at least to know what these amendments will do?

Mr. CARR. Mr. President, these amendments restore the bill to the same status it was in when it came from the House, removing the Kephart amendments.

Mr. DiSILVESTRO. Mr. President, this is a dangerous piece of legislation. I do not like to retard the machinery of this part of the Legislature, but I have received scores of telephone calls from druggists all over Philadelphia who object to this bill, either with amendment or without amendment, because they claim, and I also feel, that it opens the back door to lowering the standards of a profession which should be kept at a high level.

I have received requests, and the gentleman from Philadelphia, Senator Farrell, also has received requests, that there at least should be a public hearing on such a con-

troversial issue, and in consideration of the fact that on Wednesday evening, April 4, there will be a hearing regarding optometrists and doctors, on which measures not as many opposing voices have been heard, I feel that these eleven hundred druggists who have been polled in Philadelphia by the Pennsylvania Pharmaceutical Assaciation and the American Pharmaceutical Association, composed of outstanding pharmacists of America who are opposed to this, should at least be heard, and that the proponents of this measure also be heard, and then we could withdraw to our committee meeting and decide what to do with the bill.

Mr. President, this is a very dangerous step, because a pharmacist, in order to be registered, must complete four years of college and a qualified assistant only qualify as an assistant on the basis that he was a student in a recognized college and then left school for some reason or other. Today we are faced with the proposition where men who have not completed college courses want to avoid the statutory act under which the right to become a registered pharmacist can only be acquired by putting in four years in college.

I just offer these comments for consideration, as I do not intend to battle it out with any members of the Senate, but I feel it is no more than fair that on a controversial issue such as this at least both sides should be in a position to explain the stand they take.

The PRESIDENT. Does the gentleman from Philadelphia, Senator DiSilvestro, object to consideration of the amendments at this time?

Mr. DiSILVESTRO. I just wanted to make an explanation, Mr. President; I do not want to object to the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, fifth from last line of title, by striking out the dark face bracket before the word "discontinuing"; Amend title, page 1, fourth from last line of title, by striking out the dark face bracket after the word "and"; Amend Sec. 1, page 2, line 1, by striking out the dark face bracket before the word "Section";

Amend Sec. 1 (Sec. 1), page 2, line 26, by striking out the dark face bracket after the word "accordance"; Amend Sec. 1 (Sec. 1), page 3, line 1, by striking out the dark face bracket before the word "with"; Amend Sec. 1 (Sec. 3), page 3, line 27, by striking out the dark face bracket after the word "therein"; Amend Sec. 1, page 3, line 28, by striking out the dark face brackets before and after the figure "2," and striking out the figure "1"; Amend Sec. 1, page 3, line 28, by striking out the dark face brackets before and after the word "said"; Amend Sec. 1 (Sec. 4), page 5, line 26, by inserting a light face bracket before the word "Every"; Amend Sec. 1 (Sec. 4), page 6, line 10, by inserting a light face bracket after the word "year"; Amend Sec. 3, page 6, line 11, by striking out the dark face bracket before the word "Section"; Amend Sec. 3 (Sec. 5), page 6, line 28, by striking out the dark face bracket after the word "passed"; Amend Sec. 3 (Sec. 5), page 7, line 1, by striking out the dark face bracket before the word "[Each"; Amend Sec. 3 (Sec. 5), page 7, line 28, by striking out the dark face bracket after the word "fee"; Amend Sec. 3 (Sec. 8), page 8, line 1, by striking out the dark face bracket before the word "Section"; Amend Sec. 3 (Sec. 8), page 8, line 11, by striking out the dark face bracket after the word "prosecution."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing on final passage.

Agreeable to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 342, as follows:

An Act to amend section two hundred thirty-two of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" requiring each register of wills to give a joint and several bond approved by the judges of the orphans' court and by the Governor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred thirty-two of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended to read as follows

Section 232 Bond of Register of Wills The register of wills shall [give a bond in the sum equal to half the sum prescribed by this act for the official bond of the sheriff with condition faithfully to execute the duties of his said office and well and truly to account for and pay according to law all moneys received bv him in his official capacity and to deliver up the books seals records and other writing belonging to said office whole safe and undefaced to his successor in office Such bond shall be for the use of all persons concerned and for the relief of all who may be aggrieved by the acts or neglect of such register Such bond shall be acknowledged by the register before a judge of the orphans' court] with one or more sureties to be approved by the judge or judges if there be more than one of the orphans' court of the county for which the register shall be elected or appointed and also by the Governor give a joint and several bond to the Commonwealth in a sum equal to half the sum prescribed by law for the official bond of the sheriff for the time being of the same county with condition faithfully to execute the duties of his said office and well and truly to account for and pay according to law all moneys received by him for the use of the Commonwealth and to deliver up the books seals records and other writings belonging to his said office whole safe and undefaced to his successor in office which said bond shall be for the use of all persons concerned and for the relief of all who may be aggrieved by the acts or neglect of such register

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Edmonds,	Leader,	Tallman,
Berger,	Farrell,	Letzler,	Taylor,
Blass,	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	Margie,	Troutman,
Carr,	Haluska,	McCreesh,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,

Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 344, on third reading, entitled:

An Act to further amend section five hundred and forty of the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" further defining the duties of the secretary to the board of supervisors and providing for the preservation and turning over to the successor in office of township records and for the destruction of certain records

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 382, on third reading, entitled:

An Act to amend section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by authorizing such townships to regulate parking

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 414, on third reading, entitled:

An Act to provide protection in all cases secured or to be secured by individual surety or sureties in courts of record or proceedings therein by specifying the requirements of such suretyship and the qualifications of such surety

be recommitted to the Committee on Judiciary General, solely for the purpose of further study.

Mr. SNOWDEN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. BARR. Mr. President, I know anything I have to say is not going to save this bill—I am sure of that—but I have a few things I do want to tell the members of the Senate, as I think some of the Senators probably do not understand what we are trying to do by this bill.

First of all, most of the qualifications of surety provided in this bill are now a part of the routine proceedure in the Orphans' Courts in Allegheny and Philadelphia counties.

This bill does nothing more than make the personal bond a good bond.

It is particularly important at this time for the protection of Veterans and their dependents. In many instances where it is necessary that an administrator or a guardian be appointed, such administrator or guardian may desire to give personal surety. Under the terms of this bill, personal surety will be acceptable if the justification of surety indicates that the personal surety is thoroughly responsible.

This bill does not eliminate personal surety bonds or any other right heretofore enjoyed by the citizens of this State. It serves only as a safeguard to protect the interests of minors, incompetents and other beneficiaries in Court Proceedings. It provides that persons acting as Personal Surety in certain cases give an explanation of their financial ability to justify their acceptance as Surety.

The purpose of this bill is to guarantee in so far as possible, to the unfortunate minor, incompetent, or other beneficiaries in a proceeding where Personal Surety Bond is filed, that no loss will be suffered in the event the guardian or other fiduciary either knowingly or otherwise, violates the duties imposed on him by law.

Mr. President, I see no reason why this bill should have to be recommitted to the Committee on Judiciary General for further study and I ask that the members of the Senate vote on the bill; if they want to kill the bill, let it be killed on the floor and not killed in committee. This is a lot of dipsy-doodling, sending this bill back to committee.

Mr. WALKER. Mr. President, the gentleman from Allegheny, Senator Barr, and I always see eye to eye on things, and once more we are going down to defeat together. I am voting "no" on this motion to recommit Senate Bill No. 414. I might say to my co-sponsor, of whom I am very fond, that I am afraid we are just a little too advanced in some of our legislative thought and perhaps in 1947 or 1949 we might be able to convince the then Senate to adopt this bill.

And the question recurring,

Will the Senate agree to the motion?

Mr. BARR. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. BARR ond were as follows, viz:

YEAS—27

Becker,	Ealy,	Mallery,	Troutman,
Berger,	Edmonds,	Scarlett,	Tyler,
Blass,	Farrell,	Snowden,	Wade,
Bowers,	Geltz,	Stevenson,	Wagner,
Carr,	Heyburn	Tallman,	Wilson,
Chapman,	Homsher	Taylor,	Woodward,
Crider,	Letzler,	Thomas,	

NAYS—21

Barr,	Gourley,	Klein,	Rosenfeld,
Coleman,	Haluska,	Leader,	Ruth,
Cox,	Holland,	Margie,	Stiefel,
Crowe,	Jaspan	McCreesh,	Walker,
Dent,	Kephart,	McGinnis,	Woodring,
DiSilvestro,			

So the question was determined in the affirmative.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 420, as follows:

An Act to amend the act approved the twelfth day of May one thousand nine hundred forty-three (P. L. 259) entitled "An act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employes Retirement System and in certain other cases into the State Employes' Retirement Fund for certain purposes" by providing for allocation and distribution of such moneys and further prescribing their use

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twelfth day of May one thousand nine hundred forty-three (P. L. 259) entitled "An act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employes' Retirement System and in certain other cases into the State Employes' Retirement Fund for certain purposes" is hereby amended to read as follows

Section 1 As used in this act the term Municipality means a city borough town or township

Participating Municipality means a municipality in which provision is made through a Municipal Employes' Retirement Fund a Police Pension or Retirement Fund or a Pension Annuity Contract for the payment of pension retirement or disability benefits to the policemen employed by such municipality or to the dependents of such policemen

Municipal Employes' Retirement Fund means any pension or retirement fund established by a municipality to provide pension retirement or disability benefits to the policemen employed by such municipality or to dependents of such policemen including components of the retirement system provided for by the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 886) and amendments thereto

Police Pension Fund means any pension or retirement fund established in any municipality and duly approved and recognized as such by the council commissioners or supervisors as the case may be of the municipality to provide pension retirement or disability benefits to the policemen employed by such municipality or to the dependents of such policemen

Pension Annuity Contract means any contract made by a municipality or any Municipal Employes' Retirement Fund or Police Pension Fund of a municipality with an insurance or other authorized company to provide pension retirement or disability benefits to the policemen employed by such municipality or to the dependents of such policemen

Number of Policemen whether of a participating municipality or of the Pennsylvania State Police means the average number of policemen employed by any such municipality or in the Pennsylvania State Police as the case may be during the year preceding the receipt of the tax by the Commonwealth

Policeman means a full time paid policeman or policewoman

On and after the first day of January one thousand nine hundred and forty-four and annually thereafter there shall be paid by the State Treasurer to the treasurers of the several [cities townships towns and boroughs] municipalities within the Commonwealth and to the State Employes' Retirement Fund for State police pension and retirement purposes one-half of the net amount received from the two per centum tax paid upon premiums by foreign casualty insurance companies [The amount to be paid to each of the treasurer of the several cities townships towns and boroughs shall be based upon the return of said two per centum tax upon premiums received from foreign casualty insurance companies doing business within the said cities townships towns and boroughs as shown by the report made to the Department of Revenue Each city borough town or township receiving any payment from the State Treasurer hereunder shall forthwith pay the amount received into the police pension fund of such city borough town or township where such police pension fund exists or is hereafter established if the said police pension fund is duly recognized as such by the council commissioners or supervisors as the case may be of such city borough town or township In any city borough town or township where the police elect to joint the Municipal Employes' Retirement System created or hereafter created by law the amount received by the treasurer of the city borough town or township as hereinbefore provided shall be paid into the Municipal Employes' Retirement Fund and shall be credited to the municipal account of said fund for the benefit of the police of said city borough town or township who are members of said Municipal Employes' Retirement System In any city borough town or township in which there is no police pension fund or in which city borough town or township the police have not elected to join any such Municipal Employes' Retirement System the amount received by the treasurer of the city borough town or township from said tax shall be forthwith paid into the State Employes' Retirement Fund and shall be credited to the accumulated deductions of members of the Pennsylvania State Police in proportion to the respective amounts contributed by such members during the period said tax was collected] The amounts to be distributed shall be allocated in accordance with the following formulae

Formula 1 Divide the total amount of said tax available for distribution by the population of the Commonwealth as shown by the last preceding decennial census of the United States to determine a quotient Multiply this quotient by the population of each participating municipality to determine the amount payable to the treasurer of such municipality under Formula 1

Formula 2 Add the amounts payable to the treasurers of the participating municipalities under Formula 1 and divide the total by the number of policemen in all the said municipalities to determine a quotient Multiply this quotient by the number of Pennsylvania State Police to determine the amount payable to the State Employes' Retirement Fund under Formula 2

Formula 3 Divide the balance of the tax available for distribution not allocated under Formulae 1 and 2 by the total number of policemen of the participating municipalities and the Pennsylvania State Police to determine a quotient Multiply this quotient by the number of policemen of each participating municipality to determine the amount payable to the treasurer of such municipality under Formula 3 Multiply this same quotient by the number of State Police to determine the amount payable to the State Employes' Retirement Fund under Formula 3

The following formulae illustrate the application of the foregoing methods of calculation wherein

"a" shall mean the total amount of tax for allocation
"b" shall mean the population of the Commonwealth
"c" shall mean the population of any municipality
"d" shall mean an amount payable to any municipal treasurer under Formula 1

"d1" shall mean total of amounts payable to all municipal treasurers under Formula 1
"e" shall mean number of policemen in all participating municipalities
"f" shall mean number of State police
"g" shall mean an amount payable to the State Retirement Fund under Formula 2
"h" shall mean number of policemen in any participating municipality
"i" shall mean an amount payable to any municipal treasurer under Formula 3
"i1" shall mean total of accounts payable to all municipal treasurers under Formula 3
"k" shall mean an amount payable to the State Retirement Fund under Formula 3

1. $\frac{a}{b} \times c = d$

$$2.\ \frac{\frac{d1}{e}}{} \times f = g$$

$$3.\ \frac{a - (d1 + g)}{e + f} \times h = i$$

$$\frac{a - (d1 + g)}{e + f} \times f = k$$

To prove d1 + g + i1 + k = a

All moneys paid to the treasurer of any municipality shall be forthwith paid or credited to the pension or retirement fund or the premium on the pension annuity contract as the case may be to provide pension retirement or disability benefits for the policemen of such municipality or the dependents of such policemen All moneys paid into the State Employes' Retirement Fund shall be credited in equal proportions to the accumulated deductions of the members of the State Police who are contributing members to such fund

The first allocation made under the provisions of this act shall include all moneys accumulated from the said one-half of the tax paid on premiums by foreign casualty insurance companies since the passage of the act to which this is an amendment

Warrants for the above purposes shall be drawn by the Auditor General payable to the treasurers of the several [cities townships towns and boroughs] participating municipalities and to the State Employes' Retirement Fund in accordance with this act [whenever there are sufficient funds in the State Treasury to pay the same]

Section 2 This act shall become effective immediately upon final enactment

Mr. WOODWARD. Mr. President, at first glance I was very much opposed to this bill—and I think I am yet. I have tried to read it and I can not understand it. It is a case of not seeing the forest on account of trees.

For years I did what I could to oppose the firemen's relief fund, which I considered a raid upon the treasury. They raided the two per cent premium on fire insurance companies and have for many years for their benefit. They spent it in any way they liked and sometimes it is not used at all.

This may be somewhat different, but it struck me that the policemen had learned from the firemen that there is another fund of a two per cent tax on premiums of casualty company insurance that they can raid—that makes number two—and there is still quite a field in insurance premiums open to anybody who wants to raid the treasury.

Therefore I am explaining why I am voting "no."

Also I would like to say that anybody who tries to read this bill will certainly get a headache and I would like to read one paragraph at the bottom of page 5:

"Formula 3 Divide the balance of the tax available for distribution not allocated under Formulae 1 and 2 by the total number of policemen of the participating municipalities and the Pennsylvania State Police to determine a quotient Multiply this quotient by the number of policemen of each participating municipality to determine the amount payable to the treasurer of such municipality under Formula 3 Multiply this same quotient."—

I am simply explaining my vote "no," because I do understand this bill.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Kephart,	Stevenson,
Becker,	Ealy,	Klein,	Stiefel,
Berger,	Edmonds,	Leader,	Tallman,
Blass,	Farrell,	Letzler,	Taylor,
Bowers,	Geltz,	Mallery,	Thomas,
Carr,	Gourley,	Margie,	Troutman,
Chapman,	Haluska,	McCreesh,	Tyler,
Coleman,	Heyburn,	McGinnis,	Wade,
Cox,	Holland,	Rosenfeld,	Wagner,
Crider,	Homsher,	Ruth,	Walker,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Jones,	Snowden,	Woodring,

NAYS—1

Woodward,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 425 on third reading, entitled:

An Act authorizing individual co-fiduciaries in certain cases to consent to holding of investments in the name of their corporate co-fiduciaries' nominee and validating such consents heretofore given

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 457, as follows:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitl l "An act to consolidate amend and revise the penal laws of the Commonwealth" further revising and changing the penal laws of the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 103 201 203 204 205 206 309 315 401 416 503 504 and 510 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" are hereby amended to read as follows

Section 103 Definitions In this act and in any indictment for any offense provided against in this act the following words and terms shall be construed as defined in this section except where a different intent is plainly declared in the provision to be construed or is plainly apparent from the context thereof

"Assignation" the making of an appointment or engagement for prostitution or any act in the furtherance of such appointment or engagement

"Bucket-shop" a place where contracts agreements trades or transactions respecting the sale or purchase of stocks bonds securities grains provisions or other com-

modities are made or offered to be made to be closed adjusted or settled upon the basis of public market quotations on a board of trade or exchange but without a bona fide transaction on such board of trade or exchange

"Carnal knowledge" shall be deemed complete upon proof of penetration only

"Day-time" the period of time between sunrise and sunset

"Escape" the act of a prisoner in gaining his liberty before he is delivered in due course of law

"Faith" as describing a religious institution the religious belief or connections according to the following classifications Jewish Catholic Protestant

"Imprisonment by separate or solitary confinement at labor" if more than one year imprisonment in a state penitentiary or other institution of this State or in any county or municipal prison now or hereafter authorized by law to receive convicts sentenced to undergo imprisonment in a state penitentiary if less than one year imprisonment in a county jail

"Imprisonment" or "Simple imprisonment" imprisonment in a county jail

"Machine Gun" any firearm that fires two or more shots consecutively at a single function of the trigger or firing device

"Magistrate" includes justice of the peace alderman and magistrates and any other officer having by law the powers of a committing magistrate

"Night-time" the period of time between sunset and sunrise

"Offense" any act or omission punishable on indictment or information or on summary conviction

"Person" and "whoever" includes an individual copartnership association and corporation

"Prostitution" the offering or using of the body for sexual intercourse for hire

Section 201 Treason Whoever owing allegiance to the Commonwealth of Pennsylvania levies war against the same or adheres to the enemies thereof giving them aid and comfort within the State or elsewhere is guilty of treason against the Commonwealth of Pennsylvania a felony and upon conviction thereof on confession in open court or on the testimony of two witnesses to the same overt act of the treason whereof he stands indicted shall be sentenced to pay a fine not exceeding ten thousand dollars ($10,000) or undergo imprisonment for a term of years [not exceeding the life of offender] or both

Section 203 Levying War and Assisting Enemies of the State or the United States Whoever owing allegiance to or residing within this State and under the protection of its laws takes a commission from any person or state being an enemy of this State or of the United States of America or aids or assists any enemy in open war against this State or the United States by joining its armies or by enlisting or procuring or persuading others to enlist for that purpose or by furnishing such enemy with arms or ammunition or any other articles for its aid and comfort or by carrying on a traitorous correspondence with it or whoever forms or is in anywise concerned in forming any combination or plot or conspiracy for betraying this State or the United States of America into the hands or power of any foreign enemy or any organized or pretended government engaged in resisting the laws of the United States or gives or sends any intelligence to the enemies of this State or of the United States of America or with intent to oppose prevent or subvert the government of this State or of the United States endeavors to persuade any person from entering the service of this State or of the United States or from joining any volunteer company or association of this State about being mustered into service or uses any threats or persuasions or offers any bribe or holds out any hope of reward with like intent to induce any person to abandon said service or withdraw from any volunteer company or assoiation already organized under the laws of this Commonwealth for that purpose is guilty of a felony and on conviction thereof shall be sentenced to undergo imprisonment by separate [and] or solitary confinement at labor for a term not exceeding ten (10) years or to pay a fine not exceeding five thousand dollars ($5,000) or both

This section does not prohibit any citizen from taking or receiving civil commissions for the acknowledgment of deeds and other instruments of writing

Section 204 Privateering Against United States Whoever within this Commonwealth sells builds furnishes constructs alters or fits out or aids or assists in selling building constructing altering or fitting out any vessel or ship for the purpose of making war or privateering or other purpose to be used in service to make war on the United States of America or to resist by force or otherwise the execution of the laws of the United States is guilty of a felony and on conviction thereof shall be sentenced to undergo imprisonment by separate [and] or solitary confinement at labor not exceeding ten (10) years or to pay a fine not exceeding five thousand dollars ($5,000) or both

Section 205 Serving on Enemy Vessels Conveying Contraband Whoever being a pilot captain or other officer or person knowingly serves in any capacity on board of any vessel ship or boat having on board any goods provisions or merchandise whatever contraband of war designed for conveyance to or delivery at any port or place within any seceded state or within any state or country with which the United States is at war with knowledge of such unlawful traffic and with intent to give aid or comfort to the enemy is guilty of a felony and on conviction thereof shall be sentenced to pay a fine not exceeding five thousand dollars ($5,000) or undergo imprisonment by separate or solitary confinement at labor not exceeding ten (10) years or both

Section 206 Enlisting Men to Serve As Volunteers For any Other State Whoever within this State recruits or enlists or attempts or offers to recruit or enlist any person to serve as a volunteer of any other state or in any way procures or attempts to procure any person to leave this State for the purpose of enlisting in the volunteers of any other state is guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) or [be imprisoned] undergo imprisonment by separate or solitary confinement at labor for a term not exceeding twelve (12) months or both

All fines imposed under this section shall be paid to the person who shall have prosecuted the party offending to conviction

Section 309 Prison Breach Whoever being charged with an indictable offense breaks prison or escapes or shall break prison although no escape is actually made is guilty of prison breach a misdemeanor and on conviction thereof shall be sentenced to undergo imprisonment by separate [and] or solitary confinement at labor not exceeding two (2) years if the charge on which such person stood committed was an offense punishable on conviction by imprisonment by separate [and] or solitary confinement at labor or to imprisonment not exceeding one (1) year if such charge was an offense punishable on conviction by simple imprisonment without labor

Whoever being imprisoned after conviction of an offense other than murder in the first degree or where the sentence is imprisonment for life whether indictable or not breaks prison or escapes or shall break prison although no escape is actually made by him is guilty of prison breach a misdemeanor and upon conviction thereof shall be sentenced to undergo imprisonment to commence from the expiration of his original sentence of the like nature and for a period of time not exceeding the original sentence by virtue of which he was imprisoned

The judges of the courts of oyer and terminer quarter sessions and general jail delivery may sentence any prisoner who may be convicted of prison breach to the penitentiary for said offense and add to said sentence for prison breach a further sentence to the said penitentiary for the remainder of the term which said prisoner was serving at the time of his escape or attempt to escape and said sentence shall release the prisoner from

serving the remainder of the term he was serving at the time of his escape or attempt to escape

Section 315 Aiding Prison Breach Whoever aids or assists a prisoner lawfully committed or detained in any prison for any offense to make or attempt to make his escape therefrom although no escape is actually made or conveys or causes to be delivered to such prisoner any disguise instrument or arms proper to facilitate the escape of such prisoner although no escape or attempt to escape is actually made is guilty of a misdemeanor and on conviction shall be sentenced to imprisonment by separate [and] of solitary confinement at labor or by [simple] imprisonment not exceeding two (2) years or to pay a fine not exceeding one thousand dollars ($1,000) or both

Section 401 Riots Routs Assemblies and Affrays Whoever participates in any riot rout unlawfully assembly or affray is guilty of a misdemeanor and upon conviction thereof shall be sentenced to undergo imprisonment [not exceeding three (3) years which imprisonment may be] at separate or solitary confinement at labor not exceeding three (3) years or to pay a fine not exceeding one thousand dollars ($1,000) or both

Section 416 Carrying Deadly Weapons Whoever carries any firearm slingshot handy-billy dirk-knife razor or any other deadly weapon concealed upon his person with the intent therewith unlawfully and maliciously to do injury to any other person is guilty of a misdemeanor and upon the conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) or undergo [and] imprisonment by separate or solitary confinement at labor not exceeding one (1) year or both

The jury trying the case may infer such intent from the fact the defendant carried such weapon

Section 503 Bigamy Whoever having entered into a contract of marriage with another person whether the marriage is valid in law or not which marriage has not been dissolved by death divorce or annulment goes through any form of marriage recognized as binding under the laws of this Commonwealth with any other person whether the parties thereto cohabit thereafter as man and wife or not is guilty of bigamy a misdemeanor and on conviction shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) or to undergo imprisonment by separate [and] or solitary confinement at labor not exceeding two (2) years or both

In all such cases where the first marriage shall be valid in law the second and all subsequent marriages shall be bigamous and void

But if any husband or wife upon any false rumor in appearance well-founded of the death of the other (when such other person has been absent for two whole years) hath married or shall marry again he or she shall not be liable to the penalties for bigamy

Section 504 Single Person Marrying Spouse of Another Whoever being unmarried knowingly marries or goes through any form of marriage recognized as binding under the laws of this Commonwealth with the spouse of any person whether the parties to such marriage cohabit thereafter as man and wife or not is guilty of a misdemeanor and on conviction shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) or undergo imprisonment by separate [and] or solitary confinement at labor not exceeding two (2) years or both

Section 510 Seduction of Female under Twenty-one Whoever seduces any female of good repute under twenty-one years of age with illicit connection under promise of marriage is guilty of a seduction a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) or to under-imprisonment either at labor by separate or solitary confinement at labor or imprisonment [without labor] not exceeding three (3) years or both

The promise of marriage shall not be deemed established unless the testimony of the female seduced is corroborated by other evidence either circumstantial or positive

Section 2 Section 602 if said act as amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 306) is hereby further amended to read as follows

Section 602 Traffic in Lottery Tickets Whoever sells or exposes to sale or causes to be sold or exposed to sale or barters or exchanges or causes or offers to be bartered or exchanged or advertises or causes to be advertised for sale barter or exchange or has in his possession with intent to sell or barter any lottery or numbers ticket or share or part thereof or any lottery or numbers policy or any writing certificate bill token or other device purporting or intending to entitle or represent as entitling the holder or bearer or any other person to any prize to be drawn in any lottery or any part of such prize or any interest therein or in any newspaper magazine or periodical owned or controlled by him publishes or causes to be published any advertisement of any lottery or numbers ticket share policy writing certificate bill token or device or of any lottery drawing or lottery scheme or any prospectus scheme or other advertisement of any person conducting managing or controlling any lottery or acting as agent therefor is guilty of a misdemeanor and on conviction shall be sentenced to imprisonment by separate [and] or solitary confinement at labor not exceeding one (1) year or to pay a fine not exceeding five hundred dollars ($500) or both

The purchaser of such ticket policy or device shall not be liable to any prosecution or penalty by virtue of this or any other law of the Commonwealth and shall in all respects be a competent witness to prove the offense

Section 3 Section 617 of said act is hereby amended to read as follows

Section 617 Tramps Whoever goes about from place to place begging asking or subsisting upon charity and for the purpose of acquiring money or a living and who has no fixed place of residence or lawful occupation in the county or city in which he is arrested shall be deemed to be a tramp and guilty of a misdemeanor and on conviction shall be sentenced to undergo imprisonment by separate [and] or solitary confinement at labor for not more than one (1) year or to pay a fine not exceeding five hundred dollars ($500) or both

This section does not apply to any female or minor under the age of sixteen years nor to any blind deaf or dumb person nor to any maimed or crippled person who is unable to perform manual labor

Section 4 Section 643 of said act is hereby repealed

Section 5 Sections 656 682 701 706 709 717 720 723 724 and 725 of said act are hereby amended to read as follows

Section 656 Airport Obstructions Whoever hereafter erects and maintains any smoke stack flag pole elevated tank lights radio station tower building or other structure or obstruction to the operation of aircraft of a height in excess of thirty-five (35) feet above the level of the landing field within five hundred (500) feet of the exterior boundaries of any airport landing field or intermediate landing field licensed by this Commonwealth is guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one hundred dollars ($100) and costs of prosecution or undergo imprisonment for not more than one (1) year or both

Each day's continuation of a violation of the provisions of this act shall be deemed a separate and distinct offense

Section 682 Prohibited Acts by Public Officers Whoever being a councilman burgess trustee or manager [or director] of any corporation municipality or public institution and at the same time the treasurer secretary or other officer subordinate to the president and directors of the corporation or governing body of the municipality or public institution and receive a salary therefrom or at the same time the surety of any such officer or whoever being a member of any corporation municipality or public institution or any officer or agent thereof is in anywise directly or indirectly interested in any contract for the sale or furnishing of any supplies or materials to be furnished to or for the use of such corporation municipality or public institution of which he is a member or officer or for which he is an agent or receives any

reward or gratuity from any person interested in such contract or sale is guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) or undergo imprisonment not exceeding one (1) year or both and forfeit his office in such corporation municipality or institution

Nothing contained in this section shall prevent a [president or vice-president of any banking institution from being a director of such bank or of receiving a salary as president or vice-president] director of any private corporation from serving as an officer of such corporation or from receiving a salary as such officer and as a director

Section 701 Murder of the First and Second Degree All murder which shall be perpetrated by means of poison or by lying in wait or by any other kind of willful deliberate and premeditated killing or which shall be committed in the perpetration of or attempting to perpetrate any arson rape robbery burglary or kidnapping shall be murder in the first degree All other kinds of murder shall be murder in the second degree The jury before whom any person indicted for murder shall be tried shall if they find such person guilty thereof ascertain in their verdict whether the person is guilty of murder of the first or second degree If such person is convicted by confession the court shall proceed by examination of witnesses to determine the degree of the crime and to give sentence accordingly

Whoever is convicted of the crime of murder of the first degree is guilty of a felony and shall be sentenced to suffer death in the manner provided by law or to undergo imprisonment for life at the discretion of the jury trying the case which shall fix the penalty by its verdict The court shall impose the sentence so fixed as in other cases In cases of pleas of guilty the court where it determines the crime to be murder of the first degree shall at its discretion impose sentence of death or imprisonment for life The clerk of the court wherein such conviction takes place shall within ten (10) days after such sentence of death transmit a full and complete record of the trial and conviction to the Governor

Whoever is convicted of the crime of murder of the second degree is guilty of a felony and shall for the first offense be sentenced to undergo imprisonment by separate or solitary confinement at labor not exceeding twenty (20) years or fined not exceeding ten thousand dollars ($10,000) or both and for the second offense shall undergo imprisonment by separate or solitary confinement at labor for the period of his natural life

Section 706 Robbery of Bank Vaults Whoever by fraud force threats or menace or by seizing gagging or tying compels or attempts to compel another to surrender the key or other appliance or to divulge the combination secret or other means used to open any bank vault safe or other depository of money securities or property or administers or attempts to administer to another any stupefying or over-powering drug matter or thing for the purpose of enabling such offender to obtain such key or other appliance with intent to steal any such money securities or property is guilty of a felony and upon conviction thereof shall be sentenced to pay a fine not exceeding ten thousand dollars ($10,000) or to undergo imprisonment by separate or solitary confinement at hard labor not exceeding twenty (20) years or both

Section 709 Aggravated Assault and Battery Whoever unlawfully and maliciously inflicts upon another person either with or without any weapon or instrument any grievous bodily harm or unlawfully cuts stabs or wounds any other person is guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding two thousand dollars ($2,000) or undergo imprisonment either at labor by separate or solitary confinement at labor or to [simple] imprisonment not exceeding three (3) years or both

Section 717 Administering Drugs Whoever unlawfully and wilfully administers to another any stupefying and over-powering drug narcotic or anaesthetic agent by placing dropping or pouring the same or causing the same to be placed dropped or poured into or upon any food or drink intended or prepared for the use of any other person or into or upon any dish glass or vessel into which any such food or drink is intended to be placed or poured or knowing the said drug narcotic or anaesthetic agent to have been placed dropped or poured into or upon any such food or drink or into or upon any such dish glass or vessel causes or allows or permits another to eat or drink the same with intent thereby to enable such offender or any other person to commit or with the intent to assist such offender or other person in committing any felony is guilty of a felony and upon conviction thereof shall be sentenced to pay a fine not exceeding two thousand dollars ($2,000) or undergo imprisonment by separate or solitary confinement at [hard] labor not exceeding five (5) years or both

Section 720 Concealing Death of Bastard Child Whoever being a woman endeavors privately either by herself or the procurement of others to conceal the death of her bastard child so that it may not come to light whether it was born dead or alive or whether it was murdered or not is guilty of a misdemeanor and upon conviction thereof shall undergo imprisonment by separate [and] or solitary confinement at labor not exceeding one (1) year or fined not exceeding five hundred dollars ($500) or both

If the grand jury in the same indictment charges any woman with murder of her bastard child as well as with the offense of the concealment of the death the jury may acquit or convict her of both offenses or find her guilty of one and acquit her of the other

Section 723 Kidnapping for Extortion Whoever takes or carries away or decoys or entices away or secretes any person with intent to extort money or any other valuable thing for the restoration or return of such person is guilty of a felony and upon conviction thereof shall be sentenced to undergo imprisonment by separate [and] or solitary confinement at labor for the term of his or her natural life or for any term of years or to pay a fine not exceeding ten thousand dollars ($10,000) [and undergo imprisonment for any term of years] or both

Section 724 Aiding and Abetting Kidnappers Whoever aids assists or abets in the taking or carrying away or in the decoying or enticing away or secreting of any person with intent to extort money or any other valuable thing for the restoration or return of such person is guilty of felony and upon conviction thereof shall be sentenced to pay a fine not exceeding ten thousand dollars ($10,000) or undergo imprisonment by separate [and] or solitary confinement at labor for a period not exceeding twenty-five (25) years or both

Section 725 Kidnapping Child from Persons Having Custody Whoever not being a parent of such child maliciously either by force or fraud leads takes or carries away or decoys or entices away any child under the age of ten (10) years from its parent or parents or any other person having the lawful charge or care of such child or the possession of such child with intent to conceal or detain such child or with intent to steal any article of apparel or ornament or other thing of value or use upon or about the person of such child or knowingly conceals harbors or detains or assists in concealing harboring or detaining such child either within or without this Commonwealth is guilty of a felony and upon conviction thereof shall be sentenced to pay a fine not exceeding five thousand dollars ($5,000) or to undergo an imprisonment by separate or solitary confinement at labor not exceeding fifteen (15) years or both

Whoever being one of the parents or the reputed parent of a legitimate or illegitimate child under the age of ten (10) years either by force or fraud leads takes or carries away or decoys or entices away such child from the lawful custody of its other parent or any other person having the lawful charge or care of such child or the possession of such child with intent to conceal or detain such child or with intent to steal any article of apparel or ornament or other thing of value or use upon or about the person of such child or knowingly

conceals harbors or detains or assists in concealing harboring or detaining such child either within or without this Commonwealth is guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) or to undergo imprisonment not exceeding three (3) years or both

Section 6 Article six of said act is hereby amended by adding at the end thereof a new section to read as follows

Section 734 Desertion and Nonsupport Procedure on Petition In addition to the remedies and procedure provided for by section seven hundred thirty-three of this act the court of quarter sessions may proceed in desertion and nonsupport cases upon petition of any person or persons concerned or of anyone in their behalf presented to the court and setting forth the facts of said desertion or failure to support and shall render judgment and afford relief in such cases to the same and with the same force and effect as though the proceedings had been by information and warrant as provided for by section seven hundred thirty-three of this act

Upon presentation of such petition a judge of the court shall fix a time for hearing the petition and shall make an order to procure the attendance in court at the time so fixed of the person against whom the petition has been filed To that end the court may direct that notice by personal service of the time and nature of the hearing be given to the said person or may forthwith issue a warrant of arrest for the apprehension and detention of said person and require him to enter into a recognizance with surety in the amount so fixed by the judge conditioned for his appearance at the hearing

If at the time of hearing said person does not appear whether there be due proof of the service of notice as above provided or not the court may issue a warrant of arrest or other appropriate process to procure the presence of said person at an adjourned session of said court to which the hearing of the petition may be continued Provided that nothing in this act shall be construed to repeal any of the provisions of an act approved the twelfth day of July one thousand nine hundred and thirteen entitled "An act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" or the amendments thereto and the act approved the fifth day of May one thousand nine hundred and eleven entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" or the amendments thereto

Section 7 Sections 808 818 819 834 840 842 843 and 901 of said act are hereby amended to read as follows

Section 808 Larceny of Bank Bills Securities and Documents Whoever steals any bank bill note draft or check of or on any bank or any bill of exchange order warrant draft bill or promissory note for the payment of money or any certificate or security entitling or evidencing the title of any person or body corporate to any share portion or interest in any public debt or security or fund either of this Commonwealth or of the United States or of any of the States thereof or of any foreign state or to any interest in any stock fund or debt of any body corporate company or society or to any deposit in any saving bank or company being the property of another person or of any corporation association or society is guilty of larceny a felony and upon conviction thereof shall be sentenced to pay a fine not exceeding two thousand dollars ($2,000) or to undergo an imprisonment by separate or solitary confinement at labor not exceeding five (5) years or both

Whoever steals any letters patent charter testament will or deed whether indented or poll covenant assurance lease indenture contract letter of attorney or other power or instrument of writing respecting any property real or personal or any release acquittance voucher receipt receipt book letter book waste book day book journal ledger or other book of accounts belonging to another is guilty of larceny a felony and shall on conviction be sentenced to pay a fine not exceeding one thousand dollars ($1,000) or to undergo imprisonment by separate or solitary confinement at labor not exceeding five (5) years or both

Section 818 Bringing Stolen Property into State Whoever brings or aids or assists in bringing into this Commonwealth any goods chattels money or securities or any other matter or thing knowing or having reasonable cause to know the same to have been stolen or feloniously taken in any other state or country is guilty of a felony and on conviction thereof shall be sentenced to pay a fine not exceeding two thousand dollars ($2,000) or undergo imprisonment by separate [and] or solitary confinement at labor not exceeding five years or both

Section 819 Receiving Property Fraudulently Disposed of Whoever receives any money chattel or valuable security which shall have been so fraudulently disposed of as to render the party disposing thereof guilty of a misdemeanor knowing the same to have been fraudulently disposed of is guilty of a misdemeanor and shall on conviction thereof be sentenced to pay a fine not exceeding one thousand dollars ($1,000) or to undergo imprisonment by separate or solitary confinement at labor not exceeding one (1) year or both

Such person may be indicted and convicted thereof whether the party guilty of the principal misdemeanor shall or shall not have been previously convicted

Section 834 Fraudulent Conversion of Property Whoever having received or having possession in any capacity or by any means or manner of any money or property of any kind whatsoever of or belonging to any other person or which any other person is entitled to receive and fraudulently withholds converts or applies the same or any part thereof for the proceeds or any part of the proceeds derived from the sale or other disposition thereof to and for his own use and benefit or to and for the use and benefit of any other person is guilty of a [felony] misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding [five thousand dollars ($5,000)] three thousand dollars ($3,000) or to undergo imprisonment not exceeding [five (5)] two (2) years of both

The offense specified in this section may be joined in the same bill of indictment with any other felony or misdemeanor arising out of the same transaction and there may be included in the same indictment as many counts as there are separate and distinct misdemeanors hereunder committed against the same person

Section 840 False Statements Concerning Financial Institutions Whoever makes utters publishes writes circulates or transmits to another any statement or rumor untrue in fact in reference to the solvency or derogatory to the financial condition of any national or state bank bank and trust company trust company surety company guarantee company insurance company building and loan association or other financial institution in this Commonwealth or counsels aids procures or induces another to originate make utter publish write transmit or circulate to another any such statement or rumor is guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not more than two thousand dollars ($2,000) or to undergo imprisonment by separate or solitary confinement at [hard] labor for a term not exceeding three (3) years or both

The falsity of the statement or rumor shall be prima facie evidence of intent to violate the provisions of this section

Section 842 Fraudulent Accounts Whoever being an officer director superintendent manager receiver employe agent attorney broker or member of any body corporate or public company or municipal or quasi-municipal corporation receives or possesses himself of any money or other property of such corporate or public company municipal or quasi-municipal corporation otherwise than in payment to him of a just debt or demand and with intent to defraud omits or fails to cause or direct to be

made a full and true entry thereof in the books and accounts of such body corporate public company municipal or quasi-municipal corporation is guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) or undergo imprisonment by separate [and] or solitary confinement at labor not exceeding three (3) years or both

Section 843 False Statements by Corporate Agents Whoever being an officer director superintendent manager receiver employe agent attorney broker or member of any bank or other body corporate or public company municipal or quasi-municipal corporation makes circulates or publishes or concurs in making circulating or publishing any written or printed statement or account which he knows to be false in any particular with intent to deceive or defraud any member shareholder or creditor or such body corporate or public company municipal or quasi-municipal corporation or with intent to induce any person to become a shareholder or partner therein or to interest or advance any money or property to such body corporate or public company or to enter into any security for the benefit thereof is guilty of a misdemeanior and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) or undergo imprisonment by separate [and] or solitary confinement at labor not exceeding three (3) years or both

Section 901 Felonious Burglary Whoever [at any time] by night wilfully and maliciously breaks or enters any dwelling house or any other building wherein one or more persons reside with intent to kill rob steal rape or to commit any felony therein whether the felonious intent be executed or not is guilty of felonious burglary a felony and upon conviction thereof shall be sentenced to pay a fine not exceeding ten thousand dollars ($10,000) or to undergo imprisonment by separate or solitary confinement at labor not exceeding twenty (20) years or both

Section 8 Article nine of said act is hereby amended by adding between sections 901 and 902 thereof three new sections to read as follows

Section 901.1 Burglary Whoever by night wilfully and maliciously breaks or enters into the State Capitol or other public building belonging to the Commonwealth or to any city or county thereof or to any body corporate society or association or into any church meeting house or other buildings wherein no one resides shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to undergo imprisonment for not more than five (5) years or to pay a fine not exceeding one thousand dollars ($1,000) or both

Section 901.2 Felonious Breaking and Entering by Day or Entering Without Breaking Whoever in the daytime wilfully and maliciously breaks and enters any dwelling house or other building in which one or more persons reside with or without breaking with intent to commit a felony the person so offending is guilty of a felony and upon conviction thereof shall be sentenced to undergo imprisonment for not more than ten (10) years or to pay a fine not exceeding five thousand dollars ($5,000) or both

Section 901.3 Breaking and Entering by Day or Entering Without Breaking Whoever in the daytime breaks or enters any shop warehouse store mill barn garage outhouse or other building wherein no person resides with intent to commit a misdemeanor the person so offending is guilty of a misdemeanor and upon conviction thereof shall undergo imprisonment for not more than five (5) years or pay a fine not exceeding one thousand dollars ($1,000) or both

Section 9 Sections 903 and 904 of said act are hereby amended to read as follows

Section 903 [Burglary of] Breaking and Entering Railroad Cars Whoever at any time wilfully and maliciously enters any car caboose locomotive motor vehicle trailer boat aircraft or any other vehicle with intent to commit any felony therein is guilty of [burglary] a felony and upon conviction thereof shall be sentenced to pay a fiine not exceeding five thousand dollars ($5,000) or to undergo imprisonment by separate [and] or solitary confinement at labor not exceeding five (5) years or both

Section 904 Possession of Burglary Tools Whoever has in his possession any tool false-key lockpick bit nippers fuse force-screw punch drill jimmy or any material implement instrument or other mechanical device designed or commonly used for breaking into any vault safe railroad car boat vessel warehouse store shop office dwelling house or door shutter or window of a building of any kind with the intent to use such tools or instruments for any of the felonious purposes aforesaid is guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than one thousand dollars ($1,000) or undergo imprisonment by separate [and] or solidary confinement at labor for a period of not more than three (3) years or both

Section 10 Article nine of said act is hereby amended by adding between sections 906 and 907 thereof a new section to read as follows

Section 906.1 Attempt to Burn to Defraud Insurer Whoever wilfully with intent to injure or defraud the insurer attempts to set fire to or attempts to burn or attempts to cause to be burned or who aids counsel or procures the attempted burning of any goods wares merchandise or other chattels or personal property of any kind whether the property of himself or another which at the time is insured by any person or corporation against loss or damage by fire is guilty of a misdemeanor and upon conviction thereof shall be sentenced to imprisonment for not more than one (1) year or fined not exceeding one thousand dollars ($1,000) or both

The placing or distributing of any flammable explosive or combustible material or substance or any device in any goods wares merchandise or other chattels or personal property in an arrangement or preparation with intent to eventually wilfully and maliciously set fire to burn the same or to procure the setting fire to or burning of the same constitutes an attempt to burn such goods wares merchandise or other chattels or personal property

Section 11 Sections 911 919 920 922 953 955 958 959 1009 and 1014 of said act are hereby amended to read as follows

Section 911 Retention of Library Property after Notice To Return Whoever retains any book pamphlet magazine newspaper manuscript map or other property belonging in or to or on deposit with the State Library or any free public library which is established or maintained under any law of this Commonwealth or any public school library or the library of any university college or educational institution chartered by the Commonwealth or any branch reading room deposit station or agency operated in connection therewith for a period exceeding thirty (30) days after such library has given written notice to return the same shall upon conviction in summary proceedings be sentenced to pay a fine of not more than ten dollars ($10) to be paid over by the magistrate imposing such fine to the library instituting the prosecution and costs of prosecution Any person in default of payment of such fine and costs shall undergo imprisonment [in the count jail] for a period not exceeding ten (10) days

Such notice may be given by personal service upon the borrower or by the mailing of a registered letter to the borrower's address on file with said library The notice shall recite this act and shall contain a demand that the property be returned

Section 919 Malicious Injury to Railroad Murders if Death Is caused Whoever wilfully and maliciously puts places casts or throws upon or across any railroad any wood stone or other matter or thing or wilfully and maliciously takes up removes or displaces any rail sleeper or other matter or thing belonging to any such railroad or wilfully and maliciously turns moves or diverts any switch machinery or other appliance belonging to any such railroad or wilfully and maliciously makes or shows hides or removes any signal or light upon or near any such railroad or wilfully and maliciously casts throws or causes to fall or strike against into or upon any engine tender carriage car or truck upon any such railroad any wood stone or other matter or thing or wilfully and maliciously attempts to do or cause to be done any other matter or thing in any of the cases aforesaid to obstruct

upset derail overthrow injure or destroy any engine tender carriage car or track used on any such railroad or to endanger the safety of any person or employe traveling or working or being upon any such railroad is guilty of a felony and upon conviction thereof shall be sentenced to pay a fine not exceeding five thousand dollars ($5,000) or to undergo imprisonment by separate or solitary confinement at [hard] labor for a period not exceeding ten (10) years or both

In every case where the life of a human being is destroyed by or as a result of any of the acts herein prohibited the offender shall be deemed guilty of murder in the first degree

Section 920 Malicious Interference with Journal Boxes and Air Appliances of Railroad Whoever wilfully and maliciously takes or removes the waste brasses or packing from out any journal-box or boxes or the air appliances of any locomotive engine tender carriage coach car caboose or truck used or operated upon any railroad whether the same be operated by steam fuel oil electricity or other motive power is guilty of a felony and upon conviction thereof shall be sentenced to pay a fine not exceeding five thousand dollars ($5,000) or to undergo an imprisonment by separate [and] or solitary confinement at labor not exceeding ten (10) years or both

Section 922 Malicious Mischief to Canals Whoever wilfully and maliciously breaks throws down levels or destroys the whole or any part of any lock sluice floodgate bank waste-wier dam aqueduct culvert bridge feeder guard-wall towing-path or berm-bank belonging to any artificial navigation or stops up or obstructs any such feeder waste-wier aqueduct or culvert is guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) or undergo an imprisonment by separate or solitary confinement or by [simple] imprisonment [at labor] not exceeding three (3) years or both

Section 953 Malicious Mischief to Property of Livery Stable Keepers Whoever being a bailee for hire or loan of any property of any livery stable keeper wilfully or with gross negligence damages or destroys such property while the same is in the custody or possession of said bailee or bailees is guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding one hundred dollars ($100) or undergo imprisonment not exceeding three (3) months [in the county jail] or both

Section 955 Trespassing on Grounds of State Institutions The term "state institution" as used in this section includes all penal reformatory or correctional institutions hospitals for the insane or any institution for feebleminded or eplileptic persons for inebriates or for juvenile delinquents and dependents and all charitable institutions whatsoever within this Commonwealth maintained in whole or in part by the Commonwealth and whose boards of inspectors managers trustees or directors are respectively appointed by the Governor

Whoever wilfully trespasses upon the land or premises belonging to the Commonwealth and appurtenant to any state institution or whoever after notice from an officer of any state institution to leave said land refuses to do so shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of not more than ten dollars ($10) and costs and in default of the payment of such fine and costs shall be imprisoned [in the county jail] one (1) day for each dollar of fine and costs unpaid

Section 958 Injury or Obstruction to Sidewalks and Sidepaths Whoever wilfully and maliciously rides or drives any vehicle or animal upon or into any boardwalk or sidewalk or footway laid erected or being on and along the side of any road or highway or otherwise wilfully breaks injures [or] destroys or obstructs the same or any sidepath shall upon conviction thereof in a summary proceeding be sentenced to pay in addition to costs a fine not exceeding twenty dollars ($20) nor less than five dollars ($5) and on failure to pay such fine and costs shall be imprisoned not exceeding thirty (30) days

Section 959 Destruction of Notices Posted by State Whoever removes defaces covers up or destroys or causes to be removed defaced covered up or destroyed any placard sign or poster of any administrative department board and commission of the State Government posted under authority of law shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of not more than fifty dollars ($50) and in default of payment of such fine and costs be imprisoned [in the county jail] one (1) day for each dollar of fine and costs unpaid

Section 1009 Counterfeiting National Currency Whoever makes alters or counterfeits or assists or procures the same to be done or passes utters and publishes or attempts to pass utter or publish any false forged or counterfeit note bill or check or sells utters and delivers or procures the same to be done or makes engraves or prepares or has in his possession with intent to use any plate from which any counterfeit note may be printed or has in his possession any forged counterfeited or altered notes or paper adapted to the making of bank notes with intent to use or suffer to be used in forging or counterfeiting or fraudulently connecting different parts of any notes with intent to fraudulently pass the same or has in his possession ten or more similar false forged altered and counterfeit notes with intent to sell or pass the same of any notes issued by the United States or under the authority thereof or any postage currency issued by the same or under any law of Congress or the notes of any bank association created chartered or incorporated under any law of Congress is guilty of a felony and upon conviction thereof shall be sentenced to pay a fine not exceeding seven thousand dollars ($7,000) or undergo imprisonment by separte [and] or solitary confinement at labor not exceeding fifteen (15) years or both

Section 1014 Forgery and Uttering Forged Instruments Whoever fraudulently makes signs alters utters or publishes or is concerned in the fraudulently making signing altering uttering or publishing any written instrument to the prejudice of another's right with intent to defraud any person or body corporate or fraudulently causes or procures the same to be done for any sum in excess of one hundred dollars ($100) is guilty of forgery a felony and upon conviction thereof shall be sentenced to pay a fine not exceeding five thousand dollars ($5,000) or to undergo an imprisonment by separate or solitary confinement at labor not exceeding ten (10) years or both

Section 12 Article ten of said act is hereby amended by adding between sections 1014 and 1015 a new section to read as follows:

Section 1014.1 Petty Forgery and Uttering Forged Instruments Whoever fraudulently makes signs alters utters or publishes or is concerned in the fraudulently making signing altering uttering or publishing any written instrument to the prejudice of another's right with intent to defraud any person or body corporate or fraudulently causes or procures the same to be done for the sum of one hundred dollars ($100) or less is guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) or to undergo an imprisonment not exceeding six (6) months or both

Section 13 Sections 1015 1016 1105 and 1107 of said act are hereby amended to read as follows

Section 1015 Connecting Parts of Notes Whoever fraudulently connects different parts of several bank notes scrip or other instruments in such a manner as to produce one or more additional notes or instruments with intent to pass or utter all or any thereof as genuine or utters publishes or passes the same or either of them with the intent to defraud any person or body corporate is guilty of forgery or fraudulent uttering and publishing a felony and upon conviction thereof shall be sentenced to pay a fine not exeeeding two thousand dollars ($2,000) or to undergo imprisonment by separate [and] or solitary confinement at labor not exceeding five (5) years or both

Section 1016 Uttering Notes of Fictitious Banks Whoever fraudulently utters or passes any note or bill purporting to be the note or bill of a bank company or association which never did in fact legally exist knowing that the bank company or association purporting to have issued

the same never did legally exist is guilty of a felony and upon conviction thereof shall be sentenced to pay a fine not exceeding seven thousand dollars ($7,000) or undergo imprisonment by separate [and] or solitary confinement at labor not exceeding fifteen (15) years or both

Section 1105 Principals in the Second Degree and Accessories Aiders and Abettors Every principal in the second degree or accessory before the fact to any felony at the common law or under any act of assembly may be indicated tried convicted and if no punishment is provided may be punished in all respect as if he were the principal felon

Every accessory after the fact to any felony at the common law or under any act of Assembly for whom no punishment is provided shall on conviction be sentenced to pay a fine not exceeding one thousand dollars ($1,000) to undergo imprisonment [with or without] by separate or solitary confinement at labor not exceeding two (2) years or both

Every person who shall counsel aid or abet the commission of any misdemeanor punishable under any act of Assembly for whom no punishment is provided shall be liable to be proceeded against and punished as the principal offender

Section 1107 Attempts to Commit Crime If on the trial of any person charged with felony or misdemeanor it shall appear to the jury upon the evidence that the defendant did not complete the offense charged but was guilty only of an attempt to commit the crime he shall not by reason thereof be entitled to be acquitted but the jury may return as their verdict that the defendant is not guilty of the felony or misdemeanor charged but is guilty of an attempt to commit the same

Thereupon such person shall be liable to be punished in the same manner as if he had been convicted upon an indictment for attempting to commit the particular felony or misdemeanor charged in the indictment

Whoever is guilty of attempt to commit a crime at common law or under any act of Assembly for which no punishment is provided shall on conviction if the crime is a misdemeanor be sentenced to pay a fine not exceeding five hundred dollars ($500) or to undergo imprisonment not exceeding six (6) months or both and if the crime is a felony be sentenced to pay a fine not exceeding one thousand dollars ($1,000) or to undergo imprisonment not exceeding one (1) year or both

No person so convicted shall be liable to be thereafter prosecuted of an attempt to commit the felony or misdemeanor for which he was so convicted

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Edmonds,	Leader,	Tallman,
Berger,	Farrell,	Letzler,	Taylor,
Blass,	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	Margie,	Troutman,
Carr,	Haluska,	McCreesh,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 459, as follows:

An Act to amend section six of the act approved the twelfth day of June one thousand eight hundred seventy-eight (P. L. 196) entitled "An act to consolidate revise and amend the penal laws of this commonwealth" by fixing the time for the commencement and prosecution of indictments for certain felonies committed by certain persons

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six of the act approved the twelfth day of June one thousand eight hundred seventy-eight (P. L. 196) entitled "An act to consolidate revise and amend the penal laws of this Commonwealth" is hereby amended to read as follows

Section 6 That indictments for felonies or misdemeanors committed by any officer director receiver superintendent manager broker attorney agent employe or member of any bank body corporate or public company municipal or quasi-municipal corporation may be commenced and prosecuted at any time within four years from the time the alleged offense shall have been committed The provisions of this section shall not be construed so as to apply to indictments for any felony or misdemeanor other than those as to which any of the foregoing relationships to a bank body corporate or public company or municipal or quasi-municipal corporation is an essential element of the crime

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Edmonds,	Leader,	Tallman,
Berger,	Farrell,	Letzler,	Taylor,
Blass,	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	Margie,	Troutman,
Carr,	Haluska,	McCreesh,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 462, entitled:

An Act establishing a mode of selecting and drawing jurors for counties of the first class and imposing penalties

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. KEPHART. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Section 2, Page 2, Line 15, after the word "inquiries" and before the part word "touch" by inserting the following words "by questionnaire, personal interview or otherwise"; Amend Section 2, Page 3, Line 3, after the word "character" and before the word "and" by striking out the words "approved integrity and of sound judgment" and inserting in lieu thereof the words "and reasonable judgment"; Amend Section 2, Page 3, Line 4, after the word "crime" and before the word "notice" by inserting the words "involving moral turpitude".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing on final passage.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 465, as follows:

An Act to further amend section one of the act approved the nineteenth day of July one thousand nine hundred thirty-five (P. L. 1356) entitled "An act to regulate the sale and delivery of solid fuel as herein defined providing for appointment of licensed weighmasters prescribing their powers and duties authorizing substitute licensed weighmasters imposing certain duties on the Department of Internal Affairs and providing penalties" by defining the word "vehicle"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one two and three of the act approved the nineteenth day of July one thousand nine hundred thirty-five (P. L. 1356) entitled "An act to regulate the sale and delivery of solid fuel as herein defined providing for appointment of licensed weighmasters prescribing their powers and duties authorizing substitute licensed weighmasters imposing certain duties on the Department of Internal Affairs and providing penalties" as amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-three (P. L. 684) are hereby further amended to read as follows

Section 1 Be it enacted &c That the term "solid fuel" when used in this act shall mean anthracite semi-anthracite bituminous semi-bituminous or lignite coal briquettes boulets coke gas-house coke petroleum coke carbon charcoal or any other natural manufactured or patented fuel not sold by liquid or metered measure

The term "person" when used in this act shall be construed to include any individual partnership unincorporated association corporation association agent firm representative or employe thereof

The term "licensed weighmaster" when used in this act shall include a person licensed to weigh solid fuel by this Commonwealth or by a bordering state issuing such licenses and recognizing licenses and weigh certificates issued by such licensees in this Commonwealth

The word "department" when used in this act shall mean the Department of Internal Affairs of the Commonwealth

The word "weighmaster" when used in this act shall mean a weighmaster licensed under this act by the Department of Internal Affairs

The word "purchaser" when used in this act shall mean (a) the ultimate consumer to whom the solid fuel is delivered for the purpose of consumption (b) coal yard or dealer to whom solid fuel is delivered for the purpose of unloading for storage or resale where coal must be weighed before resale

The word "vehicle" when used in this act shall be construed to include the skid or other similar portable device upon which a lot of solid fuel may be placed prior to weighing and on which said lot of fuel shall remain continuously thereafter until delivered to the purchaser thereof Provided however That the use of such skids or other similar portable devices shall be subject to approval of the Secretary of Internal Affairs and Provided further That when such skids or other portable devices are used for the delivery of solid fuel it shall not be necessary to weigh the truck tractor trailer or other moving equipment upon which such skids or other portable devices may be transported

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Edmonds,	Leader,	Tallman,
Berger,	Farrell,	Letzler,	Taylor,
Blass,	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	Margie,	Troutman,
Carr,	Haluska,	McCreesh,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 470, as follows:

An Act to further amend section four of the act approved the eighth day of May one thousand nine hundred nine (P. L. 470) entitled "An act to prevent the manufacture and sale of adulterated or misbranded drugs defining the word 'drug' prescribing penalties for violation of this act and the method of its enforcement" by further defining what shall constitute misbranding of drugs

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the eighth day of May one thousand nine hundred nine (P. L. 470) entitled "An act to prevent the manufacture and sale of adulterated or misbranded drugs defining the word 'drug' prescribing penalties for violation of this act and the method of its enforcement" as last amended by the act

approved the twenty-seventh day of May one thousand nine hundred thirty-seven (P. L. 906) is hereby further amended by adding a new clause at the end thereof to read as follows

Section 4 That for the purpose of this act an article shall be deemed to be misbranded

* * * * *

Fifth If there is an omission or substitution of any of the ingregients of a prescription written by a duly licensed physician dentist or veterinarian The number on the prescription label shall be the device by which the corresponding prescription shall be identified

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Edmonds,	Leader,	Tallman,
Berger,	Farrell,	Letzler,	Taylor,
Blass,	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	Margie,	Troutman,
Carr,	Haluska,	McCreesh,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 472, as follows:

An Act prohibiting the sale of drugs chemicals and preparations thereof without a label bearing certain information and prescribing a penalty

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 No person shall sell at retail or dispense any drug chemical or preparation thereof without affixing to the bottle box vessel or package containing same a label printed or plainly written containing the name of the article and any other necessary information required by any other law and the name and place of business of the compounder or manufacturer Such labels shall have only one address upon it and shall not conflict with any laws regulating the manufacture sale or distribution of poisons or narcotics

Section 2 Any person violating any of the provisions of this act shall upon summary conviction be sentenced to pay a fine of not more than fifty dollars ($50)

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Edmonds,	Leader,	Tallman,
Berger,	Farrell,	Letzler,	Taylor,
Blass,	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	Margie,	Troutman,
Carr,	Haluska,	McCreesh,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 493, as follows:

An Act to amend the act approved the fourth day of June one thousand nine hundred and forty-three (Appropriation Acts page fifty-nine) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-three" providing for a deficiency in the appropriation made by said act to the Department of the Auditor General for the fiscal biennium ending May thirty-first one thousand nine hundred and forty-five

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred twenty-three thousand dollars ($123.000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of the Auditor General for the payment of the deficiency in the appropriation for the fiscal biennium ending the thirty-first day of May one thousand nine hundred and forty-five made to such department by the act to which this is a supplement for the payment of salaries wages and other compensation of a deputy Auditor General and other employes for the payment of general expenses for the payment of rentals of patented leased office devices for the purchase of automobiles furniture furnishings and equipment and for the purchase of supplies printing binding patent indices records law books and other books necessary for the proper conduct of the work of the department

The sum of three thousand dollars ($3,000) or so much thereof as may be necessary for the payment of the deficiency in the appropriation for the payment of salaries and expenses of the Board of Arbitration of Claims

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Edmonds,	Leader,	Tallman,
Berger,	Farrell,	Letzler,	Taylor,
Blass,	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	Margie,	Troutman,
Carr	Haluska,	McCreesh,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 519, as follows:

An Act to amend section eight of the act approved the third day of June one thousand nine hundred nineteen (P. L. 366) entitled "An act reorganizing the Department of State Police creating therein a Bureau of Fire Protection providing for a State Police Force and defining the powers and duties of the same including the enforcement of laws relating to game fish forestry and water supply and certain other laws and including the collection of information useful for the detection of crime and the apprehension of criminals providing for the equipment maintenance and transportation of such police providing for barracks and substations therefor and prescribing penalties" by providing for and requiring additional credit in examinations of honorably discharged persons who served in the armed forces of the United States during any war in which the United States was engaged

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eight of the act approved the third day of June one thousand nine hundred nineteen (P. L. 366) entitled "An act reorganizing the Department of State Police creating therein a Bureau of Fire Protection providing for a State Police Force and defining the powers and duties of the same including the enforcement of laws relating to game fish forestry and water supply and certain other laws and including the collection of information useful for the detection of crime and the apprehension of criminals providing for the equipment maintenance and transportation of such police providing for barracks and substations therefor and prescribing penalties" is hereby amended to read as follows

Section 8 (a) No applicant shall be appointed to the Pennsylvania State Police Force until he has satisfactorily passed a physical and mental examination based upon the standard provided by the rules and regulations of the police force of the cities of the first class in addition to which each applicant must be a citizen of the United States and of sound constitution able to ride of good moral character and between the ages of twenty-one and forty years

(b) When any person who has been honorably discharged from service in the armed forces of the United States during any war in which the United States was engaged and has successfully passed the examinations as required by this section and shall thus establish that he possesses the qualifications required by law for appointment to or promotion in the Pennsylvania State Police Force such person's examination shall be marked or graded an additional ten points above the mark or grade credited for the examination and the total mark or grade thus obtained shall represent the final mark or grade of such person and shall determine his standing on any eligible or promotional list

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy	Klein,	Stiefel,
Becker,	Edmonds	Leader,	Tallman,
Berger,	Farrell,	Letzler,	Taylor,
Blass,	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	Margie,	Troutman,
Carr,	Haluska,	McCreesh,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox	Homsher	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent	Kephart	Stevenson,	Woodward,
DiSilvestro			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 523, entitled:

An Act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. STEVENSON. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Section 2, page 2, line 2, by inserting after the word "first" the following: "or second"; Amend Section 3, page 2, line 16, by inserting after the word "first" where it appears first in the sentence, the following: "or second"; Amend Section 3, page 2, lines 27 and 28, by striking out the following: "nor to the collection of taxes on personal property"; Amend Section 4, page 3, line 1, by inserting after the letter "(a)" the following: "BONDS OF TAX COLLECTORS"; Amend Section 4, page 4, line 19, by striking out the letter "(a)" and inserting in lieu thereof the following: "(1)"; Amend Section 4, page 4, line 20, by striking out the word "distrcit" and inserting in lieu thereof the following: "district"; Amend Section 4, page 4, line 25, by inserting after the word "capita" the following: "and personal property"; Amend Section 4, page 5, line 13, by striking out the word "condition" and inserting in lieu thereof the

following: "conditioned"; Amend Section 5, page 5, line 21, by inserting after the word "taxes" the following: "levied and"; Amend Section 6, page 6, line 14, by inserting after the word "time" the following: "during"; Amend Section 10, page 7, line 12, by striking out the word "three" and inserting in lieu thereof the following: "two"; Amend Section 10, page 7, lines 18 to 20, inclusive, by striking out the words "one-half of one per centum per month for each month or fraction of a month the same remain unpaid after said four months' period" and inserting in lieu thereof the following: "five per centum"; Amend Section 10, page 7, lines 22 to 25 inclusive, by striking out the words "Such penalties shall be added" in line 22, and all of lines 23, 24 and 25; Amend Section 11, page 8, lines 21 to 25, inclusive, by striking out the words "but if" in line 21, and all of lines 22, 23, 24 and 25; Amend Section 13, page 9, lines 15 and 16, by striking out the words "Thursday, Friday and Saturday" and inserting in lieu thereof the following: "at least three days"; Amend Section 13, page 9, lines 18 and 19, by striking out the words "between the hours of two o'clock and six o'clock in the afternoon"; Amend Section 20, page 13, line 21, by striking out the word "EMPLOYES" and inserting in lieu thereof the following: "EMPLOYERS"; Amend Section 20, page 13, line 24, by inserting after the word "capita" the following: "poll"; Amend Section 25, page 18, line 24, by inserting after the word "Finance" the following: "if and as required"; Amend Section 29, page 21, line 6, by inserting after the word "office" the following: "shall"; Amend Section 31, page 21, line 22, by inserting after the word "a" the following: "borough, town, or"; Amend Section 33, page 22, line 23, by striking out the word "have" and inserting in lieu thereof the following: "be assigned"; Amend Section 33, page 22, line 25, by inserting after the word "authority" at the end of the line the following: "and a majority of all the fractional votes cast shall govern".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

Mr. WOODWARD. Mr. President, I would like to ask the gentleman from Clinton, Senator Stevenson, as a matter of historical record, how many amendments he has offered to this bill and whether as a matter of etiquette he could not have done this in committee without our waiting here?

The PRESIDENT. Does the gentleman from Philadelphia wish to interrogate the gentleman from Clinton?

Mr. WOODWARD. The principal thing is the number of amendments. I simply would like to know the number of amendments, out of curiosity.

Mr. STEVENSON. I would judge, Mr. President, that there are about eighteen, and they are the result of a public hearing held on this bill two days last week.

Mr. WOODWARD. Mr. President, I suggest that we consider an eighteenth amendment, prohibiting this kind of procedure.

And the question recurring,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing on final passage.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 527, as follows:

An Act providing for the indexing of the Legislative Journal and fixing the sum allowed therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Librarian of the Senate shall appoint a competent person or persons to index the Legislative Journal and for the payment of the same the sum of two thousand dollars ($2,000) shall be allowed

Section 2 Section six of the act approved the twelfth day of July one thousand nine hundred nineteen (P. L. 941) entitled "An act providing for the preparation contents style printing and binding of the Legislative Journal and its delivery and distribution providing for the preparation printing and binding of the Journals of the Senate and House of Representatives authorizing the appointment of official reporters expert typewriters clerks and other employes and providing for their compensation and mileage providing for the making of an appendix and index the printing of wrappers or envelopes for mailing the Legislative Journal and repealing all acts or parts of acts inconsistent herewith" is hereby repealed in so far as inconsistent with or supplied hereby

All other acts and parts of acts inconsistent herewith are hereby repealed

Section 3 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy	Klein,	Stiefel,
Becker,	Edmonds,	Leader,	Tallman,
Berger,	Farrell,	Letzler,	Taylor,
Blass,	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	Margie,	Troutman,
Carr,	Haluska,	McCreesh,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. DENT. Mr. President, I ask unanimous consent that Senate Bill No. 530, on third reading, entitled:

An Act authorizing the Department of Justice to prescribe rules of practice for administrative departments departmental administrative boards and commissions inde-

pendent administrative boards and commissions officers and other agencies of the Commonwealth authorizing such agencies to adopt rules providing for the appointment of an Administrative Rules Committee and fixing its powers and duties and imposing certain duties upon State officers and agencies

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 532, as follows:

An Act to amend section two of the Act approved the thirtieth day of April one thousand nine hundred and twenty-nine (P. L. 903) entitled "An act relating to corporations providing methods of determining what stockholders shall be entitled to vote at meetings or to receive dividends or allotments of rights or to exercise rights and the effect thereon of transfers of stock within sixty days of any election or meeting" by making further provision for such determination in lieu of closing the stock transfer books

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the Act approved the thirtieth day of April one thousand nine hundred and twenty-nine (P. L. 903) entitled "An act relating to corporations providing methods of determining what stockholders shall be entitled to vote at meetings or to receive dividends or allotments of rights or to exercise rights and the effect thereon of transfers of stock within sixty days of any election or meeting" is hereby amended to read as follows

Section 2 The board of directors of any such corporation in lieu of closing the stock transfer books as aforesaid may [if the by-laws of such corporation so] unless the by-laws otherwise provide fix in advance a date not exceeding forty days preceding the date of any meeting of stockholders or the date for the payment of any dividend or the date for the allotment of rights or the date when any exchange or conversion or exchange of capital stock shall go into effect as a record date for the determination of the stockholders entitled to vote at any such meeting or entitled to receive payment of any such dividend or to any such allotment of rights or to exercise the rights in respect of any such change conversion or exchange of capital stock In such case if otherwise entitled all stockholders of record on the date so fixed and no others shall be entitled to vote at such meeting or to receive payment of such dividends or to receive such allotment of rights or exercise such rights as the case may be notwithstanding any transfer of stock on the books of the company after any such record date fixed as aforesaid

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Edmonds,	Leader,	Tallman,
Berger,	Farrell,	Letzler,	Taylor,
Blass,	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	Margle,	Troutman,
Carr,	Haluska,	McCreesh,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 538, as follows:

An Act to amend section eight of the act approved the eighth day of May one thousand nine hundred forty-four (Act No 2) entitled "A supplement to the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled 'An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections'" by further regulating the disposition of military files

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eight of the act approved the eighth day of May one thousand nine hundred forty-four (Act No 2) entitled "A supplement to the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled 'An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections'" is hereby amended to read as follows

Section 8 The county board of election upon receipt of such official military ballots shall safely keep the same with other official military ballots until such time as the members of the county board of election shall canvass count and dispose of official military ballots in the manner for or hereafter authorized by law

The county board of election shall post an alphabetically arranged list in a conspicuous place at its office setting forth the name residence the local voting district and ward of every elector who has voted in his local voting district by official military ballot This list shall be attached to the military file and shall be posted before the day fixed by law for the canvassing of official military ballots This posted list shall not contain the elector's military address or military organization Copies of such list shall be furnished [upon request to the county chairman of each political party and political body and shall also be furnished] to registration commissions

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30

Becker,	Ealy,	Mallery,	Troutman,
Berger,	Edmonds,	Scarlett,	Tyler,
Blass,	Farrell,	Snowden,	Wade,
Bowers,	Geltz,	Stevenson,	Wagner,
Carr,	Heyburn,	Tallman,	Walker,
Chapman,	Homsher,	Taylor,	Wilson,
Crider,	Kephart,	Thomas,	Woodward,
Crowe,	Letzler,		

NAYS—18

Barr,	Gourley,	Leader,	Rosenfeld,
Coleman,	Haluska,	Margie,	Ruth,
Cox,	Holland,	McCreesh,	Stiefel,
Dent,	Jaspan,	McGinnis,	Woodring,
DiSilvestro,	Klein,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 539, as follows:

An Act to amend Section nine of the Act approved the fifth day of May one thousand nine hundred forty-four (Act No 1) entitled "A Supplement to the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled 'An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections'" further regulating the disposition of military files

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section nine of the act approved the fifth day of May one thousand nine hundred forty-four (Act No 1) entitled "A Supplement to the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled 'An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections'" is hereby amended to read as follows

Section 9 Each county board of election shall post in a conspicuous public place at its office a master alphabetically arranged list setting forth the name residence and the local voting district or ward of every elector to whom an official military ballot has been sent This posted list shall not contain the elector's military address or military organization This list shall be known as the "Military File" and shall be posted forty-five days before the election day involved and shall also set forth the total number of such ballots prepared for use in such election and a supplemental list shall be posted five days before the election day involved Copies of such military files shall be furnished [upon request to the county chairman of each political party and political body and shall also be furnished] to registration commissions

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. DENT. Mr. President, in order that everybody will at least understand why we are voting "no", in the early part of this session a bi-partisan committee named by the Governor reached an agreement upon the soldier vote law and here we are, before the session is ended, amending that agreement on that law; we are amending a bill that we agreed specifically would be the law to govern soldier elections, and therefore we on this side do not feel that it is right for us to vote in favor of this particular bill, because it is in violation of our compact on soldier vote legislation.

Mr. BARR. I might add, Mr. President, I think we repealed this Act No. 1 of the Special Session of 1944 with our soldier vote bill and I do not think this will stand up.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30

Becker,	Ealy,	Mallery,	Troutman,
Berger,	Edmonds,	Scarlett,	Tyler,
Blass,	Farrell,	Snowden,	Wade,
Bowers,	Geltz,	Stevenson,	Wagner,
Carr,	Heyburn,	Tallman,	Walker,
Chapman,	Homsher,	Taylor,	Wilson,
Crider,	Kephart,	Thomas,	Woodward,
Crowe,	Letzler,		

NAYS—18

Barr,	Gourley,	Leader,	Rosenfeld,
Coleman,	Haluska,	Margie,	Ruth,
Cox,	Holland,	McCreesh,	Stiefel,
Dent,	Jaspan,	McGinnis,	Woodring,
DiSilvestro,	Klein,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 577, entitled:

An Act to amend section seven hundred eight and to further amend clause (f) of section seven hundred thirty-one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by changing the time limitation for tagging big game controlling the removal and transportation thereof requiring report of such killing and providing penalties

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. CROWE. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Section 1, subsection 708, page 2, line 24, by striking out after the word "within" the words "forty-eight hours" and inserting in lieu thereof the following: "five days".

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing on final passage.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 579, as follows:

An Act to safeguard human life prohibiting the performance of operations previous to the making of certain pre-operative studies and tests and the inspection thereof by the person performing the operation except an emergency operation defining an emergency operation and a pre-operative study and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 An "emergency operation" as used in this action shall mean an operation in which the condition of the person to be operated upon indicates immediate surgery and in which case the time required to make a pre-operative study and diagnosis would seriously endanger life

A "pre-operative study" as used in this act shall include a complete history of the case and the report of an adequate physical examination including examinations of the heart blood vessels blood count lungs and urinalysis

Section 2 Every hospital in this Commonwealth in which operations are performed shall require as a prerequisite that a thorough pre-operative study shall be made of any patient before any operation is performed except an emergency operation and it shall be the duty of the surgeon in charge of a patient to see that such pre-operative study is made and properly recorded among the records of the hospital

Section 3 Whoever performs any operation upon any person requiring a general or spinal anethesia except an emergency operation without having first obtained knowledge of and acquainted himself with the results of the preoperative study and diagnosis of such person shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to undergo imprisonment not exceeding two (2) years or pay a fine not exceeding one thousand dollars ($1,000) or both at the discretion of the court

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Klein,	Stiefel,
Becker,	Ealy,	Leader,	Tallman,
Berger,	Edmonds,	Letzler,	Taylor,
Blass,	Farrell,	Mallery,	Thomas,
Bowers,	Geltz,	Margie,	Troutman,
Carr,	Gourley,	McCreesh,	Tyler,
Chapman,	Haluska,	McGinnis,	Wade,
Coleman,	Heyburn,	Rosenfeld,	Wagner,
Cox,	Holland,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Wilson,
Crowe,	Jaspan,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

BILL OVER IN ORDER

Mr. WOODRING. Mr. President, I ask unanimous consent that House Bill No. 662 on third reading, entitled:

An Act to promote interstate cooperation for the conservation and protection of water resources in the Delaware River Basin

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 771, as follows:

An Act to further amend clause (b) section six of the act approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" by conferring the authority to issue writs of habeas corpus in desertion and nonsupport cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (b) of section six of the act approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" as last amended by the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 515) is hereby further amended to read as follows

Section 6 The court hereby created shall have jurisdiction

* * * * *

(b) In all proceedings brought against any husband or father wherein it is charged that he has without reasonable cause separated himself from his wife or children or from both or has neglected to maintain his wife or children and in all proceedings where any child of full age has neglected or shall neglect to maintain his or her parents not able to work or of sufficient ability to maintain themselves The court shall have authority to issue writs of habeas corpus in all proceedings provided for in this clause

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Klein,	Stiefel,
Becker,	Ealy,	Leader,	Tallman,
Berger,	Edmonds,	Letzler,	Taylor,
Blass,	Farrell,	Mallery,	Thomas,
Bowers,	Geltz,	Margie,	Troutman,
Carr,	Gourley,	McCreesh,	Tyler,
Chapman,	Haluska,	McGinnis,	Wade,
Coleman,	Heyburn,	Rosenfeld,	Wagner,
Cox,	Holland,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Wilson,

Crowe,	Jaspan,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 780, as follows:

An Act to further amend section six of the act approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" by extending jurisdiction to cases for support of illegitimate children where the putative father admits parentage

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six of the act approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" as last amended by the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 515) is hereby further amended by adding at the end thereof a new clause to read as follows

Section 6 The court hereby created shall have jurisdiction

* * * * *

(g) In all cases involving the support of a child born out of wedlock where the father admits parentage and where he is willing to support the child

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Klein,	Stiefel,
Becker,	Ealy,	Leader,	Tallman,
Berger,	Edmonds,	Letzler,	Taylor,
Blass,	Farrell,	Mallery,	Thomas,
Bowers,	Geltz,	Margie,	Troutman,
Carr,	Gourley,	McCreesh,	Tyler,
Chapman,	Haluska,	McGinnis,	Wade,
Coleman,	Heyburn,	Rosenfeld,	Wagner,
Cox,	Holland,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Wilson,
Crowe,	Jaspan,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives with information that the Senate has passed the same without amendments.

The PRESIDING OFFICER (John M. Walker) in the Chair.

BILLS ON SECOND READING

OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 1 on second reading, entitled:

An Act to amend the title and certain sections and to add certain new sections to the act approved the twenty-second day of June one thousand nine hundred thirty-seven (P. L. 1987) entitled "An act to preserve and improve the purity of the waters of the Commonwealth for the protection of public health, animal and aquatic life, and for industrial consumption, and recreation; empowering and directing the creation of indebtedness or the issuing of non-debt revenue bonds by political subdivisions to provide works to abate pollution; providing protection of water supply; providing for the jurisdiction of courts, magistrates, aldermen and justices of the peace in the enforcement thereof; and providing additional remedies for abating pollution of waters; imposing certain penalties; and repealing certain acts," by changing the definitions of "establishment" and "industrial waste," by changing requirement of notice to discontinue discharges of industrial waste, by changing penalties for violations and requiring prosecutions to be instituted or approved by the Attorney General by prohibiting the discharge of silt into any waters of the Commonwealth and regulating the discharge of acid mine drainage into waters thereof authorizing the Sanitary Water Board to establish standards of purity and to determine the time for compliance with the provisions of the act in certain cases and requiring the Board's approval of plans for opening reopening or extending coal mines by authorizing the acquisition by purchase or condemnation or otherwise by the Sanitary Water Board of easements or right of ways and the acquisition or construction of pipes conduits drains or tunnels and pumps and pumping equipment and providing for the payment of the costs thereof by the Commonwealth

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 40, on second reading, entitled:

An Act to amend or further amend the title and sections one five seven nine and ten of the act approved the eighth day of June one thousand nine hundred seven (P. L. 496) entitled "An act to establish a Board of Commissioners of Navigation for the river Delaware and its navigable tributaries regulating their jurisdiction over ships vessels and boats and wharves piers bulkheads docks slips and basins and exempting cities of the first class from certain of its provisions and making an appropriation therefor" changing the membership of the Navigation Commission for the Delaware River and its navigable tributaries and excepting the Port of Chester from certain provisions of said act

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 108, on second reading, entitled:

An Act to provide assistance for typhoid fever carriers and persons having typhoid fever carriers in their households and imposing certain responsibilities upon the Secretary of Health and the Secretary of Public Assistance and the Secretary of Welfare in connection therewith

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 134, on second reading, entitled:

An Act to further amend section eleven of the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 988) entitled "An act providing for and regulating the State registration of nurses and licensed attendants the annual recording of registration certificates and regulating the profession of nursing and repealing certain existing laws" by setting forth specific grounds for the suspension or revocation of certificates of registration of registered nurses and licensed attendants and providing for the reissue of such certificates

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 167, on second reading, entitled:

An Act to amend section four of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 340) entitled "An act empowering cities of the third class boroughs incorporated towns and townships to cooperate with each other through joint agreements in the exercise of their governmental powers duties and functions relating to the public health recreation zoning and municipal planning" authorizing employing retaining and contracting for planning engineers consultants and professional planning services

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 170, on second reading, entitled:

An Act to amend section seven hundred one of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," abolishing capital punishment in the case of murder of the first degree

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 239, on second reading, entitled:

An Act to promote the public welfare and to protect mental defectives by prescribing circumstances under which selective sterilization of certain types of individuals may be performed without civil or criminal liability; and providing penalties

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 240, on second reading, entitled:

An Act providing for local referendums in wards of cities of the first class before public parks may be diverted to other use

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 296, on second reading, entitled:

An Act providing that taxes levied by political subdivisions of the Commonwealth on real estate of service persons shall not bear interest or be subject to penalties; and providing for abatement of certain accrued interest and penalties

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 307, entitled:

An Act to further amend section two thousand five hundred four of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by further providing for the triennial assessment of taxable property

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 317, entitled:

An Act to amend Section One of an act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 403) entitled "An act relating to the form execution revocation and interpretation of will to nuncupative wills to the appointment of testamentary guardians to spendthrift trusts to testamentary guardians to spendthrift trusts to of testator to elections to take under or against wills and to the recording and registering of such elections and of decrees relative thereto and to the fees therefor" by authorizing members of or persons called for induction into the armed forces of the United States or of any allied or associated power who have attained the age of seventeen years to dispose of real and personal estate by will.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 321, on second reading, entitled:

An Act to amend the title and section one of the act approved the eleventh day of May one thousand eight hundred ninety-nine (P. L. 289) entitled "An act providing for the payment to the county or counties of the moneys or bonus which any foreign railway corporation is required to pay into the State Treasury for the right to pass through said county or counties and by which payment such foreign railway corporation is relieved from local taxation" by providing for payments to counties irrespective of whether relief from payment of local taxes results from payment of the bonus

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 338, entitled:

An Act to amend sections two seventeen eighteen twenty and twenty-six of the act approved the fourth day of June one thousand nine hundred and forty-three (P. L. 886) entitled "An act creating a Municipal Employes' Retirement System for the payment of retirement allowances to officers and employes of political subdivisions and institutions supported and maintained by them and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor imposing certain duties on the State Employes' Retirement Board and the actuary thereof providing the procedure whereby political subdivisions may join such system and imposing certain liabilities and obligations on such political subdivisions in connection therewith and as to certain existing retirement and pension systems and upon officers and employes of such political subdivisions and institutions supported and maintained by them providing certain exemptions from taxation execution attachment levy and sale and making an appropriation" changing certain definitions clarifying provisions relating to local pension and retirement systems changing the formulae for the ascertainment of contributions by members and by municipalities eliminating the provision requiring retirement at age seventy and reappropriating the unexpended balance of the prior appropriation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 360, on second reading, entitled:

An Act to amend the title and section two of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 340) entitled "An act empowering cities of the third class boroughs incorporated towns and townships to cooperate with each other through joint agreements in the exercise of their governmental powers duties and functions relating to the public health recreation zoning and municipal planning" by extending the power of municipalities to cooperate in the exercise of their powers duties and functions

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 374, entitled:

An Act to fix the standard weights of containers for wheat and corn flours corn meals hominy and hominy grits and to provide penalties for the violation of this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 375, on second reading, entitled:

An Act to amend sections one thousand one hundred five, one thousand one hundred twenty-one, one thousand one hundred twenty-seven, one thousand one hundred thirty-four and one thousand one hundred thirty-seven of the act approved the eighteenth day of May, one thousand nine hundred eleven (Pamphlet Laws 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof, providing revenue to establish and maintain the same and the method of collecting such revenue, and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith" by further providing for the term of office and the election of county superintendents, assistant county superintendents, district superintendents and assistant district superintendents in all second, third and fourth class school districts of the Commonwealth.

be recommitted to the Committee on Education.

Mr. SCARLETT. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 387, on second reading, entitled:

An Act to further amend section fourteen of the act approved the nineteenth day of March one thousand nine hundred nine (P. L. 46) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" by further regulating grounds for refusal revocation or suspension of the right to practice as osteopaths in the State of Pennsylvania

go over in its order.

The PRESIDING OFFIICER. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 412, on second reading, entitled:

An Act to amend subdivision five of the Compact contained in the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1664) entitled "An act to ratify and adopt a compact or agreement negotiated by commissioners designated by the Governor of the Commonwealth of Pennsylvania and commissioners designated by the Governor of the State of Ohio relative to the development use and control of the Pymatuning Lake and the State owned land surrounding said lake for fishing hunting recreational and park purposes" so as to permit the operation on portions thereon of boats equipped with motors of six horsepower or less

go over in its order.

The PRESIDING OFFIICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 446, entitled:

An Act to further amend section one thousand nine hundred two of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" exempting certain contracts from the provisions of said act regulating advertising and bidding for contracts

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 452, entitled:

An Act to add section two thousand three hundred twenty-two to the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by imposing upon the Department of Welfare the duty to investigate the subject of crime prevention and to stimulate develop and coordinate crime prevention activities in this Commonwealth

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 457, entitled:

An Act to permit the sale and purchase of imitation butter or oleomargarine for consumption by inmates and employes of charitable and penal institutions within the Commonwealth for a period of two years and suspending certain provisions of the law prohibiting such sales and purchase for the same period of time under certain circumstances requiring the keeping of records and the making of reports and providing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 475, on second reading, entitled:

An Act requiring cities boroughs towns and townships to notify adjacent political subdivisions of proposed streets roads and highways leading into them

go over in its order.

The PRESIDING OFFIICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 493, entitled:

An Act to repeal the special acts approved the twelfth day of March one thousand eight hundred sixty-six (P. L. 171) and the fourteenth day of February one thousand eight hundred sixty-seven (P. L. 207) relating to the fees of the sheriff, prothonotary register recorder clerk of courts and district attorney in Washington County

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 499, entitled:

An Act to further amend the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by revising and changing the provisions of said act relating to the times of registering electors their enrollment as members of political parties change of party enrollment removal notices and comparing and correcting the general and district registers

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. MALLERY offered the following amendment:

Amend sec. 2 (sec. 28), page 6, line 21, by striking out the word "fifteenth" and inserting in lieu thereof "fiftieth".

It was agreed to.

The section was agreed to as amended.

The third and fourth sections and title were read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 500, on second reading, entitled:

An Act to further amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation" by revising and changing the provisions of said act relating to the times of registering electors their enrollment as members of political parties change of party enrollment removal notices and comparing and correcting the general and district registers

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 501, on second reading, entitled:

An Act to further amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 814) entitled "Act act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by revising and changing the provisions of said act relating to the times of registering electors their enrollment as members of political parties change of party enrollment removal notices comparing and correcting general and district registers preparing preliminary street lists and street lists

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 502, on second reading, entitled:

An Act to further amend the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" by revising and changing the provisions of said act relating to the times of registering electors and comparing and correcting the general and district registers

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 503, on second reading, entitled:

An Act to further amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1132) entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by revising and changing the provisions of said act relating to the times of registering electors their enrollment as members of political parties change of party enrollment removal notices comparing and correcting general and district registers preparing preliminary street lists and street lists

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 507, on second reading, entitled:

An Act to further amend section eight hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" regulating contracts and purchases by townships and prescribing penalties

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 527, entitled:

An Act to amend section four thousand three hundred one of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by further regulating the administration of the police pension fund

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 544, entitled:

An Act to regulate the sale and possession of penicillium (penicillin) and its derivatives preparations and compounds in the interest of public health

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 548, on second reading, entitled:

An Act relating to chattel mortgages on any chattel or chattels of any kind or description, including among other things livestock, poultry, farm machinery, farm equipment and crops grown, growing or to be grown; designating the operation and effect of the lien of such mortgages; providing for the filing, indexing and docketing of such mortgages and related instruments in prothonotaries' offices, and prescribing prothonotaries' fees; providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states; regulating the assignment, release, satisfaction and extension of the lien of such mortages; prescribing methods of foreclosure; defining defaults and violations; and fixing penalties.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 548, entitled:

An Act providing that when the contract of a fiduciary is made by him or approved by court inadequacy of price or an offer to deal on other terms, shall not relieve the fiduciary of his obligation or constitute ground for any court to set aside the contract or to refuse to enforce it.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. RUTH. Mr. President, with the consent of the sponsor, I ask unanimous consent that Senate Bill No. 567, on second reading, entitled:

An Act to further amend section two of the act approved the twenty-eighth day of June one thousand eight hundred and ninety-five (P. L. 408) entitled "A supplement to the twenty-fourth section of an act entitled 'An act to provide revenue by taxation approved the seventh day of June one thousand eight hundred and seventy-nine' approved the first day of June one thousand eight-hundred and eighty-nine amending the twenty-fourth section by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth" by providing a method for the allocation of the tax on premiums of foreign insurance companies to cities boroughs towns and townships for firemen's relief fund association uses

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 570, on second reading, entitled:

A Joint Resolution proposing an amendment to article nine section eight of the Constitution of the Commonwealth of Pennsylvania

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 571, on third reading, entitled:

An Act providing for the naming of state bridges and parks in honor of American heroes of World War II by the Governor, Adjutant General and the county commissioners of the county where such site is located.

be recommitted to the Committee on Highways, for the purpose of amendments.

Mr. SNOWDEN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 573, entitled:

An Act to further amend section one of the act approved the fourth day of June one thousand nine hundred fifteen (P. L. 828) entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations co-partnership associations and joint-stock associations providing the manner of collecting such tax and prescribing penalties" by modifying the rates of tax imposed by the said act

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 574, entitled:

An Act to amend section three of the act approved the fourth day of June one thousand nine hundred and fifteen (P. L. 828) entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations copartnership associations and joint-stock associations providing the manner of collecting such tax and prescribing penalties" by providing an alternative method of collection of such tax

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 607, entitled:

An Act to amend the act, approved the twenty-sixth day of May, one thousand nine hundred forty-three (P. L. 637) entitled "An act providing that the terms of constables hereafter elected in cities of the second, second class A and third classes, boroughs and townships, shall be for six years," by extending the terms of constables hereafter elected in incorporated towns to six years.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 696, entitled:

An Act to further amend sections one, two, three, and four of the act approved the twenty-first day of May, one thousand nine hundred thirty-seven (P. L. 787), entitled, as amended, "An act authorizing, subject to approval of the court of common pleas, the compromise or reduction of tax and municipal claims on real property purchased by any county, city, borough, town, school district or poor district at any sale for the nonpayment of taxes or municipal claims; and the reconveyance or private sale of such property," requiring such reconveyance and private sale to have the approval of the municipality or municipalities having a majority interest therein.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 719, entitled:

An Act to amend section one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 558) entitled "An act authorizing the Department of Property and Supplies to sell and convey a lot or piece of land in Delaware County" correcting an erroneous measurement

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 756, entitled:

An Act to reenact and amend clause XIII of section fifteen hundred and two of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206) entitled "An act concerning townships of the first class and amending revising consolidating and changing the law relating thereto" by providing for the furnishing of street lighting by contract with lighting companies upon petition of property owners in villages, and for the assessment and collection of the costs and maintenance thereof upon property benefited thereby, and validating petitions of property owners, contracts entered into between townships and lighting companies, taxes levied to pay the costs and maintenance of lighting service, and the collection receipt and payment out of the revenues therefrom notwithstanding such petitions were filed, contracts entered into, and taxes levied, collected and paid out under unconstitutional laws; validating agreements and understandings between townships and lighting companies to continue lighting service pending the enactment of valid laws; regulating and providing for the expenditure of moneys arising from special lighting taxes and authorizing the payment of the costs and expenses of maintaining lighting service until valid laws are enacted to collect charges from property owners benefited thereby out of the township tax; and the creation and transfer of moneys to a special account for such purposes, at any time, notwithstanding the prior adoption of the budget; and authorizing any light and power company to apply the net rate and to waive the gross rate or to grant discounts and to waive penalties in the same manner as if payments had been made by the township within the time required by the contract and the company's schedules or tariffs.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 942, entitled:

An Act to amend the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 439) entitled "An act authorizing the Governor of the Commonwealth of Pennsylvania with the advice of the Attorney General and the approval of certain members of the General Assembly for a limited period of time to suspend or modify laws either in whole or in part under certain circumstances during the existence of the present war" by extending the effective period of the act

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING

Mr. HEYBURN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. BECKER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 157, entitled:

An Act authorizing cities of the third class with the approval of the court of common pleas to accept less than the full amount of municipal claims filed as a lien against real estate in compromise settlements thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 191, entitled:

An Act to amend sections three, seven and fifteen and further to amend sections one and eight of the act approved the eleventh day of July one thousand nine hundred seventeen (P. L. 758) entitled "An act for the protection of the public health by regulating the possession control dealing in giving away delivery dispensing administering prescribing and use of certain drugs and keeping records thereof by regulating the use of drugs in the treatment of the drug habit by providing for the revocation and suspension of licenses of physicians dentists veterinarians pharmacists druggists and registered nurses for certain causes and by providing for the enforcement of this act and penalties" further defining the words "physician" and "drug" specifying certain information to be disclosed on labels of narcotic prescriptions requiring that narcotics be kept in the original container requiring the disclosure of certain information to physician by patient conferring certain authority upon professional licensing boards and providing additional penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. HEYBURN. Mr. President, I move that the Senate do now adjourn until Tuesday, April 3, 1945, at 3:00 o'clock p. m., Eastern War Time.

Mr. SNOWDEN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 7:03 o'clock p. m., Eastern War Time until Tuesday, April 3, 1945, at 3:00 o'clock p. m., Eastern War Time.

HOUSE OF REPRESENTATIVES

MONDAY, April 2, 1945

The House met at 9 p. m.

The SPEAKER (Ira T. Fiss) in the Chair.

PRAYER

The Chaplain, Rev. Lester C. Updegrove, offered the following prayer:

O God, our Father, unto whom Thy people of old did look with trust and hope out of the midst of their danger and distress, we lift up our hearts unto Thee out of our weakness and need. Watch and wait with us day by day and be our defense and guardian. May the war amongst nations soon be ended and Thy righteousness become the experience of all men everywhere. For everything we would be thankful, for every need we would be trustful, in every danger we would be brave. In every thought and word and deed we would follow the resurrected Christ whose way alone will make men free and bring everlasting peace, Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Thursday, March 29, 1945.

The Clerk proceeded to read the Journal of Thursday, March 29, 1945, when, on motion of Mr. McCORMACK unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILL INTRODUCED AND REFERRED

By Mr. BOWER. HOUSE BILL No. 1273.

An Act fixing the number, compensation, mileage and duties of the officers and employes of the House of Representatives, and providing for their election or appointment, term of office, and manner of filling vacancies.

Referred to the Committee on State Government.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 434.

An Act to further amend sections twenty-one and thirty-one of and to add section twenty-one and one-tenth to the act approved the sixth day of August one thousand nine hundred forty-one (P. L. 861) entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth; establishing the 'Pennsylvania Board of Parole' conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases providing for the method of appointment of its members regulating the appointment removal and discharge of its officers clerks and employes dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the board and of certain other officers and employes thereof making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation" by further defining the jurisdiction duties powers and functions of the Pennsylvania Board of Parole

Referred to the Committee on Judiciary General.

SENATE BILL No. 435.

An Act to repeal certain sections of the act approved the nineteenth day of June one thousand nine hundred eleven (P. L. 1055) entitled "An act authorizing the release on probation of certain convicts instead of imposing sentences the appointment of probation and parole officers and the payment of their salaries and expenses regulating the manner of sentencing convicts in certain cases and providing for their release on parole their conviction of crime during parole and their rearrest and reconviction for breach of parole and extending the powers and duties of boards of prison inspectors of penitentiaries" as amended and supplied

Referred to the Committee on Judiciary General.

COMMUNICATIONS

OHIO RIVER VALLEY WATER SANITATION COMPACT

The SPEAKER laid before the House a communication which was read by the Clerk as follows:

March 26, 1945.

Speaker of House of Representatives
c/o State Capitol Building
Harrisburg, Pennsylvania

Dear Sir:

At the request of Mr. Gilbert E. Ogles, Deputy Secretary of State, we are enclosing exemplified copy of Enrolled Concurrent Resolution No. 13, Senate, Acts of 1945, Chapter 379.

Very truly yours,

RUE J. ALEXANDER,
Secretary of State.

By AGATHA HUGHES,
Certified Copy Clerk.

AH/enc.

STATE OF INDIANA

DEPARTMENT OF STATE

To All To Whom These Presents Shall come, Greeting:

I, RUE J. ALEXANDER, Secretary of State of the State of Indiana, and being the officer who under the Constitution and laws of said State is duly constituted the custodian of the public records of the State of Indiana and the keeper of all books and papers thereto pertaining and being empowered to authenticate exemplifications of the same, do hereby certify that an exemplified copy, carefully compared by me with the original of the same now in my official custody as Secretary of State, and found to be a full, true and correct copy of Enrolled Concurrent Resolution

No. 13, Senate, Acts of 1945; Chapter 379.

is as follows, to-wit:

And I Hereby Further Certify, that the herein exemplification is in due form and made by me as the proper officer, and is entitled to have full faith and credit given it in every court and office within the United States.

Seal State of Indiana

In Witness Whereof, I have hereunto set my hand and affixed the seal of the State of Indiana, at the City of Indianapolis, this 26, day of March, A. D. 1945.

RUE J. ALEXANDER,
Secretary of State.

CONCURRENT RESOLUTION

ENROLLED No. 13, SENATE

A Concurrent Resolution memorializing the Pennsylvania General Assembly to ratify the "Ohio River Valley Water Sanitation Compact."

Whereas, the 81st Session of the Indiana General Assembly under date of March 4, 1939, ratified the "Ohio River Valley Water Sanitation Compact"; and

Whereas, the General Assemblies of the States of Illinois, Kentucky and New York have ratified the "Ohio River Valley Water Sanitation Compact"; and

Whereas, the General Assemblies of the States of Ohio and West Virginia have ratified the said compact contingent upon its subsequent ratification by the Commonwealth of Pennsylvania; and

Whereas, the aforesaid compact will not be operative until ratified by the General Assembly of the Commonwealth of Pennsylvania; now therefore

Be It Resolved By the Senate of the General Assembly of the State of Indiana, the House of Representatives Concurring:

Section 1. That the General Assembly of the Commonwealth of Pennsylvania now in session be hereby memorialized to ratify the "Ohio River Valley Water Sanitation Compact" in order that all the states signatory to said compact shall proceed to abate the pollution of the Ohio River and the streams tributary thereto.

Section 2. That certified copies of this resolution properly authenticated be sent forthwith to the presiding officer of each house of the Pennsylvania General Assembly and to the Governor of the Commonwealth of Pennsylvania.

RICHARD T. JAMES,
President of the Senate.

HOBART CREIGHTON,
Speaker of the House of Representatives.

Approved: March 6, 1945

RALPH F. GATES,
Governor of the State of Indiana.

Filed, 10:15 a. m., Mar. 8, 1945.

RUE J. ALEXANDER,
Secretary of State of Indiana.

UNITED STATES OF AMERICA

STATE OF INDIANA

EXECUTIVE DEPARTMENT

To All To Whom These Presents Shall come, Greeting:

I, RALPH F. GATES, Governor of the State of Indiana, do hereby certify that RUE J. ALEXANDER, who signed the foregoing certificate, was at the time of signing the same, and is now, Secretary of State of the State of Indiana, duly elected and qualified to that office, and that full faith and credit are due his official attestations; and further that he is the custodian of the manuscripts containing the enrolled acts and joint resolutions of the general assembly of the State of Indiana, and authorized by law to furnish, on demand, to any person, a duly certified copy of all or any part of any law or act on file, or deposited, pursuant to law, to be kept in his office, and of which a copy may be properly given; that the foregoing attestation is in due form and by the proper officer; that, under the Constitution I am the keeper of the Seal of State of the State of Indiana; and that, under the laws, all copies of any records, deeds, laws, acts, official bonds, registers and papers, or such parts thereof as shall be necessary, deposited by authority of law, to be kept in his office, duly certified by the Secretary of State and sealed with the State seal, shall, in all cases, be evidence equally and in like manner as the originals.

Seal State of Indiana

In Witness Whereof, I have hereunto set my hand and caused the seal of the State of Indiana to be affixed.
Done at the City of Indianapolis, this 26, day of March, 1945.

RALPH F. GATES,
Governor.

By the Governor:
RUE J. ALEXANDER,
Secretary of State.

STATE OF INDIANA

DEPARTMENT OF STATE

To All To Whom These Presents Shall Come, Greeting:

I, RUE J. ALEXANDER, Secretary of State of the State of Indiana, hereby certify that RALPH F. GATES, who signed the immediately foregoing certificate, was at the time of signing the same, and is now, Governor of the State of Indiana, duly elected and qualified, and that as

such, full faith and credit is, and ought to be, given to his official acts and proceedings; that, under the Constitution of the State of Indiana, the Governor is the keeper of the Seal of the State of Indiana.

And I Further Certify that the foregoing signature is a geuine signature of RALPH F. GATES, Governor, and that the foregoing certificate signed by him is in due form.

Seal State of Indiana

In Witness Whereof, I have hereunto set my hand and affixed the seal of the State of Indiana, at the City of Indianapolis, this 26, day of March, A. D. 1945.

RUE J. ALEXANDER,
Secretary of State.

PETITIONS AND REMONSTRANCES

The SPEAKER laid before the House the following petitons and remonstrances which were read by the Clerk.

SCHOOLS

Communication from the Sisters of Mercy, Johnstown, favoring passage of House Bill No. 933, providing for release of pupils from public schools for religious instruction.

Communication from Wilkes-Barre Council No. 161, Jr., O. U. A. M., protesting passage of Senate Bill No. 336, providng for bible instruction in the public schools.

Referred to the Committee on Education.

STATE ROADSIDE ZONING COMMISSION

A communication from Charles H. Herrold, Port Trevorton, opposing passage of House Bill No. 865, creating the State Roadside Zoning Commission.

Referred to the Committee on Highways.

CHILD WELFARE

Communications from The Jewish Social Service Bureau, Pittsburgh, favoring passage of Senate Bill No. 410, relating to child welfare organizations and foster homes.

UNFAIR EMPLOYMENT PRACTICES

Numerous communications from citizens of Pennsylvania urging legislation prohibiting unfair employment practices and endorsing House Bill No. 354.

Referred to the Committee on Labor.

STRIP MINING

Communication from the Pennsylvania Conservation Committee opposing passage of Senate Bill No. 183 and favoring passage of Senate Bill No. 86 relating to strip mining.

Communication from the President of the Lions Club Burgettstown, opposing passage of S. B. No. 183, in its present form.

Referred to the Committee on Mines and Mining.

WATCHMAKERS LICENSING ACT

Communications from the Horological Association of Pennsylvania, Inc., favoring passage of House Bill No. 847, licensing and regulating watchmakers.

Referred to the Committee on Professional Licensure.

ANIMALS

Communication from citizens of Pennsylvania protesting passage of House Bill No. 1022, relating to sale of animals for research purposes.

Referred to the Committee on Public Health and Sanitation.

LITTLE STEEL FORMULA

Resolutions and communications from organizations of Pennsylvania favoring passage of House Bill No. 29, memorializing Congress to revise the Little Steel Formula.

Referred to the Committee on Rules.

BLIND PENSIONS

Resolutions from the Pittsburgh branch of the Pennsylvania Association for the Blind, favoring increase in blind pensions, and amendments to that Pennsylvania may take advantage of Public Law 113.

Referred to the Committee on Welfare.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writng from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 278, 552, 569 and 631

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 29, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 278, Printer's No. 137, entitled "An Act to further amend the title and section one of the act approved the twenty-eighth day of June one thousand nine hundred and thirty-five (P. L. 477) entitled 'An act providing for the payment of the salary medical and hospital expenses of policemen and firemen by cities (except of the second class A) boroughs towns and townships who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period' extending the provisions of said act to cities of the second class A."

EDWARD MARTIN.

March 29, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 552, Printer's No. 238, entitled "An act to further amend section two hundred twenty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled 'An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth' authorizing the use of eel chutes in the Delaware Rive above Easton."

EDWARD MARTIN.

March 29, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 569, Printer's No. 126, entitled "An Act to further amend section nine hun-

dred one of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled 'An act concerning boroughs and revising amending and consolidating the law relating to boroughs' by further regulating the filling of vacancies in elective borough offices."

EDWARD MARTIN.

Arpil 2, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 631, Printer's No. 159, entitled "An act approving ratifying and enacting into law the Ohio River Valley Sanitation Compact for the prevention abatement and control of pollution of the rivers streams and waters in the Ohio River drainage basin and making the State of Pennsylvania a party thereto creating the 'Ohio River Valley Water Sanitation Commission' providing for the members of such commission from the State of Pennsylvania and providing for the carrying out of said compact after the conclusion of hositilities of the present war."

EDWARD MARTIN.

SENATE MESSAGES

The Clerk of the Senate, Mr. Steinfeld, being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence 284, 341, 418.

House Bills concurred in by Senate 38, 46, 72, 207, 270.

Amended House Bill returned for concurrence 456.

Amended Senate Bill recalled from the Governor returned for concurrence 123.

Resolutions for concurrence—School Casts and adjournment Resolution for week.

Resolution concurred in by Senate.

Amended House Resolution No. 11 for concurrence.

Senate Bills to be signed 18, 188, 243, 115, 184, 185, 186, 266, 357, 405, 422, 424, 429, 431, 460.

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 38.

An Act to further amend section four hundred twenty-one of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" broadening the definition of the term "deceased service persons" to include members of any women's organization officially connected with any of the armed forces of the United States and requiring county commissioners of each county to contribute to the funeral expenses of such persons.

HOUSE BILL No. 46.

An Act to further amend section one of the act approved the thirteenth day of May, one thousand nine hundred twenty-five (P. L. 676), entitled, as amended "An act providing for the burial of certain persons who are, have been, or shall be, soldiers, sailors, marines, or members of the enlisted nurse corps, designated as 'deceased servicemen'; defining the term 'deceased service men'; authorizing county commissioners to provide markers and burial plots for such deceased service men at the expense of such county in which they shall die or have a legal residence at the time of their death; and providing for the burial of widows of soldiers, sailors, or marines," broadening the definition of the term "deceased service men" to include members of any women's organization officially connected with any of the armed forces of the United States, and requiring county commissioners of each county to contribute to the funeral expenses of such persons.

HOUSE BILL No. 72.

An Act to prohibit the unlawful wearing of uniforms of the armed forces or branches thereof and imposing penalties for violation thereof.

HOUSE BILL No. 207.

An Act to provide for the receiving as evidence in any court, office or other place in this State, official findings, records, reports, or certified copies thereof, of death, presumed death, missing or other status, issued by the Secretaries of War and Navy and other Federal officers and employees.

HOUSE BILL No. 270.

An Act to amend section three hundred two of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by exempting for the duration of the present war any resident of the Commonwealth who is in service with the Armed Forces of the United States or any of its Allies, from the payment of a fee to the Commonwealth for a Resident Hunter's License.

HOUSE BILL No. 727.

An Act providing for the issuance of certified copies of birth death and marriage certificates by the proper city and county officers in cities of the first class to disabled war veterans and their dependents in death and compensation cases free of charge

With the information that the Senate has passed the same without amendment.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 18.

An Act to amend sections one and two of the act approved the eighteenth day of July, one thousand nine hundred thirty-five (P. L. 1303) entitled "An act to regulate the sale of certain hypnotic, analgesic, and body-weight reduction drugs, in the interest of public health," by redefining the meaning of "other hypnotic drug, or analgesic drug or body-weight reducing drug" and adding "inhalers" to the remedies permitted to be sold at retail

SENATE BILL No. 188.

An Act to amend section four hundred twenty as added to the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled, "An act relating to insurance; amending, revising and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by including annuity policy contracts.

SENATE BILL No. 243.

An Act to amend section one hundred three, and to further amend section two hundred one of the act, approved the eleventh day of July, one thousand nine hundred twenty-three (P. L. 998), entitled "An act for the prevention and treatment of mental diseases. mental defect, epilepsy, and inebriety, regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics; governing the transfer, discharge, interstate rendition, and deportation of mental patients; providing for the payment by individuals, counties, or the Commonwealth of the cost of the admission, care, and discharge of mental patients; and imposing penalties," requiring persons, copartnerships, associations and corporations, who undertake the care of mental patients to make application and obtain a license from the Department of Welfare.

SENATE BILL No. 115.

An Act to repeal Section forty-five of the Act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 447), entitled, as amended, "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents."

SENATE BILL No. 184.

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in the Thirty-Fifth Ward in the City of Philadelphia, Commonwealth of Pennsylvania, known as the Naval Aviation Supply Depot; and ceding jurisdiction to the United States.

SENATE BILL No. 185.

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately twenty-seven acres of land in the Twenty-Sixth and Forty-Eighth Wards in the City of Philadelphia, known as the Naval Hospital; and ceding jurisdiction to the United States.

SENATE BILL No. 186.

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately sixty-five acres of land in the Fortieth Ward of the City of Philadelphia, known as the Naval Ammunition Depot at Fort Mifflin and ceding jurisdiction to the United States.

SENATE BILL No. 266.

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America, of approximately two thousand four hundred acres of land in the County of Mercer, Commonwealth of Pennsylvania, for use in connection with Camp Reynolds, and ceding jurisdiction to the United States.

SENATE BILL No. 357.

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America, approximately five hundred fifty-seven acres of land in the Township of South Lebanon, County of Lebanon, and Commonwealth of Pennsylvania, known as the Veterans' Administration Facility at Lebanon, Pennsylvania; and ceding jurisdiction to the United States.

SENATE BILL No. 405.

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of certain tracts of land in Chester County, Pennsylvania, for use in connection with the Valley Forge General Hospital, and ceding jurisdiction to the United States.

SENATE BILL No. 422.

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract of land in Lebanon County, Pennsylvania, containing approximately sixty-four acres, for use in connection with the Indiantown Gap Military Reservation; and ceding jurisdiction to the United States.

SENATE BILL No. 424.

An Act to amend section 686 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by providing that a cashier of a bank who engages in any gainful profession, occupation, or calling other than that of his duty as cashier shall not be guilty of a misdemeanor.

SENATE BILL No. 429.

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of American of three tracts of land in Cumberland County, Pennsylvania, containing approximately nine hundred forty-three acres, for use in connection with a military reservation known as Carlisle Barracks, and ceding jurisdiction to the United States.

SENATE BILL No. 431.

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of certain tracts of land in Dauphin County, Pennsylvania, for use in connection with the Middletown Air Depot, and ceding jurisdiction to the United States.

SENATE BILL No. 460.

An Act to further amend Subsection A of Section one thousand one of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National Banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts" by regulating the making of certain classes of loans and clarifying the powers and limitations on powers of banks and bank and trust companies.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGES

AMENDED SENATE BILL RECALLED FROM THE GOVERNOR RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 123.

An Act to repeal section one thousand thirty-three (1033) of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the Act approved May twenty-first one thousand nine hundred forty-three (P. L. 559)

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading reconsidered in the Senate and the bill amended, in which amendments the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, line 1, by inserting after the word "repeal" the following: "paragraphs (a) (b) and (d) of;" also on page 2, line 10, by striking out after the word "refunds" the following: "as last amended by the Act approved May twenty-first one thousand nine hundred forty-three (P. L. 559)" and inserting in lieu thereof the following: "and all amendments to said paragraphs (a) (b) and (d)."

Amend Section 1, page 2, line 1, by inserting after the word "That" the following: "paragraphs (a) (b) and (d) of"; also on page 3, line 12, by striking out after the figures "559)" the word "is" and inserting in lieu thereof the words "and all amendments to said paragraphs (a) (b) and (d) are".

Amend Section 2 page 3, lines 13 and 14 by striking out the entire section as follows: "Section 2 That all acts or parts of acts inconsistent herewith are hereby repealed".

Amend Section 3, page 3, line 15, by striking out after the word "Section" the figure "3" and inserting in lieu thereof the figure "2".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Andrews,	Gaffney,	Lyons,	Reilly,
Baker	Gallagher,	Madden,	Reynolds,
Barrett,	Gardner,	Madigan,	Riley,
Barton,	Getchey,	Mahany,	Robertson,
Baumunk,	Gibson,	Matthews,	Root,
Bentley,	Goodling,	McAtee,	Rose,
Bentzel,	Gore,	McClester,	Royer,
Boles,	Grant,	McCormack,	Rudisill,
Bonawitz,	Green,	McDowell,	Salus,
Boney,	Greenwood,	McKinney,	Scanlon,
Boorse,	Greer,	McLanahan,	Schuster,
Boory,	Guthrie,	McMillen,	Serrill,
Bower,	Gyger,	McNair,	Shaffer,
Brancato,	Haberlen,	McNally,	Shoemaker,
Breisch,	Hall,	Mihm,	Skale,
Brice,	Hamilton,	Mikula,	Sloan,
Brown,	Hare,	Miller,	Smith,
Brunner, C. H.,	Haudenshield,	Milliken,	Snider,
Brunner, P. A.,	Heatherington,	Mills,	Snyder,
Cadwalader,	Helm,	Modell,	Sollenberger,
Chervenak,	Hennihan,	Mooney,	Sorg,
Chudoff,	Hering,	Moore, C. E.,	Stank,
Cohen,	Herman,	Moore, W. J.,	Stockham,
Coleman,	Hersch,	Moran,	Stonier,
Cook,	Hewitt,	Moser,	Stuart,
Cooper,	Hoffman,	Munley,	Swope,
Corrigan,	Hoggard,	Murray, M. L.,	Tahl,
Costa,	Hoopes,	Murray, P. G.,	Tate,
Coulson,	Howells,	Myhan,	Tittle,
Coyle,	Hunter,	Nagel,	Trachtman,
Dague,	Huntley,	Nelson,	Trent,
Dalrymple,	James,	O'Brien,	Trout,
Dennison,	Jones,	O'Connor,	Turbett,
Depuy,	Kennedy,	O'Dare,	Turner,
Dillon,	Kirley,	O'Donnell,	Varallo,
Dix,	Kline,	O'Neill,	Verona,
Dougherty,	Kolankiewicz,	Owens,	Wachhaus,
Duffy,	Komorofski,	Pentrack,	Wagner,
Dye,	Krise,	Petrosky,	Waterhouse,
Elder,	Kurtz,	Pettigrew,	Watkins,
Elish,	Lane,	Pickens,	Weiss,
Erb,	Laughner,	Polaski,	Welsh,
Ewing,	Lee,	Polen,	Wescott,
Finnerty,	Leisey,	Powers,	White,
Flack,	Leonard,	Propert,	Wood, L. H.,
Fleming,	Levy,	Readinger,	Wood, N.,
Foor,	Lichtenwalter,	Reagan,	Worley,
Fox,	Loftus,	Reese, D. P.,	Wright,
Freed,	Longo,	Reese, R. E.,	Yeakel,
Frost,	Lopez,	Regan,	Yester,
Fullerton,	Lovett,	Reidenbach,	Fiss,

Speaker.

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affimative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 2, 1945.

Resolved (if the House of Representatives concur) That when the Senate adjourns this week, it reconvene on Monday, April 9, 1945, at four o'clock p. m., and when the House of Representatives adjourns this week, it reconvene on Monday, April 9, 1945, at nine o'clock p. m.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

LEAVES OF ABSENCE

By consent of the House leave of absence was granted as follows:

Mr. E. Gadd Snider for Messrs. BROTHERS and BURNS for the week because of illness.

COMMITTEE REPORTS

Mr. McKINNEY from the Committee on Municipal Corporations reported as committed House Bill No. 438, entitled:

An Act authorizing cities, boroughs, incorporated towns and townships to abate certain interest charges and penalties added to municipal claims imposed or assessed for certain improvements; prohibiting the sale of real property for the nonpayment of such claims for a certain period; preserving the liens of such claims; and providing for the extension thereof.

Mr. KLINE from the Committee on Insurance reported as amended House Bill No. 329, entitled:

An Act to further amend section three hundred one and section three hundred three and to amend section three hundred four of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by further regulating the computation of the reserve liability of life insurance companies deficiency reserve requirements and the acceptance of valuations made by other states

Mr. KLINE from the Committee on Insurance reported as amended House Bill No. 330, entitled:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by amending section four hundred ten (410) thereof relating to uniform policy provisions by adding thereto section four hundred ten A (410A) relating to nonforefeiture benefits and cash surrender values required in life insurance policies and by amending section four hundred twenty C (420C) thereof relating to uniform industrial policy provisions.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 986, entitled:

An Act to further amend section ten of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 868) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annual allowances returns benefits and rights from taxation and judicial process and providing penalties" including any service as a member of the General Assembly in the period of service of a contributor upon his making certain back payments

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 314, entitled:

An Act relating to officers and employes of the Senate and House of Representatives; providing for and fixing the compensation of an additional employe; changing the compensation of certain existing employes; and making an appropriation therefor and for contingent expenses

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 28, entitled:

An Act authorizing the Department of Mines to make or cause to be made a survey of all abandoned coal holes in the Southern and Western middle coal fields of the anthracite region of this Commonwealth for the protection of the public and for the protection of those persons who may be engaged in future mining

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 135, entitled:

An Act fixing the salaries of State Mine Inspectors, under the jurisdiction of the Department of Mines in this Commonwealth and the expenses incident to this office

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 446, entitled:

An Act to amend section six hundred eight of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith by authorizing school boards to reacquire old school buildings having historical value

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 933, entitled:

An Act to add section one thousand six hundred and fifteen to the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for the release of pupils from the public schools for religious instruction

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 639, entitled:

An Act to amend section four of the act approved the first day of June one thousand nine hundred and thirty-three (P. L. 1409) entitled as amended "An act authorizing the creation of State mining commissions with judicial powers to have exclusive jurisdiction with certain exceptions over the mining of coal within or under land easements or right of ways purchased condemned or otherwise acquired by the Commonwealth and over the assessment and award of benefits improvements and damages for coal required to be left in place by reason of the obligation to furnish support for land easements or right of ways purchased condemned or otherwise acquired by the Commonwealth whether the damages are payable by the Commonwealth or a county or a municipality authorizing counties and municipalities to enter into agreements to indemnify or reimburse the Commonwealth for damages to its lands easements or right of ways caused by the removal of coal under or adjacent thereto waiving vertical and lateral support therefor under certain conditions reserving the rights to acquire absolute vertical and lateral support reserving the power to establish detours for the removal of coal underlying State highways providing for appeals to the courts of common pleas from orders assessing damages for coal required to be left in place" by waivng under certain conditions where no damages are payable vertical or lateral support to all lands easements and right of ways purchased condemned or otherwise acquired by the Commonwealth

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 647, entitled:

An Act to amend section two thousand one of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cites of the third class and amending revising and consolidating the law relating thereto" by fixing the minmum salaries or compensation for paid policemen in police departments or bureaus in such cities

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1116, entitled:

An Act to further amend subsection (c) of section two hundred two and to amend subsection (c) of section two hundred six of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including nsurance carried by the State Workmen's Insurance Fund; providing penalties and repealing existing laws" authorizing stock casualty insurance companies to be organized for purpose of guaranteeing transfers of evidences of indebtedness by fiduciaries requiring a minimum capitalization for such companies and prohibiting other companies from engaging in such business

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 652, entitled:

An Act to further amend section four hundred four and to amend section four hundred five of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund; providing penaltics and repealing existing laws" by changing requirements relating to the investment of the capital reserves and surplus of mutual and stock life insurance companies organized under the laws of this Commonwealth and creating a new Section 405.1 relating to investment restrictions

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 482, entitled:

An Act to amend section seven of the act, approved the fourth day of June, one thousand nine hundred forty-three (P. L. 883), entitled "An act authorizing and directing the Department of Highways to erect and maintain, as a post war construction project, a toll bridge over the Allegheny River between a point in or near the Borough of Tarentum, Allegheny County, and a point in Westmoreland County, and to provide the necessary approaches and connections with State highways; providing for the acceptance of Federal aid; empowering counties to pay certain damages; providing for the collection of tolls on such bridge; and making an appropriation," by appropriating funds from the Motor License Fund for the construction of said bridge.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

BILL RECOMMITTED

Mr. FLEMING. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 52, entitled:

An Act relating to the practice, procedure, regulations and adjudications of departments, departmental administrative boards and commissions, independent administrative boards and commissions, officers and other administrative agencies of this Commonwealth, and judicial review thereof; and preserving equitable jurisdiction in certain cases.

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Mr. McKINNEY offered the following amendments:

Amend Section 2, page 2, line 24 by inserting after the word "order" the following: "in the nature of a rule or regulation".

Amend page 4 by striking out in line 7 the words "at least ten" and inserting in lieu thereof the words "within forty-five".

Amend page 4 by striking out in line 7 the words "before the date on which it is."

Amend page 4 by striking out line 8 and inserting in lieu thereof the following: "after its adoption".

Amend page 8, line 24 by inserting after the word "Superior" the words "or Supreme".

Amend page 8, line 24 by inserting after the word "Court" the words "as in other cases".

Amend page 9, line 7 by striking out the figure "41" and inserting in lieu thereof the figure "31".

Amend page 9, line 8 by striking out the words "a direct" and inserting in lieu thereof the word "an".

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 59, entitled:

An Act to further amend the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by providing rest periods, sick leave, hospital and medical expenses, and extra compensation in certain cases for police in counties of the second class.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 197, entitled:

An Act authorizing the Department of Property and Supplies to acquire all property of The General State Authority and to purchase its outstanding bonds and obligations; authorizing and directing said Authority to cancel its bonds, discharge its obligations and to transfer all its property to the Commonwealth of Pennsylvania; authorizing and directing the Department of Property and Supplies to transfer to any land grant college any properties acquired by it from The General State Authority which are being used by such land grant college; and making an appropriation.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. LICHTENWALTER. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order:

The House proceeded to the second reading and consideration of House Bill No. 418, entitled:

An Act to add section three hundred twenty-four and one-tenth to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by providing for the refund of employe contributions after retirement in certain cases

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order:

The House proceeded to the second reading and consideration of House Bill No. 649, entitled:

An Act to amend section seven of the act approved the sixteenth day of May one thousand nine hundred twenty-nine (P. L. 1780) entitled "An act to fix the salaries and compensation of the judges of Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the municipal court of Philadelphia and the judges of the county court of Allegheny County" by increasing the salaries of judges of the municipal court of Philadelphia

The first section was read.

On the question,

Will the House agree to the section?

BILL POSTPONED

Mr. ROOT. Mr. Speaker, I move that this bill be placed on the postponed calendar.

The motion was agreed to.

Agreeably to order:

The House proceeded to the second reading and consideration of House Bill No. 752, entitled:

An Act to amend section two of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 415) entitled "An act relating to the qualification jurisdiction powers and duties of registers of wills and regulating proceedings before said registers and the costs thereof the effects of their acts and appeals therefrom" by providing for the appointment of additional deputy registers

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order:

The House proceeded to the second reading and consideration of House Bill No. 977, entitled:

An Act to amend the act approved the seventeenth day of April one thousand eight hundred seventy-eight (P. L. 26) entitled "A supplement to an act entitled 'An act for the regulation and government of the Northampton county prison' approved the tenth day of May Anno Domini one thousand eight hundred and seventy-one" by fixing the compensation of prison inspectors

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order:

The House proceeded to the second reading and consideration of House Bill No. 1124, entitled:

An Act to further amend section four of the act approved the sixteenth day of May one thousand nine hundred and twenty-nine (P. L. 1780) entitled "An act to fix the salaries and compensation of the judges of the Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of Municipal Court of Philadelphia and the judges of the County Court of Allegheny County" by increasing the salaries of judges of the courts of common pleas of certain judicial districts

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection

Senate Bill No. 53, Printer's No. 133,

was passed over at the request of the SPEAKER.

Agreeably to order:

The House proceeded to the second reading and consideration of House Bill No. 211, entitled:

An Act providing for and regulating the appointment, promotion, and reduction in rank, suspension and removal of paid operators of fire apparatus in boroughs, incorporated town and townships of the first class; creating a civil service commission in each borough, incorporated town and township of the first class; defining the duties of such civil service commission; imposing certain duties and expenses on boroughs, incorporated town and townships of the first class; imposing penalties; and repealing inconsistent laws.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order:

The House proceeded to the second reading and consideration of House Bill No. 648, entitled:

An Act to further amend section four of the act, approved the sixteenth day of May, one thousand nine hundred twenty-nine (P. L. 1780), entitled "An act to fix the salaries and compensation of the judges of Supreme Court, the judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia, and the judges of the County Court of Allegheny County," by increasing the salaries of judges of common pleas of the first and fifth judicial districts.

The first section was read.

On the question,

Wil the House agree to the section?

BILL POSTPONED

Mr. ROOT. Mr. Speaker, I move that this bill be placed on the postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 136, entitled:

An Act to amend section one of the act approved the sixth day of May one thousand nine hundred forty-three (P. L. 190) entitled "An act authorizing in certain cases the renewal of old motor vehicles operators license for persons honorably discharged from the armed forces of the United States or from any women's organization officially connected therewith without a learner's permit examination or additional fee and while in such service the operation of motor vehicles without renewal of operator's license and the temporary suspension of existing laws requiring the same "by providing that honorably discharged veterans may make application for renewal of old motor vehicles operators' license for a period of one year from the date of honorable discharge in certain cases and authorizing such applications also to be certified by and sworn to before a notary public

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 749, entitled:

An Act to amend section eight hundred ninety-two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" permitting and protecting the sale of American War Mothers' carnations

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 854, entitled:

An Act to further amend section two hundred and two of and to add section four hundred and fifty-three to the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" creating a departmental administrative board in the Department of Public Instruction known as State Real Estate Commission and fixing qualifications and compensation of members

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 969, entitled:

An Act to repeal sections one thousand one hundred ninety to one thousand one hundred ninety-six of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" relating to opening making amending and repairing highways and bridges by contracts with taxpayers

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1012, entitled:

An Act to further amend section one thousand and three of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by further regulating the newspaper publication of the auditor report

The first section was read.

On the question,

Will the House agree to the section?

Mr. LAUGHNER offered the following amendment:

Amend Section 1 on page 2 by striking out of line 10 after the word "[printed]" the following: "in the township or county" and inserting in lieu thereof the following: "published in the township or if no newspaper is published therein then in one newspaper published in the county and circulating generally in the township"

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1038, entitled:

An Act to add sections six hundred thirty and six hundred thirty-one to Article VI of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" authorizing township to pay expenses of delegates attending conventions of certain municipal officers

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1130, entitled:

An Act to further amend section four hundred four and to amend sections four hundred five and four hundred six of the act approvtd the seventh day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws" by authorizing stock and mutual life insurance companies to invest in housing projects either through stock ownership or real estate acquisition or use subject to certain regulations and restrictions

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. LICHTENWALTER. Mr. Speaker, I move that this bill be recommitted to the Committee on State Government for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1131, entitled:

An Act to authorize the State public bodies as defined to aid redevelopment authorities in the elimination of blighted areas and their redevelopment by entering into contracts to furnish and by furnishing to said authorities and to any Federal governmental agency parks playgrounds streets and other improvements and facilities by donating or lending money and making appropriations therefor by accepting payments and exercising certain other powers and duties

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. LICHTENWALTER. Mr. Speaker, I move that this bill be recommitted to the Committee on State Government for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1133, entitled:

An Act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth by declaring acquisition sound replanning and redevelopment of such areas to be for the promotion of health safety convenience and welfare creating public bodies corporate and politic to be known as Redevelopment Authorities authorizing them to engage in the elimination of blighted areas and to plan and contract with private corporate or governmental redevelopers for their redevelopment providing for the organization of such authorities defining and providing for the exercise of their powers and duties including the acquisition of property by purchase gift or eminent domain the leasing and selling of property including borrowing money issuing bonds and other obligations and giving security therefor restricting the interest of members and employes of authorities providing for notice and hearing supplying certain mandatory provisions to be inserted in contracts with redevelopers presrcibing the remedies of obligees of redevelopment authorities conferring certain duties upon local planning commissions the governing bodies of cities and counties and on certain State officers boards and departments

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. LICHTENWALTER. Mr. Speaker, I move that this bill be recommitted to the Committee on State Government for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1189, entitled:

An Act to further amend the act approved the twenty-fourth day of one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities regulating the sale thereof and providing penalties for violation hereof" defining further words and terms used herein further regulating the sale of commodities authorizing the Secretary of Internal Affairs to adopt rules and regulations to carry into effect the provisions of the act and granting additional powers to inspectors of weights and measures

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

PARLIAMENTARY INQUIRY

Mr. JAMES. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. JAMES. My inquiry, Mr. Speaker, is a point of legislative procedure. House Bill 1189 was submitted by request, and at the time it was the intention to have this bill co-sponsored by the gentleman from Berks, Mr. Grant. The bill came to me and I inadvertantly signed it and sent it to the desk without a co-sponsor. My inquiry is, may Mr. Grant's name be added to the bill at this time as co-sponsor?

The SPEAKER. The Chair would inform the gentleman from Delaware that may be done in one of two ways, by unanimous consent of the House, or by a suspension of the rules.

Will the House give its unanimous consent for additional sponsors to be added to House Bill 1189. The Chair hears no objection, and consent is granted.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 63, entitled:

An Act to further amend section one of the act approved the thirteenth day of June one thousand eight hundred eighty-three (P. L. 118) entitled "An act ceding concurrent jurisdiction of this State over certain lands owned or hereafter acquired by the United States" by further regulating cession of jurisdiction by the Commonwealth of Pennsylvania to the United States of America

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1201, entitled:

An Act authorizing townships of the second class to appropriate out of general road funds and out of special funds for future road and sewer construction and development a sum each year not to exceed one mill for the purpose of preparing plans and engineering for road and sewer projects scheduled for future development and providing for the ultimate payment of the cost thereof by assessment against real estate benefited

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1211, entitled:

An Act to further amend section six hundred sixteen of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claim registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles

imposing penalties imposing certain costs upon counties providing or disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further prescribing the time when certain penalties imposed under the said act shall become effective

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 84, entitled:

An Act concerning the powers and duties of policemen appointed by the Delaware River Joint Toll Bridge Commission

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 250, entitled:

An Act to further amend section two thousand three hundred nineteen of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by changing the name "Western State Psychiatric Hospital" to "Western State Psychiatric Institute and Clinic"

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 251, entitled:

An Act to amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 1199 No. 324) entitled "An act for the acceptance of a site from the University of Pittsburgh and for surveys and the preparation of preliminary plans and estimates for a Western State Psychiatric Hospital providing for the erection construction and equipment of said hospital when appropriations are made available and for its management by the Department of Welfare" by changing the name "Western State Psychiatric Hospital" to "Western State Psychiatric Institute and Clinic"

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 386, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal school or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by permitting departments board or commissions to make transfers of surplus products of the soil meats livestock timber or other materials raised or grown upon or taken from property of the Commonwealth or their by-products to other state agencies and receive credit to their appropriation under certain conditions

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 406, entitled:

An Act to regulate the sale of second-hand watches and providing penalties

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The bill having been called up from the postponed Calendar, by Mr. Wagner.

The House resumed the consideration on second reading of House Bill No. 553, entitled:

An Act to amend section two hundred twelve of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 789), entitled, as amended, "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and interinsurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties, and repealing existing laws," changing the retaliatory provisions of law so as to equalize the burdens and prohibitions, as herein defined, placed on and relating to the insurance business and the insurance of motorists and motor vehicles between other states and this Commonwealth.

The first section was read.

On the question,

Will the House agree to the section?

Mr. WAGNER offered the following amendments:

Amend sec. 1, page 2, line 3, by striking out the figure "769" and inserting in lieu thereof "789".

Amend sec. 1, page 2, line 14, by inserting after the word "laws" the following: "as last amended by the act approved the twenty-fourth day of May, one thousand nine hundred thirty-three (P. L. 988)".

Amend sec. 1, page 2, line 14, by inserting after the word "hereby" the following "further".

Amend sec. 1 (sec. 212), page 2, line 17, by striking out the word "State" and inserting in lieu thereof "state".

Amend sec. 1 (sec. 212), page 2, line 20, by inserting after the word "insurance" the following: "agents, brokers, public adjusters, public adjusters' solicitors or insurance".

Amend sec. 1 (sec. 212), page 2, line 21, by striking out the words "States and their agents" and inserting in lieu thereof "states".

Amend sec. 1 (sec. 212), page 2, line 22, by inserting after the word "insurance" the following: "agents, brokers or public adjusters or public adjusters' solicitors or insurance".

Amend sec. 1 (sec. 212), page 2, line 23, by striking out the words "and their agents".

Amend sec. 1 (sec. 212), page 2, line 23, by striking out the word "State" and inserting in lieu thereof "state".

Amend sec. 1 (sec. 212), page 3, line 2, by inserting after the word "insurance" the following: "agents, brokers, public adjusters, public adjusters' solicitors and insurance".

Amend sec. 1 (sec. 212), page 3, lines 2 and 3, by striking out the words "and their agents".

Amend sec. 1 (sec. 212), page 3, line 3, by striking out the word "State" and inserting in lieu thereof "state".

Amend bill, page 4, line 7, by inserting before the word "This" the following: "Section 2."

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. WAGNER offered the following amendment:

Amend title, page 1, line 1 of title, by inserting after the word "To" the following: "further".

Amend title, page 1, line 3 of title, by striking out the figure "769" and inserting in lieu thereof "789".

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to as amended.

Ordered, To be transcribed for third reading.

TIME EXTENDED ON BILL

Mr. MAHANY. Mr. Speaker, I move that the time on House Bill No. 163, Printer's No. 274, entitled:

An Act to further amend clauses (a), (d) and (f) of section one thousand three hundred four of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," providing for regulation of preliminary education of candidates for licenses to practice professions or work at trades or occupations granted by the Department of Public Instruction, or other departments of the Commonwealth.

on page 18 of today's calendar, bills on second reading postponed, be extended five days.

The motion was agreed to.

BILLS ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 336, as follows:

An Act to further amend clause IV section seven hundred and two of the act approved the first day of May one thousand nine hundred and thirty-five (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" designating the purposes for which appropriations may be made to fire companies and requiring annual reports by such fire companies of expenditures of appropriated moneys

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause IV section seven hundred and two of the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" as amended by the act approved the fifteenth day of July one thousand nine hundred and thirty-five (P. L. 1016) is hereby further amended to read as follows

Section 702 Supervisors to Exercise Powers The corporate powers of townships of the second class shall be exercised by the township supervisors They shall have power

* * * * *

IV Fire Protection To appropriate moneys to fire companies located therein for the purchase and maintenance of fire apparatus and fire houses in order to secure fire protection for the inhabitants of the townships An annual report of the expenditure of such appropriated moneys shall be made to the township supervisors for each completed fiscal year of the township by such fire companies verified by an officer thereof before any further payments shall be made to such fire companies out of appropriations for any current fiscal year To enter into contracts with the proper authorities of near or adjacent cities boroughs or townships or fire departments fire companies or fire company therein for the furnishing to such townships of fire protection by the fire department fire departments fire companies or fire company of such cities boroughs or townships and to make appropriations therefor Provided That such contracts before being entered into by township supervisors shall be first approved by the township auditors

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Andrews,	Gaffney,	Lyons,	Reilly,
Baker,	Gallagher,	Madden,	Reynolds,
Barrett,	Gardner,	Madigan,	Riley,
Barton,	Getchey,	Mahany,	Robertson,
Baumunk,	Gibson,	Matthews,	Root,
Bentley,	Goodling,	McAtee,	Rose,
Bentzel,	Gore,	McClester,	Royer,
Boies,	Grant,	McCormack,	Rudisill,
Bonawitz,	Green,	McDowell,	Salus,
Boney,	Greenwood,	McKinney,	Scanlon,
Boorse,	Greer,	McLanahan,	Schuster,
Boory,	Guthrie,	McMillen,	Serrill,
Bower,	Gyger,	McNair,	Shaffer,
Brancato,	Haberlen,	McNally,	Shoemaker,
Breisch,	Hall,	Mihm,	Skale,
Brice,	Hamilton,	Mikula,	Sloan,
Brown,	Hare,	Miller,	Smith,
Brunner, C. H.,	Haudenshield,	Milliken,	Snider,
Brunner, P. A.,	Heatherington,	Mills,	Snyder,
Cadwalader,	Helm,	Modell,	Sollenberger,
Chervenak,	Hennihan,	Mooney,	Sorg,
Chudoff,	Hering,	Moore, C. E.,	Stank,
Cohen,	Herman,	Moore, W. J.,	Stockham,
Coleman,	Hersch,	Moran,	Stonier,
Cook,	Hewitt,	Moser,	Stuart,
Cooper,	Hoffman,	Munley,	Swope,
Corrigan,	Hoggard,	Murray, M. L.,	Tahl,
Costa,	Hoopes,	Murray, P. G.,	Tate,
Coulson,	Howells,	Myhan,	Tittle,
Coyle,	Hunter,	Nagel,	Trachtman,
Dague,	Huntley,	Nelson,	Trent,
Dalrymple,	James,	O'Brien,	Trout,
Dennison,	Jones,	O'Connor,	Turbett,
Depuy,	Kennedy,	O'Dare,	Turner,
Dillon,	Kirley,	O'Donnell,	Varallo,
Dix,	Kline,	O'Neill,	Verona,
Dougherty,	Kolankiewicz,	Owens,	Wachhaus,
Duffy,	Komorofski,	Pentrack,	Wagner,
Dye,	Krise,	Petrosky,	Waterhouse,
Elder,	Kurtz,	Pettigrew,	Watkins,
Elish,	Lane,	Pickens,	Weiss,
Erb,	Laughner,	Polaski,	Welsh,
Ewing,	Lee,	Polen,	Wescott,
Finnerty,	Leisey,	Powers,	White,
Flack,	Leonard,	Propert,	Wood, L. H.,
Fleming,	Levy,	Readinger,	Wood, N.,
Foor,	Lichtenwalter,	Reagan,	Worley,
Fox,	Loftus,	Reese, D. P.,	Wright,
Frost,	Longo,	Reese, R. E.,	Yeakel,
Freed,	Lopez,	Regan,	Yester,
Fullerton,	Lovett,	Reidenbach,	Fiss, Speaker.

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 52, as follows:

An Act to amend clause six of section thirteen of the approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" further defining the disability retirement rights of members of the School Employes' Retirement Association who engage in active military servivce

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause six of section thirteen of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as added by the act approved the first day of August one thousand nine hundred forty-one (P. L. 708) is hereby amended to read as follows

Section 13 Retirement upon disability shall be made and discontinued as follows * * * *

6 An employe who shall have withdrawn from actual school employment or actual school service for active military service consisting of full time service in the armed forces of the United States under a requisition from or by executive order of the President of the United States or in the armed forces organized for the defense of the Commonwealth of Pennsylvania by the authority of this Commonwealth may after his or her return to actual school employment or actual school service but not later than [forty (40) days] one (1) year after the completion of such active military service request the board for a physical and mental examination Any employe who has been honorably discharged from active military service prior to the approval of this act shall have one year from the effective date thereof to apply for said examination At a time and place within the Commonwealth and by an examiner or examiners to be designated by the board the applicant shall appear for and submit to such examination The form and content of the examination and the certificates made pursuant thereto shall be prescribed by the board with the advice of the board's actuary and a physician or a psychiatrist to be employed by the board for that purpose If the examiner or examiners shall find as a fact that such employe is free from physical or mental incapacity which renders him or is likely to render him incapable of performing the duties of his employment the examiner or examiners shall so certify to the board whereupon the board shall classify the applicant as a member free from active military service disability and thereupon such member shall become entitled to enjoy all the benefits of this act If the examiner or examiners shall find as a fact that such employe is physically or mentally incapacitated for the performance of the duties of the employment which he had when last in the actual employ and service of his or her employer the examiner or examiners shall certify to the board the nature and degree of such physical or mental incapacity or disability whereupon the board shall classify the applicant as a member with actice military service disability and thereupon such member may elect to accept the benefit of the provisions of section twelve of this act or the benefits of this act without disability rights and shall be classified by the board as an employe without disability rights Such election shall be in writing in form prescribed by the board and shall be filed with the board not later than [fifty (50) days] fifteen (15) months after the completion of such active military service All employes who shall have been engaged in active milservice and who shall have returned to the employment or service of his or her employer without examination or certification shall be classified by the board as employes without disability rights All persons classified as employes without disability rights shall enjoy all the

rights incident to membership in the retirement system except the right to retire for disability or upon disability and to receive a disability retirement allowance Such member's salary deduction shall be reduced accordingly The amount by which the salary deduction of an employe without disability rights to be paid into the fund shall be reduced shall be determined by the board in accordance with tables to be prepared and certified by the actuary

Section 2 This act shall become effective immediately upon its final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Andrews,	Gaffney,	Lyons,	Reilly,
Baker,	Gallagher,	Madden,	Reynolds,
Barrett,	Gardner,	Madigan,	Riley,
Barton,	Getchey,	Mahany,	Robertson,
Baumunk,	Gibson,	Matthews,	Root,
Bentley,	Goodling,	McAtee,	Rose,
Bentzel,	Gore,	McClester,	Royer,
Boies,	Grant,	McCormack,	Rudisill,
Bonawitz,	Green,	McDowell,	Salus,
Boney,	Greenwood,	McKinney,	Scanlon,
Boorse,	Greer,	McLanahan,	Schuster,
Boory,	Guthrie,	McMillen,	Serrill,
Bower,	Gyger,	McNair,	Shaffer,
Brancato,	Haberlen,	McNally,	Shoemaker,
Breisch,	Hall,	Mihm,	Skale,
Brice,	Hamilton,	Mikula,	Sloan,
Brown,	Hare,	Miller,	Smith,
Brunner, C. H.,	Haudenshield,	Milliken,	Snider,
Brunner, P. A.,	Heatherington,	Mills,	Snyder,
Cadwalader,	Helm,	Modell,	Sollenberger,
Chervenak,	Hennihan,	Mooney,	Sorg,
Chudoff,	Hering,	Moore, C. E.,	Stank,
Cohen,	Herman,	Moore, W. J.,	Stockham,
Coleman,	Hersch,	Moran,	Stonier,
Cook,	Hewitt,	Moser,	Stuart,
Cooper,	Hoffman,	Munley,	Swope,
Corrigan,	Hoggard,	Murray, M. L.,	Tahl,
Costa,	Hoopes,	Murray, P. G.,	Tate,
Coulson,	Howells,	Myhan,	Tittle,
Coyle,	Hunter,	Nagel,	Trachtman,
Dague,	Huntley,	Nelson,	Trent,
Dalrymple,	James,	O'Brien,	Trout,
Dennison,	Jones,	O'Connor,	Turbett,
Depuy,	Kennedy,	O'Dare,	Turner,
Dillon,	Kirley,	O'Donnell,	Varallo,
Dix,	Kline,	O'Neill,	Verona,
Dougherty,	Kolankiewicz,	Owens,	Wachhaus,
Duffy,	Komorofski,	Pentrack,	Wagner,
Dye,	Krise,	Petrosky,	Waterhouse,
Elder,	Kurtz,	Pettigrew,	Watkins,
Elish,	Lane,	Pickens,	Weiss,
Erb,	Laughner,	Polaski,	Welsh,
Ewing,	Lee,	Polen,	Wescott,
Finnerty,	Leisey,	Powers,	White,
Flack,	Leonard,	Propert,	Wood, L. H.,
Fleming,	Levy,	Readinger,	Wood, N.,
Foor,	Lichtenwalter,	Reagan,	Worley,
Fox	Loftus,	Reese, D. P.,	Wright,
Freed,	Longo,	Reese, R. E.,	Yeakel,
Frost,	Lopez,	Regan,	Yester,
Fullerton,	Lovett,	Reidenbach,	Fiss,

Speaker.

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 164, as follows:

An Act to reenact and amend the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 563) entitled "An act to add section two thousand two and one-tenth to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' providing for cooperation of State Teachers Colleges at the request of the State Council of Defense with other agencies in furthering national defense programs and activities" extending the effective period thereof substituting the Department of Public Instruction and the Governor for the State Council of Education and placing additional duties and powers upon the trustees of State Teachers Colleges

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one and two of the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 563) entitled "An act to add section two thousand two and one-tenth to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' providing for cooperation of State Teachers Colleges at the request of the State Council of Defense with other agencies in furthering national defense programs and activities" are hereby reenacted and amended to read as follows

Section 1 Article twenty of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended by the act approved the twenty-fifth day of April one thousand nine hundred twenty-nine (P. L. 712) is hereby further amended by adding between section two thousand two and two thousand three thereof a new section to read as follows

Section 2002.1 The trustees of any State Teachers College with the approval of the Department of Public Instruction and the Governor may cooperate with municipal State Federal and other agencies in vocational education and rehabilitation programs in the furtherance of national defense and post-war activities and for such purposes shall have power to do all things and enter into all agreements necessary to carry out the same including the power to lease the whole or any part of the real property used by such college and they also shall have power to convert the whole or any part of one or more of such State Teachers Colleges for any other State purpose

Section 2 This act shall become effective immediately upon final enactment

Section 2 The provisions of this reenacting and amending act shall become effective immediately upon final enactment It is the intention of this act to make the provisions of Section 2002.1 of said act effective indefinitely

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Andrews,	Gaffney,	Lyons,	Reilly,
Baker,	Gallagher,	Madden,	Reynolds,
Barrett,	Gardner,	Madigan,	Riley,
Barton,	Getchey,	Mahany,	Robertson,
Baumunk,	Gibson,	Matthews,	Root,
Bentley,	Goodling,	McAtee,	Rose,
Bentzel,	Gore,	McClester,	Royer,
Boies,	Grant,	McCormack,	Rudisill,
Bonawitz,	Green,	McDowell,	Salus,
Boney,	Greenwood,	McKinney,	Scanlon,
Boorse,	Greer,	McLanahan,	Schuster,
Boory,	Guthrie,	McMillen,	Serrill,
Bower,	Gyger,	McNair,	Shaffer,
Brancato,	Haberlen,	McNally,	Shoemaker,
Breisch,	Hall,	Mihm,	Skale,
Brice,	Hamilton,	Mikula,	Sloan,
Brown,	Hare,	Miller,	Smith,
Brunner, C. H.,	Haudenshield,	Milliken,	Snider,
Brunner, P. A.,	Heatherington,	Mills,	Snyder,
Cadwalader,	Helm,	Modell,	Sollenberger,
Chervenak,	Hennihan,	Mooney,	Sorg,
Chudoff,	Hering,	Moore, C. E.,	Stank,
Cohen,	Herman,	Moore, W. J.,	Stockham,
Coleman,	Hersch,	Moran,	Stonier,
Cook,	Hewitt,	Moser,	Stuart,
Cooper,	Hoffman,	Munley,	Swope,
Corrigan,	Hoggard,	Murray, M. L.,	Tahl,
Costa,	Hoopes,	Murray, P. G.,	Tate,
Coulson,	Howells,	Myhan,	Tittle,
Coyle,	Hunter,	Nagel,	Trachtman,
Dague,	Huntley,	Nelson,	Trent,
Dalrymple,	James,	O'Brien,	Trout,
Dennison,	Jones,	O'Connor,	Turbett,
Depuy,	Kennedy,	O'Dare,	Turner,
Dillon,	Kirley,	O'Donnell,	Varallo,
Dix,	Kline,	O'Neill,	Verona,
Dougherty,	Kolankiewicz,	Owens,	Wachhaus,
Duffy,	Komorofski,	Pentrack,	Wagner,
Dye,	Krise,	Petrosky,	Waterhouse,
Elder,	Kurtz,	Pettigrew,	Watkins,
Elish,	Lane,	Pickens,	Weiss,
Erb,	Laughner,	Polaski,	Welsh,
Ewing,	Lee,	Polen,	Wescott,
Finnerty,	Leisey,	Powers,	White,
Flack,	Leonard,	Propert,	Wood, L. H.,
Fleming,	Levy,	Readinger,	Wood, N.,
Foor,	Lichtenwalter,	Reagan,	Worley,
Fox,	Loftus,	Reese, D. P.,	Wright,
Freed,	Longo,	Reese, R. E.,	Yeakel,
Frost,	Lopez,	Regan,	Yester,
Fullerton,	Lovett,	Reidenbach,	Fiss,

Speaker.

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 374, as follows:

An Act to further amend the second paragraph of section five of the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "'An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" making counties in which deceased service persons are buried liable for the cost of headstones

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The second paragraph of section five of the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" as amended by section one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 294) is hereby further amended to read as follows

Section 5 Markers for Graves Headstones

* * * * *

It shall also be the duty of the county commissioners of such county in which a deceased service person is buried upon or at any time subsequent to the death of [any] such deceased service person [who at the time of his or her death had his or her legal resident in the County] on application as hereinafter provided to cause a headstone or bronze memorial tablet to be placed at the head of or on the grave of each such deceased service person containing his or her name and the rank and organization to which he or she belonged or in which he or she served in letters raised or cut in at least three-sixteenths of an inch deep on such headstone to be of either marble or granite and to be placed or set in a concrete base at least three feet deep or if a headstone has been provided for such grave by the United States government the county commissioners shall provide such concrete base therefor or if lettering only on an existing memorial is desired by the family the county commissioners shall provide such lettering Application therefor shall in each case be made on forms prescribed by the Department of Military Affairs and may be made by any relative of the deceased service person or by a friend provided in the latter case there is no objection by the nearest relative and the application is approved by an organization of veterans of any war in which the United States has been is now or shall hereafter be engaged The expenses in each case shall be borne by the county in which the deceased service person is buried without regard to the county in which he or she had his or her legal resident at the time of his or her death or whether or not he or she died in the county [and whether or not he or she was buried in the county] Provided however That the expenses shall not exceed the sum of fifty dollars ($50) for each headstone or concrete base or lettering or bronze memorial tablet and the county commissioners of each such county acting under this section shall draw a warrant on the treasurer of their county for the payment of said expenses in favor of the party or parties furnishing such headstone or concrete base or lettering or bronze memorial tablet No such payment or payments shall be made unless the application therefor shall be approved before the commencement of the project by the county commissioners

Section 2 The provisions of this act shall become effective ten days after its final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Andrews,	Gaffney,	Lyons,	Reilly,
Baker,	Gallagher,	Madden,	Reynolds,
Barrett,	Gardner,	Madigan,	Riley,
Barton,	Getchey,	Mahany,	Robertson,
Baumunk,	Gibson,	Matthews,	Root,
Bentley,	Goodling,	McAtee,	Rose,
Bentzel,	Gore,	McClester,	Royer,
Boies,	Grant,	McCormack,	Rudisill,

Bonawitz,	Green,	McDowell,	Salus,
Boney,	Greenwood,	McKinney,	Scanlon,
Boorse,	Greer,	McLanahan,	Schuster,
Boory,	Guthrie,	McMillen,	Serrill,
Bower,	Gyger,	McNair,	Shaffer,
Brancato,	Haberlen,	McNally,	Shoemaker,
Breisch,	Hall,	Mihm,	Skale,
Brice,	Hamilton,	Mikula,	Sloan,
Brown,	Hare,	Miller,	Smith,
Brunner, C. H.,	Haudenshield,	Milliken,	Snider,
Brunner, P. A.,	Heatherington,	Mills,	Snyder,
Cadwalader,	Helm,	Modell,	Sollenberger,
Chervenak,	Hennihan,	Mooney,	Sorg,
Chudoff,	Hering,	Moore, C. E.,	Stank,
Cohen,	Herman,	Moore, W. J.,	Stockham,
Coleman,	Hersch,	Moran,	Stonier,
Cook,	Hewitt,	Moser,	Stuart,
Cooper,	Hoffman,	Munley,	Swope,
Corrigan,	Hoggard,	Murray, M. L.,	Tahl,
Costa,	Hoopes,	Murray, P. G.,	Tate,
Coulson,	Howells,	Myhan,	Tittle,
Coyle,	Hunter,	Nagel,	Trachtman,
Dague,	Huntley,	Nelson,	Trent,
Dalrymple,	James,	O'Brien,	Trout,
Dennison,	Jones,	O'Connor,	Turbett,
Depuy,	Kennedy,	O'Dare,	Turner,
Dillon,	Kirley,	O'Donnell,	Varallo,
Dix,	Kline,	O'Neill,	Verona,
Dougherty,	Kolankiewicz,	Owens,	Wachhaus,
Duffy,	Komorofski,	Pentrack,	Wagner,
Dye,	Krise,	Petrosky,	Waterhouse,
Elder,	Kurtz,	Pettigrew,	Watkins,
Elish,	Lane,	Pickens,	Weiss,
Erb,	Laughner,	Polaski,	Welsh,
Ewing,	Lee,	Polen,	Wescott,
Finnerty,	Leisey,	Powers,	White,
Flack,	Leonard,	Propert,	Wood, L. H.,
Fleming,	Levy,	Readinger,	Wood, N.,
Foor,	Lichtenwalter,	Reagan,	Worley,
Fox,	Loftus,	Reese, D. P.,	Wright,
Freed,	Lopez,	Reese, R. E.,	Yeakel,
Frost	Longo,	Regan,	Yester,
Fullerton,	Lovett,	Reidenbach,	Fiss,
			Speaker.

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE

BILL PASSED OVER

There being no objection

House Bill No. 581, Printer's No. 380,

was passed over at the request of Mr. LICHTENWALTER.

RECONSIDERATION OF VOTE

Mr. O'BRIEN. Mr. Speaker, I move that the vote by which House Bill No. 725, Printer's No. 284, entitled:

An Act authorizing certain organizations with permission of the court of quarter sessions to conduct bingo games and award prizes to the winners, fixing fees and providing penalties.

was defeated on final passage Monday, March 26, 1945, be reconsidered.

Mr. LEVY. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Philadelphia, Mr. O'Brien, vote on the final passage of this bill?

Mr. O'BRIEN. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Philadelphia, Mr. Levy, vote on the final passage of this bill?

Mr. LEVY. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

The yeas and nays were required by Mr. O'Brien and Mr. Levy and were as follows:

YEAS—89

Barrett,	Heatherington,	McNally,	Reidenbach,
Baumunk,	Hennihan,	Mihm,	Reynolds,
Bentzel,	Hering,	Mikula,	Root,
Boies,	Herman,	Modell,	Rose,
Boney,	Hersch,	Mooney,	Rudisill,
Boory,	Howells,	Moore, W. J.,	Scanlon,
Brancato,	Hunter,	Moran,	Shaffer,
Brunner, C. H.,	Huntley,	Moser,	Skale,
Brunner, P. A.,	Jones,	Munley,	Smith,
Chudoff,	Kirley,	Murray, M. L.,	Snider,
Coleman,	Kolankiewicz,	Myhan,	Sorg,
Costa,	Komorofski,	O'Brien,	Stank,
Coyle,	Lane,	O'Connor,	Stonier,
Dougherty,	Leonard,	O'Dare,	Swope,
Duffy,	Levy,	O'Donnell,	Tahl,
Finnerty,	Loftus,	O'Neill,	Tate,
Gaffney,	Longo,	Owens,	Trent,
Gallagher,	Lopez,	Pettigrew,	Varallo,
Getchey,	Matthews,	Polaski,	Verona,
Gore,	McAtee,	Readinger,	Weiss,
Grant,	McCormack,	Reese, R. E.,	Welsh,
Green,	McNair,	Regan,	White,
			Yester,

NAYS—92

Andrews,	Foor,	Laughner,	Riley,
Barton,	Fox,	Lee,	Robertson,
Bonawitz,	Freed,	Leisey,	Royer,
Boorse,	Fullerton,	Lichtenwalter,	Salus,
Bower,	Gardner,	Lovett	Serrill,
Breisch,	Gibson,	Madden,	Sloan,
Brice,	Goodling,	Madigan,	Snyder,
Cadwalader,	Greer,	Mahany,	Sollenberger,
Cohen,	Guthrie,	McClester,	Stockham,
Cooper,	Gyger,	McDowell,	Stuart,
Coulson,	Haberlen,	McKinney,	Tittle,
Dague,	Hall,	McMillen,	Trout,
Dalrymple,	Hamilton,	Miller,	Turbett,
Dennison,	Hare,	Milliken,	Wachhaus,
Depuy,	Haudenshield,	Moore, C. E.,	Wagner,
Dix,	Helm,	Murray, P. G.,	Waterhouse,
Dye,	Hewitt,	Nelson,	Watkins,
Elder,	Hoffman,	Pickens,	Wescott,
Elish,	Hoggard,	Polen,	Wood, N.,
Erb,	James,	Propert,	Worley,
Ewing,	Kennedy,	Reagan,	Wright,
Flack,	Kline,	Reese, D. P.,	Yeakel,
Fleming,	Kurtz,	Reilly,	Fiss,
			Speaker.

NOT VOTING—23

Baker,	Dillon,	McLanahan,	Schuster,
Bentley,	Frost,	Mills,	Shoemaker,
Brown,	Greenwood,	Nagel,	Trachtman,
Chervenak,	Hoopes,	Pentrack,	Turner,
Cook,	Krise,	Petrosky,	Wood, L. H.,
Corrigan,	Lyons,	Powers,	

So the question was determined in the negative and the motion was not agreed to.

HOUSE BILL No. 80, TAKEN FROM TABLE

Mr. SORG. Mr. Speaker, I move that House Bill No. 80, together with the message from the Senate which was laid on the table March 20, 1945 be taken from the table.

The motion was agreed to.

The message was read by the Clerk as follows:

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 80.

An Act to reenact and amend the title and the act approved the sixteenth day of May, one thousand nine hundred thirty-five (P. L. 208) entitled as amended, "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net income of certain corporations, joint-stock associations and limited partnerships providing for the assessment, collection, settlement and resettlement of taxes and reviews and appeal therefrom, conferring powers and imposing duties on certain persons, corporations, joint-stock associations, limited partnerships, State and county officers, boards and departments making an appropriation and providing penalties" as previously reenacted and amended by extending the provisions of the act for a further limited period of time

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1 by inserting after the word "time" in the last line the following: "by providing for additional deductions in fixing the tax by providing that a report of change of income becomes part of the original report in certain instances by changing the gross receipts fraction and by specifically providing for the computing of interest on increases of income indicated by reports of change".

Amend section 1, page 5, line 8 by inserting after the word "whatsoever" the following: "except the declared value excess profits tax"; also in line 21 by inserting after the word "realized" the words "and losses sustained"; also in line 25 by inserting the word "realized" the words "and losses sustained"; also in same line by inserting after the word "sale" the words "or exchange"; also on page 7, line 14 by inserting after the word "be" the figure "(1)"; also by inserting in line 15 light faced brackets before and after the word "from"; also in line 16 by inserting before the figure "(1)"; also in line 18 by striking out after the word "at" the word "connecting" and inserting in lieu thereof the word "connected"; also in line 20 by inserting after the word "Commonwealth" the words "and except rentals and royalties and interest and dividends"; also on page 8 line 3 by inserting after the word "state" the following: "in the case of construction contracts negotiated or effected at an office in the state of Pennsylvania but performed outside the state the gross receipts under such contracts shall be assignable outside the state except that if the activities under any such contract to which the gross receipts are attributable shall occur partly within the state and partly outside the state such proportion of the gross receipts under said contract shall be assignable to Pennsylvania as the direct and indirect costs incurred in Pennsylvania under the contract for the taxable year bear to the total costs incurred thereunder for the taxable year In the case of construction contracts negotiated or effected at an office outside the state but performed in the state the gross receipts under such contracts shall be assignable to the state except that if the activities under any such contract to which the gross receipts are attributable shall occur partly within the state and partly outside the state such proportion of the gross receipts under said contract shall be assignable to Pennsylvania as the direct and indirect costs incurred in the state under the contract for the taxable year bear to the total costs incurred thereunder for the taxable year".

Amend section 1, page 13, line 20 by inserting after the word "paid" the following: "except that if the taxable income has been or is increased by the Commissioner of Internal Revenue of by any other agency or court of the United States interest shall be computed on the additional tax due from thirty days after the corporation receives notice of the change of income until paid."

Amend section 1, page 16, line 15 by inserting after the word "settlements" the following: "Where a report of change correction or redetermination of Federal income or Federal tax has been filed after a petition for review or an appeal has been taken such report shall be deemed a part of the original report upon petition of the taxpayer at any subsequent proceeding as though it had been filed with the original report and no separate petition for review or appeal from the resettlement resulting from such report of change correction or redetermination shall be necessary".

Amend section 1, page 16, line 19 by striking out after the word "the" the word "Audidtor" and inserting in lieu thereof the word "Auditor".

Amend section 1, page 21, line 11 by striking out after the word "of" the word "corporation" and inserting in lieu thereof the word "corporations".

Amend bill page 22 by inserting after the word "forty-seven" in line 2 the following new section: Section 2 This reenacting and amending act shall become effective immediately upon its final enactment".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. SORG. Mr. Speaker, I ask that the House do concur in the amendments inserted by the Senate.

Mr. ANDREWS. Mr. Speaker, I would ask the gentleman from Elk to explain to the House what the effects of the Senate amendments to this bill are.

Mr. SORG. Mr. Speaker, I would like to ask the gentleman if he is interested in all the amendments?

Mr. ANDREWS. Mr. Speaker, I am interested in the strike-out amendment at the top of page 2. I am particularly interested in the amendment on page 8. I am particularly interested in the amendments which exempt construction companies, I am particularly interested in the effect of the amendment which eliminates the underliers, and I am particularly interested in the gentleman's estimate as to the amount of the exemption of net income, and will he tell the House whether that amount is $200,000 or $2,000,000, net amount.

Mr. SORG. Mr. Speaker, the amendments that pertain to construction companies or to construction contracts simply provide a method of assigning or allocating the amount of net income that is applicable to the tax, or to which the tax is applicable. In other words if a Pennsylvania corporation has a contract in some other state and part of the contract is performed in the state of Pennsylvania, or for instance, a part of the necessary equipment that goes into the contract is prefabricated in Pennsylvania, that part of the net income which is assignable to activities in the state of Pennsylvania is taxable, and the part which is assignable to activities outside the state of Pennsylvania is not taxable.

Briefly, Mr. Speaker, the amendment provides that those activities are chargeable as net income which take place at the place of the construction contract.

I might ask before going on, Mr. Speaker, whether or not the gentleman requires any further explanation as to that point which pertains to the construction company?

Mr. ANDREWS. Mr. Speaker, I haven't any further question as to the construction company except that the gentleman admits that the business done by a construction company outside of Pennsylvania is exempted under this bill while the business done by a manufacturing company that sells its products outside of Pennsylvania is taxed under this act.

Mr. SORG. That is correct, Mr. Speaker.

Mr. ANDREWS. I am waiting for the gentleman to proceed.

Mr. SORG. I desire, if the gentleman will bear with me, Mr. Speaker, on that particular point, to state that work done in Pennsylvania by construction contractors outside of Pennsylvania is covered by this provision.

The second amendment applies to the application of capital losses as well as capital gains. In other words capital gain is chargeable to income. These other amendments provide that capital losses shall be deductible for the purpose of net income.

The third amendment, Mr. Speaker, is procedural in that the net income recognizable or taxable by the state of Pennsylvania is determined by the audit made by the Federal tax authorities, that when a change is made as to the taxable income by the Federal tax authorities the procedural matter eliminates the necessity of making a separate appeal, but can make the record change by the Federal tax authority a part of the original appeal that might have been taken in the case.

The further amendment, and the one I believe particularly referred to by the gentleman from Cambria, exempts the rents and royalties accruing to a corporation doing no other business except that of holding property in the state of Pennsylvania. It is my understanding that the measure as it stands at the present time does not reduce the taxes as compared to the tax measure previously adopted on a temporary basis. It is my understanding that the amendments exclude only those things which were exempted by previous acts.

Mr. ANDREWS. Mr. Speaker, has the gentleman from Elk finished?

Mr. SORG. I have, Mr. Speaker.

Mr. ANDREWS. I would like to interrogate the gentleman from Elk, Mr. Sorg.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. SORG. I shall, Mr. Speaker.

Mr. ANDREWS. Is it not a fact that by removing the tax on corporations receiving rents and other income from properties in Pennsylvania you are exonerating the underliers from the corporation income tax?

Mr. SORG. Mr. Speaker, I am not entirely familiar with the meaning of the gentleman's use of the word underwriters.

Mr. ANDREWS. Underliers.

Mr. SORG. That is correct.

Mr. ANDREWS. Is it not a fact, Mr. Speaker, that the particular corporations are the sole beneficiaries of this exoneration, this particular class?

Mr. SORG. I am not sure, Mr. Speaker. It is my understanding that it applies to all classes of corporations that have income only from rents and royalties and no income from the privilege of using the property within the state of Pennsylvania.

Mr. ANDREWS. One further question, Mr. Speaker, on page 8 under subsection 1, you apparently exclude rents, royalties, interest and dividends, while in section 2 on the same page the same is included. The language in the bill "Except rentals, royalties, interests and dividends." Where? In the state?

Mr. SORG. Mr. Speaker, it is my understanding that the amendment is intended under subsection 1 to exclude all rentals, royalties, interest and dividends, whether it be in the state or outside the state, and if I may be permitted to explain, Mr. Speaker, the exception is specifically inserted for the purpose of clarification in that rents and royalties of a particular kind are covered by subsection 2 of that section.

Mr. ANDREWS. Would the gentleman say as a legal point, reading the language of that bill, that it would not be necessary for the courts to decide whether those rentals and royalties are inside or outside the state? That the bill is very indefinite in this particular section and could be clarified only by a legal decision?

Mr. SORG. Mr. Speaker, that is not my opinion.

Mr. ANDREWS. I thank the gentleman.

Mr. Speaker, we sent over to the Senate a tax bill in which the Department of Justice had a part in writing. The Department inserted the provisions taxing the underliers. It inserted the provisions that are stricken out entirely. The bill before it was amended some place read "By specifically imposing tax on corporations receiving rents and income from properties in the state." That was stricken out of the bill. Now the charges that these underliers make, the amounts that they earn are included in the charges they impose upon the people. To exempt the underliers, the corporations that operate and pay their income, what they earn, to the parent company, those underliers make charges, and those exemptions—the parent company gets the benefits of the charges the underliers make, but there isn't any income for the state.

There is a very shrewd suspicion that the provisions exempting construction companies are made for a specific list of Pennsylvania corporations, and which in all probability cover the leading ones.

The measure, if the House knew what it was doing, and if those who drew these tax bills knew what they were doing, has been mutilated, and the mutilation, from estimates made by people who ought to know, will cost this State at least two million dollars. The amendments are a bequest, a present to somebody of a very considerable sum of money.

There has been no explanation any place along the line as to why these amendments were made and because of the nature of them, because of their effect, and because of the fact that the amendments lack clarity we on this side of the House are impelled to oppose the motion to concur, and believe this matter should be thrashed out by a conference committee which will maintain the position which this House originally took.

Mr. LEVY. Mr. Speaker, I desire to interrogate the gentleman from Elk, Mr. Sorg.

The SPEAKER. Will the gentleman from Elk permit himself to be interrogated?

Mr. SORG. I shall, Mr. Speaker.

Mr. LEVY. I desire to inquire, Mr. Speaker, of the gentleman from Elk, in the amendments on page 8 exempting the underliers in Pennsylvania from corporate net income tax, whether that likewise takes care of the Mellon situation in Pittsburgh, where the Mellons lease the traction facilities to the city of Pittsburgh and the state receives an income of two and a half million dollars per year?

Mr. SORG. Mr. Speaker, I have no specific knowledge whatever of any person or group of persons or any corporate body that will get the advantage of these particular amendments.

Mr. LEVY. Does the gentleman himself, Mr. Speaker, have personal knowledge that the Mellon interests in Pittsburgh rent the streets for the convenience of the traction companies in the city of Pittsburgh?

Mr. SORG. Mr. Speaker, I have no knowledge of that fact whatever.

Mr. LEVY. I might inform the gentleman from Elk, Mr. Sorg, that if this bill as amended by the Senate is concurred in by the House I see a definite exemption on the part of the Mellon interests in Pittsburgh for which the State receives two and a half million dollars per year, and for which there will be, in answer to Mr. Andrews' question, a definite reduction in income to the Commonwealth. If I am wrong, Mr. Speaker, I would like the gentleman on the other side now to deny it or to get the information available within the next twenty-four hours, and if this charge is true, Mr. Speaker, then it might be proper and fitting for this House to postpone action on House Bill 80 until the facts are presented by the gentleman on the other side, either in the affirmative or in the negative.

Mr. SORG. Mr. Speaker, I want just briefly to say that in my understanding this is not an exemption from anything at all that was previously taxed and I ask the Members on both sides of this House to vote to concur in the amendments of the Senate.

Mr. COHEN. Mr. Speaker, I desire to interrogate the gentleman from Elk. Mr. Sorg.

The SPEAKER. Will the gentleman from Elk permit himself to be interrogated?

Mr. SORG. I shall, Mr. Speaker.

Mr. COHEN. Mr. Speaker, will the gentleman tell us whether or not heretofore rents, royalties, interest and dividends received by Pennsylvania corporations were taxed under the corporated income tax?

Mr. SORG. Some were, Mr. Speaker.

Mr. COHEN. The gentleman, I believe, admitted, Mr. Speaker, and will he confirm my suspicion that these rents, royalties, interest and dividends were not to be exempt from tax?

Mr. SORG. No, Mr. Speaker, it is not my understanding that rents, royalties, interest and dividends previously taxed are to be exempt at the present time.

Mr. COHEN. Will the gentleman please refer to the bill, on page 8, line 10, where the specific words are used "and except rentals, royalties, interest and dividends" what does it mean?

Mr. SORG. Mr. Speaker, the exception is made from subsection one, a subsection covered in subsection two.

Mr. COHEN. Do I understand, Mr. Speaker, that in subsection one we except certain rents, royalties, interest and dividends, but subsection two says that you do tax them?

Mr. SORG. Yes, Mr. Speaker, they do, and it is specially exempted from subsection one so that it might be covered entirely as one subject in subsection two.

Mr. COHEN. Does the gentleman know how much money is involved in the tax received from rents, royalties, interest and dividends?

Mr. SORG. I do not, Mr. Speaker.

Mr. COHEN. Will the gentleman admit that it amounts to some money, one dollar at least?

Mr. SORG. I will, Mr. Speaker.

Mr. COHEN. Will the gentleman please tell us whether or not the Governor's budget will be thrown out of whack by this exemption of one dollar?

Mr. SORG. It is my understanding, it will not.

Mr. COHEN. As I understand now, the Governor's budget was submitted on January 3, which as I understand it, was a balanced budget, will permit tax exemptions of this kind, at least a dollar or more?

Mr. SORG. Mr. Speaker, it is my understanding that the basis of the budget was the previous experience from the various tax measures, and that the amendments as they are inserted by the Senate do not affect the taxes in revenue measures as they previously existed, therefore it is possible that the budget might have included it, or it is possible the amount passed by the House may have been in excess of the amount required.

Mr. COHEN. Then I understand, Mr. Speaker, the original budget was flexible. Did it have some give to it?

Mr. SORG. I hope it did.

Mr. COHEN. I thank the gentleman. Mr. Speaker, this side of the House made the charge some months ago that the Governor's budget was flexible, that it had a lot of bugs in it that ought to be taken out. That was flatly denied on the other side. At least now since somebody somewhere has to get an exemption of a dollar or more, the admission is that the budget is flexible. I am hoping now, because we have been having a terriffic tug-of-war out front as to whether or not the school teachers were receiving sufficient money in Pennsylvania, a decent amount, we are hoping indeed that some of this money may be found floating around somehow.

I commend the subject to become the subject of a public hearing wherein instead of listening to the Budget Director telling us what we might or might not spend, that we tell the Budget Director that we experts on fiscal affairs in the House admit that the budget is flexible and there is money to be had—school teachers, please note, we have a tax budget; either it is or it is not. Now you have it and now you don't; now you see it and now you don't. It does seem like a lot of bungling and misappropriation of money.

I think, Mr. Speaker, that we ought not to take the dictates of these amendments and blithely pass them on while we admit that one section takes it away and the other one puts it back in again. I think the gentleman from Elk has been in court many times in his legal career, and I know I have been frequently in court where I have heard the judge, when the question of legislative intent was raised, just bluntly say "The legislature never intended anything." Only once in my experience before

the courts have I had a chance to tell the judge that I knew what the intent was because I voted on the measure, only to be told that the Attorney General had rendered an opinion which certainly vitiates any intent you may have had." That may put the Members of the House in a sort of a jam. In any event, Mr. Speaker, we are going along here now, and we are saying to the very few taxpayers, the underliers and several other corporations, that there is an exception that is not an exception; we are excepting from the tax something that is not excepted. Don't figure on paying this tax, but pay it. So I think it might be well to concede as a matter of legislative intent, if I understand the gentleman correctly, that there isn't anything in this bill to exempt underliers or to exempt construction companies or any other corporations in Pennsylvania from the payment of the corporate net income tax on rents, royalties, dividends and interests.

Mr. ANDREWS. Mr. Speaker, I crave the indulgence of the House for just a moment more. You know that you do not exempt anybody who has not been paying anything. The purpose of the exemption is to relieve someone. If no one is relieved by an exemption you have a foolish bill, and for my distinguished colleague from Philadelphia to intimate that this bill in no way exempts anyone, and for the gentleman from Elk to say that these amendments continue the theory upon which this bill was based is wholly fallacious. The whole theory of the bill has been changed by the amendments.

Mr. SORG. Just to keep the record straight, Mr. Speaker, I might say that of course there are exemptions in this bill, but there are no exemptions that did not exist in any previous tax measure. It does not exempt anybody who previously paid the taxes on the same thing. It would be an exemption of somebody to pay taxes if they were taxed before, but the exemption is entirely a reiteration of all the previous tax revenue measures on this particular score.

On the question recurring,

Will the House agree to the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—107

Barton,	Frost,	Madden,	Salus,
Baumunk,	Fullerton,	Madigan,	Serrill,
Bonawitz,	Gardner,	Mahany,	Shoemaker,
Boorse,	Getchey,	McAtee,	Sloan,
Bower,	Gibson,	McClester,	Smith,
Breisch,	Goodling,	McCormack,	Snyder,
Brice,	Greer,	McDowell,	Sollenberger,
Brunner, C. H.,	Guthrie,	McKinney,	Sorg,
Cadwalader,	Gyger,	McMillen,	Stockham,
Cook,	Hall,	Mikula,	Stonier,
Cooper,	Hare,	Miller,	Stuart,
Costa,	Haudenshield,	Milliken,	Tahl,
Coulson,	Helm,	Moore, C. E.,	Tittle,
Dague,	Hewitt,	Moser,	Trout,
Dalrymple,	Hoffman,	Murray, P. G.,	Turbett,
Dennison,	Howells,	Nelson,	Turner,
Depuy,	Huntley,	O'Connor,	Wachhaus,
Dix,	James,	O'Dare,	Wagner,
Dye,	Kennedy,	Pickens,	Waterhouse,
Elder,	Kline,	Propert,	Watkins,
Erb,	Kurtz,	Reagan,	Wescott,
Ewing,	Laughner,	Reese, D. P.,	Wood, L. H.,
Flack,	Lee,	Reilly,	Wood, N.,
Fleming,	Leisey,	Riley,	Worley,
Foor,	Lichtenwalter,	Robertson,	Yeakel,
Fox,	Loftus,	Root,	Fiss,
Freed,	Lyons,	Royer,	Speaker.

NAYS—82

Andrews,	Green,	McNair,	Reese, R. E.,
Baker,	Haberlen,	McNally,	Regan,
Barrett,	Hamilton,	Mihm,	Reidenbach,
Bentzel,	Heatherington,	Mills,	Reynolds,
Boies,	Hennihan,	Modell,	Rose,
Boney,	Hering,	Mooney,	Rudisill,
Boory,	Herman,	Moore, W. J.,	Scanlon,
Brancato,	Hersch,	Moran,	Shaffer,
Brown,	Hoggard,	Munley,	Skale,
Brunner, P. A.,	Hunter,	Murray, M. L.,	Snider,
Cohen,	Jones,	Myhan,	Stank,
Coleman,	Kirley,	Nagel,	Swope,
Coyle,	Kolankiewicz,	O'Brien,	Tate,
Dougherty,	Komorofski,	O'Donnell,	Trent,
Duffy,	Lane,	O'Neill,	Varallo,
Elish,	Leonard,	Owens,	Weiss,
Finnerty,	Levy,	Petrosky,	Welsh,
Gaffney,	Longo,	Pettigrew,	White,
Gallagher,	Lopez,	Polaski,	Wright,
Gore,	Lovett,	Polen,	Yester,
Grant,	Matthews,		

NOT VOTING—15

Bentley,	Dillon,	McLanahan,	Schuster,
Chervenak,	Greenwood,	Pentrack,	Trachtman,
Chudoff,	Hoopes,	Powers,	Verona,
Corrigan,	Krise,	Readinger,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 528, as follows:

An Act to repeal subsection (f) of section nine hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2329)

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (f) of section nine hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and

the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2329) is hereby repealed

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Messrs. Lovett, Cohen and Weiss asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—106

Barton,	Fullerton,	Madigan,	Serrill,
Baumunk,	Gardner,	Mahany,	Shoemaker,
Bonawitz,	Getchey,	McAtee,	Sloan,
Boorse,	Gibson,	McClester,	Smith,
Bower,	Goodling,	McCormack,	Snyder,
Breisch,	Greer,	McDowell,	Sollenberger,
Brice,	Guthrie,	McKinney,	Sorg,
Brunner, C. H.,	Gyger,	McMillen,	Stockham,
Cadwalader,	Hall,	Mikula,	Stonier,
Cook,	Hare,	Miller,	Stuart,
Cooper,	Haudenshield,	Milliken,	Tahl,
Costa,	Helm,	Moore, C. E.,	Tate,
Coulson,	Hewitt,	Moser,	Tittle,
Dague,	Hoffman,	Murray, M. L.,	Trout,
Dalrymple,	Howells,	Nelson,	Turbett,
Dennison,	Huntley,	O'Dare,	Turner,
Depuy,	James,	Pickens,	Wachhaus,
Dix,	Kennedy,	Propert,	Wagner,
Dye,	Kline,	Reagan,	Waterhouse,
Elder,	Kurtz,	Reese, D P.,	Watkins,
Erb,	Laughner,	Reilly,	Wescott,
Ewing,	Lee,	Riley,	Wood, L. H.,
Flack,	Leisey,	Robertson,	Wood, N.,
Fleming,	Lichtenwalter,	Root,	Worley,
Foor,	Loftus,	Royer,	Yeakel,
Fox,	Lyons,	Salus,	Fiss,
Frost,	Madden,		Speaker.

NAYS—87

Andrews,	Green,	McLanahan,	Readinger,
Baker,	Haberlen,	McNair,	Reese, R. E.,
Barrett,	Hamilton,	McNally,	Regan,
Bentzel,	Heatherington,	Mihm,	Reidenbach,
Boies,	Hennihan,	Mills,	Reynolds,
Boney,	Hering,	Modell,	Rose,
Boory,	Herman,	Mooney,	Rudisill,
Brancato,	Hersch,	Moore, W. J.,	Scanlon,
Brunner, P. A.,	Hoggard,	Moran,	Schuster,
Chudoff,	Hunter,	Munley,	Shaffer,
Cohen,	Jones,	Murray, P. G.,	Skale,
Coleman,	Kirley,	Myhan,	Snider,
Coyle,	Kolankiewicz,	Nagel,	Stank,
Dillon,	Komorofski,	O'Brien,	Swope,
Dougherty,	Lane,	O'Connor,	Trent,
Duffy,	Leonard,	O'Donnell,	Varallo,
Elish,	Levy,	O'Neill,	Weiss,
Finnerty,	Longo,	Owens,	Welsh,
Gaffney,	Lopez,	Petrosky,	White,
Gallagher,	Lovett,	Pettigrew,	Wright,
Gore,	Matthews,	Polaski,	Yester,
Grant,		Polen,	

NOT VOTING—11

Bentley,	Corrigan,	Hoopes,	Powers,
Brown,	Freed,	Krise,	Trachtman,
Chervenak,	Greenwood,	Pentrack,	Verona,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 717, Printer's No. 332,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1099, as follows:

An Act to add section seventeen point one to the act approved the third day of May one thousand nine hundred thirty-three (P. L. 242) entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties" by declaring the right of municipalities to adopt ordinances for the regulation of beauty shops and beauty schools

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the third day of May one thousand nine hundred thirty-three (P. L. 242) entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties" is hereby amended by adding thereto after section seventeen a new section to read as follows

Section 17.1 Right of Municipality to Regulate Nothing contained in this act or the act to which this is an amendment shall be construed as prohibiting any municipality from adopting appropriate ordinances not inconsistent with the provisions of this act or the rules and regulations adopted thereunder as may be deemed necessary to promote the public health and safety and regulate the conduct of beauty shops and beauty schools

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—111

Barton,	Fullerton,	Madigan,	Serrill,
Baumunk,	Gardner,	Mahany,	Shoemaker,
Bonawitz,	Getchey,	McAtee,	Sloan,
Boorse,	Gibson,	McClester,	Smith,
Bower,	Goodling,	McCormack,	Snyder,
Breisch,	Grant,	McDowell,	Sollenberger,
Brice,	Greer,	McKinney,	Sorg,
Brunner, C. H.,	Guthrie,	McMillen,	Stockham,
Cadwalader,	Gyger,	Mikula,	Stonier,
Cook,	Hall,	Miller,	Stuart,
Cooper,	Hare,	Milliken,	Swope,
Costa,	Haudenshield,	Moore, C. E.,	Tahl,
Coulson,	Helm,	Moser,	Tittle,
Dague,	Hoffman,	Murray, P. G.,	Trout,
Dalrymple,	Hoopes,	Nelson,	Turbett,
Dennison,	Howells,	O'Dare,	Turner,
Depuy,	Huntley,	Pickens,	Wachhaus,
Dix,	James,	Propert,	Wagner,
Dye,	Kennedy,	Reagan,	Waterhouse,
Elder,	Kline,	Reese, D. P.,	Watkins,
Erb,	Kurtz,	Regan,	Weiss,
Ewing,	Laughner,	Reilly,	Wescott,
Flack,	Lee,	Riley,	Wood, L. H.,
Fleming,	Leisey,	Robertson,	Wood, N.,
Foor,	Lichtenwalter,	Root,	Worley,
Fox,	Loftus,	Royer,	Yeakel,
Freed,	Lyons,	Rudisill,	Fiss,
Frost,	Madden,	Salus,	Speaker.

NAYS—84

Andrews,	Gallagher,	Lovett,	Petrosky,
Baker,	Gore,	Matthews,	Pettigrew,
Barrett,	Green,	McLanahan,	Polaski,
Bentzel,	Haberlen,	McNair,	Polen,
Boies,	Hamilton,	McNally,	Reese, R. E.,
Boney,	Heatherington,	Mihm,	Reidenbach,
Boory,	Hennihan,	Mills,	Reynolds,
Brancato,	Hering,	Modell,	Rose,
Brown,	Herman,	Mooney,	Scanlon,
Brunner, P. A.,	Hersch,	Moore, W. J.,	Schuster,
Chudoff,	Hewitt,	Moran,	Shaffer,
Cohen,	Hunter,	Munley,	Skale,
Coleman,	Jones,	Murray, M. L.,	Snider,
Corrigan,	Kirley,	Myhan,	Stank,
Coyle,	Kolankiewicz,	Nagel,	Tate,
Dillon,	Komorofski,	O'Brien,	Trent,
Dougherty,	Lane,	O'Connor,	Varallo,
Duffy,	Leonard,	O'Donnell,	Welsh,
Elish,	Levy,	O'Neill,	White,
Finnerty,	Longo,	Owens,	Yester,
Gaffney,	Lopez,		

NOT VOTING—9

Bentley,	Hoggard,	Powers,	Verona,
Chervenak,	Krise,	Readinger,	Wright,
Greenwood,	Pentrack,	Trachtman,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

MEMBER WELCOMED

The SPEAKER. The Chair would like to take this opportunity of informing the House that the gentleman from Montgomery, Mr. Wood, who has been seriously ill for three weeks, has returned to the House. We welcome him.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection

Senate Bill No. 72, Printer's No. 7, and

Senate Bill No. 113, Printer's No. 124,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 356, as follows:

An Act to further amend Section 411 subsection B of Section 512 Section 1012 Section 1108 and subsection B of Section 1109 of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and duties and limitations upon powers of corporations and persons authorized to engage in a banking or fiduciary business or both

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 411 of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commisions and officers imposing penalties and repealing certain acts and parts of acts" as last amended by the act approved the twenty-ninth day of July one thousand nine hundred forty-one (P. L. 586) is hereby further amended to read as follows

Section 411 Increase of Authorized Capital A A bank a bank and trust company or a trust company may amend its articles to increase its authorized capital in the same manner and with the same approval as is required by this act for any amendment to the articles of a bank a bank and trust company or a trust company except that written notice of a proposed amendment for increasing the authorized capital of the institution shall be given to each shareholder entitled to vote thereon at least sixty days prior to such meeting and except that a proposed amendment for increasing the authorized capital of the institution shall be adopted by the holders of at least a majority in amount of the aggregate par value of the outstanding shares entitled to vote at such meeting and by the holders of at least a majority in number of the outstanding shares entitled to vote at such meeting

Such increase of authorized capital shall however become invalid and inoperative unless the actual increase of capital which is authorized shall be made within one year from the date of the issuance of the certificate of amend-

ment If any portion of such authorized capital shall be created and issued within such one-year period only such portion as remains unissued within such period shall become invalid and inoperative In the case of a bank a bank and trust company or a trust company which upon the effective date of this act has an authorized capital which exceeds the par value of its outstanding shares such one-year period shall date from the effective date of this act Such actual increase may be made from time to time within such period of one year but no such increase shall be made until the shares shall be paid for in full pursuant to the provisions of this act as to the creation or issuance of any share Such increase may however be made by the declaration of a share dividend in acordance with the provisions of this act concerning such share dividends

However a bank a bank and trust company or a trust company may issue common shares to provide for the concurrent retirement of shares of any class other than common shares [The issuance of such] Such common shares shall be issued for a consideration of not less than the par value of such shares and in all other respects shall be subject to all of the requirements for and limitations upon the issuance of common shares prescribed by this act except that if such common shares are issued pursuant to the declaration of a share dividend with the approval of the Department of Banking and in accordance with the provisions of this act concerning such share dividends and if such issuance of common shares shall not effect an increase or decrease of capital no meeting of the shareholders nor their vote need be required The bank the bank and trust company or the trust company shall upon effecting such issuance of common shares and the retirement of shares of another class file articles of amendment in the manner provided in this act except that such articles need not state that advertisement has been made or notice given or action taken by the shareholders

B Except as otherwise specifically provided in this act a common share shall not be issued pursuant to such increase for a consideration of less than the par value of such share plus fifty per centum thereof unless a share can be issued for a consideration less than such amount without reducing the surplus of the bank the bank and trust company or the trust company below one hundred per centum of the capital as increased but in no case shall such share be created or issued for a consideration which is less than the par value thereof

C The bank the bank and trust company or the trust company may withhold any cash or share dividend due on a share certificate which has not been exchanged within six months after the date upon which the shares were issued pursuant to such increase but upon the shareholder's thereafter exchanging such certificate the bank the bank and trust company or the trust company shall pay to him any dividends which were thus withheld

Section 2 Subsection B of section 512 of said act as amended by the act approved the twenty-second day of April one thousand nine hundred thirty-seven (P. L. 349) is hereby further amended to read as follows

Section 512 Eligibility for Cashier or Treasurer Restrictions upon Office

* * * * *

B A cashier or treasurer of an institution shall not engage [in any other gainful profession business occupation or calling] either directly or indirectly in the business of buying or selling stock real estate or insurance but this shall not be construed to affect the right to be at the same time a member of the board of directors or the board of trustees of the incorporated institution in which he is cashier or treasurer

Section 3 Section 1012 of the said act as last amended by the act approved the twenty-first day of February one thousand nine hundred forty-five (Number 5) is hereby further amended to read as follows

Section 1012 Loans on and Investments in Bonds and Mortgages and Judgments of Record A A bank or a bank and trust company shall have the power to lend on the security of or invest in bonds secured by mortgages upon real property but it shall lend upon or invest in only such bonds and mortgages as (1) are first liens on unencumbered improved real property including improved farm land situated within the Commonwealth or within fifty miles of a boundary thereof and (2) do not exceed two-thirds of the actual value of such real property and (3) become due within ten years after the making of such loan or investment unless amortized in equal annual installments over a period not exceeding fifteen years after the making of such loans or investment Any building which is upon and is included in the valuation of such real property shall be insured against loss by fire to the benefit of such bank or bank and trust company by the borrower or mortgagor during the term of the bond in a company which is authorized to do business in Pennsylvania and is approved by the bank or bank and trust company making the investment It shall be lawful for a bank or bank and trust company to renew such policies at the expense of the borrower or mortgagor from year to year or for a longer or shorter period not however exceeding the term of the obligation in case he shall fail to do so All necessary charges and expenses paid by such bank or bank and trust company for such renewals shall be paid by such borrower or mortgagor In case such borrower or mortgagor shall refuse upon demand to pay such charges and expenses they shall be added to the amount secured by the mortgage and shall together with interest from the date of the payment of such charges and expenses constitute a lien upon the property so mortgaged All expenses of searches examinations certificates of title or appraisal of actual value and all expenses of drawing and recording of papers shall be paid by such mortgagor or borrower The actual value of the real property shall be determined by two reputable persons especially familiar with real property values in the vicinity of the particular property to be appraised selected from or approved by the board of directors They shall inspect the property and shall state in writing that the actual value of the real property inspected to the best of their judgment is as stated Such report shall be filed and preserved among the records of the bank or bank and trust company The provisions of this subsection shall not apply to loans on the security of bonds secured by mortgages upon real property situated within the Commonwealth or within fifty miles of a boundary thereof made or for which a written commitment to guarantee has been made in accordance with the provisions of the "Servicemen's Readjustment Act of 1944" its amendments and supplements and rules and regulations promulgated from time to time pursuant to the provisions of said Act provided that such loans are guaranteed in an amount equal to at least twenty per centum of the value of the property subject to the lien nor shall the provisions of this section apply to bonds secured by mortgages which are insured by or for which a commitment to insure has been made by the Federal Housing Administer pursuant to the provisions of the National Housing Act of one thousand nine hundred and thirty-four approved the twenty-seventh day of June one thousand nine hundred and thirty-four its amendments and supplements nor to public utility railroad or industrial bonds or other securities commonly known as investment securities although such bonds may be secured in whole or in part by a mortgage upon real property

B A bank or bank and trust company shall have the power to lend on security of or invest in judgments of record which are first liens on unencumbered real property situated within the Commonwealth or within fifty miles of a boundary thereof to the amount of fifty per centum of the actual value of such property under the same circumstances and subject to the same conditions as are established by this section in the case of loans on the security of or investments in bonds secured by mortgages upon real property

C The aggregate amount of all loans and investments made by virtue of this section shall not at any time exceed twenty-five per centum of the unimpaired capital and twenty-five per centum of its unimpaired surplus or fifty per centum of the total time deposits of such bank or bank and trust company at the option of the bank or bank and trust company except that the limitations of

this subsection shall not apply to the portion of loans guaranteed or for which a written commitment to guarantee has been made in accordance with the provisions of the "Servicemen's Readjustment Act of 1944" its amendments and supplements and rules and regulations promulgated from time to time pursuant to the provisions of said Act

Section 4 Section 1108 of the said act as amended by the act approved the second day of July one thousand nine hundred thirty-five (P. L. 521) is hereby further amended to read as follows

Section 1108 Segregation and Designation of Trust Funds Deposit of Uninvested Funds A bank and trust company or a trust company shall keep all funds property or investments held by it in a fiduciary capacity separate and apart from the assets of such bank and trust company or trust company All investments including fractional interests in investments [made] held by a bank and trust company or a trust company as fiduciary [including fractional interests in investments] either as sole fiduciary or as co-fiduciary acting with other fiduciaries may be held [in the name of such bank and trust company or trust company] in the name or names of the fiduciaries or in the name of a nominee of such bank and trust company or trust company provided the consent of the co-fiduciary or co-fiduciaries if any is obtained to such nominees registration but all such investments shall be so designated upon the records of such bank and trust company or trust company that the estate to which such investments belong shall be clearly shown upon such records at all times Such bank and trust company or such trust company may however clear receipts and payments of such funds in the regular course of business in the same manner as other funds held by it Funds held by a bank and trust company or a trust company as fiduciary awaiting investment or distribution may be deposited in any other institution in any national banking association or with any corporation or person in any other state which is authorized to receive deposits and is subject to the full supervision of the banking authorities of such other state or in the case of a bank and trust company may be used by it in the conduct of its business If such funds held by a bank and trust company as fiduciary are used by such bank and trust company in the conduct of its business there shall be pledged or hypothecated by such bank and trust company with the trust department of the bank and trust company acting as fiduciary interest-bearing bonds or other obligations of the United States or those for the payment of the principal and interest on which the faith and credit of the United States is pledged or of the Commonwealth of Pennsylvania or such other securities as may be approved by the department The par value of the bonds other obligations or securities so pledged or hypothecated to secure such funds of the market value if such market value is less than the par value shall at all times be equal to an amount not less than the funds so used or deposited provided that security for such funds shall not be required to the extent that such funds are insured under the provisions of section 12B of the Federal Reserve Act approved the twenty-third day of December one thousand nine hundred and thirteen its amendments and supplements If the bank and trust company which has put up such collateral should fail or be taken in possession by the department the estate from which the funds were taken shall have a lien for the amount of such funds on the bonds other obligations or securities so pledged or hypothecated in addition to their claim against the estate of such bank and trust company

Section 5 Subsection B of section 1109 of the said act as last amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 475) is hereby further amended to read as follows

Section 1109 Common Trust Funds

* * * * *

B If the instrument under which a trust company or bank and trust company acts as fiduciary whether such fiduciary capacity arose before or is created after this act takes effect shall limit or restrict the investment of moneys of the estate in assets of the class authorized by law as legal investments the trust company or bank and trust company may in its capacity as sole fiduciary or with the consent of any person acting with it in a fiduciary capacity invest and reinvest moneys of the estate in any such common trust fund maintained by the trust company or bank and trust company provided the assets composing such fund consist solely of assets of the class authorized as legal investments for funds held by fiduciaries

If the instrument under which a trust company or bank and trust company acts as fiduciary whether such fiduciary capacity arose before or is created after this act takes effect shall authorize the investment of moneys of the estate in a common trust fund or in investments other than those designated by law as legal investments or shall authorize the trust company or bank and trust company either alone or in conjunction with any person acting with it in a fiduciary capacity to exercise its or their discretion with respect to the investment of moneys of the estate the trust company or bank and trust company may in its capacity as sole fiduciary or with the consent of any person acting with it in a fiduciary capacity invest and reinvest moneys of the estate in any such common trust fund maintained by the trust company or bank and trust company Any such common trust fund consisting solely of moneys of estates contributed thereto by the trust company or bank and trust company pursuant to authority contained in any such instruments creating the fiduciary capacity to invest moneys of the estates in a common trust fund or in investments other than such legal investments or pursuant to such discretionary power with respect to the investment of moneys of the estates as contained in any such instruments creating the fiduciary capacity may be composed of investments other than those of the class designated by law as legal investments for funds by fiduciaries including common and preferred stocks

Bonds secured by mortgages and securities of the class authorized by law as legal investments for fiduciaries shall be deemed proper investments for any such common trust funds Provided however That no investment for a common trust fund shall be made or maintained in bonds secured by mortgages which would cause the total amount of the investment for such fund in bonds secured by mortgages to exceed forty per centum of the value of all the assets comprising such fund

No moneys of any one estate shall be invested in any one or more of such common trust funds as may be maintained by a trust company or bank and trust company if such investment would result in such estate having an interest in excess of ten per centum of the value of the assets of such common trust fund or funds or the sum of [twenty-five] fifty thousand dollars whichever is less at the time of investment In applying this limitation if two or more trusts are created by the same settlor or settlors and as much as one-half of the income or principal or both of each trust is payable or applicable to the use of the same person or persons such trusts shall be considered as one

Section 6 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—106

Barton.	Frost.	Madden,	Serrill,
Baumunk,	Fullerton,	Madigan,	Shoemaker,
Bonawitz,	Gardner,	Mahany,	Sloan,
Boorse,	Getchey,	McAtee,	Smith,
Bower.	Gibson,	McClester.	Snyder,
Breisch,	Goodling,	McCormack,	Sollenberger,
Brice.	Greer,	McDowell,	Sorg,

Brunner, C. H.,	Guthrie,	McKinney,	Stockham,
Cadwalader,	Gyger,	McMillen,	Stonier,
Cook,	Hall,	Mikula,	Stuart,
Cooper,	Hare,	Miller,	Tahl.
Costa,	Haudenshield,	Milliken,	Tittle,
Coulson,	Helm,	Moore, C. E.,	Trout,
Dague,	Hewitt,	Moser,	Turbett,
Dalrymple,	Hoffman,	Murray, P. G.,	Turner,
Dennison,	Howells,	Nelson,	Wachhaus,
Depuy,	Huntley,	O'Dare,	Wagner,
Dix,	James,	Pickens,	Waterhouse,
Dye,	Kennedy,	Propert,	Watkins,
Elder,	Kline,	Reagan,	Wescott,
Erb,	Kurtz,	Reese, D. P.,	Wood, L. H.,
Ewing,	Laughner,	Reilly,	Wood, N.,
Flack,	Lee,	Riley,	Worley,
Fleming,	Leisey,	Robertson,	Yeakel,
Foor,	Lichtenwalter,	Root,	Fiss,
Fox,	Loftus,	Royer,	Speaker.
Freed,	Lyons,	Salus,	

NAYS—92

Andrews,	Gore,	McLanahan,	Reese, R. E.,
Baker,	Grant,	McNair,	Regan,
Barrett,	Green,	McNally,	Reidenbach,
Bentzel,	Haberlen,	Mihm,	Reynolds,
Boies,	Hamilton,	Mills,	Rose,
Boney,	Heatherington,	Modell,	Rudisill,
Boory,	Hennihan,	Mooney,	Scanlon,
Brancato,	Hering,	Moore, W. J.,	Schuster,
Brown,	Herman,	Moran,	Shaffer,
Brunner, P. A.,	Hersch,	Munley,	Skale,
Chervenak,	Hoggard,	Murray, M. L.,	Snider,
Chudoff,	Hunter,	Myhan,	Stank,
Cohen,	Jones,	Nagel,	Swope,
Coleman,	Kirley,	O'Brien,	Tate,
Corrigan,	Kolankiewicz,	O'Connor,	Trachtman,
Coyle,	Komorofski,	O'Donnell,	Trent,
Dillon,	Lane,	O'Neill,	Varallo,
Dougherty,	Leonard,	Owens,	Verona,
Duffy,	Levy,	Petrosky,	Weiss,
Elish,	Longo,	Pettigrew,	Welsh,
Finnerty,	Lopez,	Polaski,	White,
Gaffney,	Lovett,	Polen,	Wright,
Gallagher,	Matthews,	Readinger,	Yester,

NOT VOTING—6

Bentley,	Hoopes,	Pentrack,	Powers,
Greenwood,	Krise,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

BILL PASSED OVER

There being no objection

Senate Bill No. 195, Printer's No. 72,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 685, as follows:

An Act to further amend section one of the act approved the twenty-fourth day of June one thousand nine hundred and nineteen (P. L. 579) entitled "An act to fix the salary and mileage of the members of the General Assembly and to provide for the furnishing of such postage stationery and supplies as may be necessary for the conduct of their offices and repealing all acts or parts of acts inconsistent therewith" increasing the mileage rate of members of the General Assembly

On the question,

Will the House agree to the bill on third reading?

Mr. COHEN. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend Sec. 2, page 2, lines 25, 26, 27 and 28, by striking out all of said lines.

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

Will the House agree to the amendment?

On the question,

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILLS PASED OVER

There being on objection

House Bill No. 1110, Printer's No. 361

House Bill No. 411, Printer's No. 377 and

House Bill No. 100, Printer's No. 383

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 103, as follows:

An Act to permit the purchase by the cities counties and other political subdivisions of this Commonwealth of surplus war materials supplies and commodies from the Government of the United States or any of its agencies without advertisement or competitive bidding

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The cities counties and other political subdivisions of this Commonwealth are and shall be authorized to purchase from the Government of the United States or any of its agencies surplus war materials supplies and commodities without advertising or competitive bidding

Section 2 All acts or parts of acts inconsistent herewith are to the extent of such inconsistency only uspended in their operation during the period in which said war materials supplies and commodities are being offered for sale and disposed of by the said Government or agencies

Section 3 This act shall become effective immediately upon its final passage

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Andrews,	Gaffney,	Madigan,	Reynolds,
Baker,	Gallagher,	Mahany,	Riley,
Barrett,	Gardner,	Matthews,	Robertson,
Barton,	Getchey,	McAtee,	Root,
Baumunk,	Gibson,	McClester,	Rose,
Bentley,	Goodling,	McCormack,	Royer,
Bentzel,	Gore,	McDowell,	Rudisill,
Boies,	Grant,	McKinney,	Salus,
Bonawitz,	Green,	McLanahan,	Scanlon,
Boney,	Greer,	McMillen,	Schuster,
Boorse,	Guthrie,	McNair,	Serrill,

Boory,	Gyger,	McNally,	Shaffer,
Bower,	Haberlen,	Mihm,	Shoemaker,
Brancato,	Hall,	Myhan,	Skale,
Breisch,	Hamilton,	Miller,	Sloan,
Brice,	Hare,	Milliken,	Smith,
Brown,	Haudenshield,	Mills,	Snider,
Brunner, C. H.,	Heatherington,	Modell,	Snyder,
Brunner, P. A.,	Helm,	Mooney,	Sollenberger,
Cadwalader,	Hennihan,	Moore, C. E.,	Sorg,
Chervenak,	Hering,	Moore, W. J.,	Stank,
Chudoff,	Herman,	Moran,	Stockham,
Cohen,	Hersch,	Moser,	Stonier,
Coleman,	Hewitt,	Munley,	Stuart,
Cook,	Hoffman,	Murray, M. L.,	Swope,
Cooper,	Hoggard,	Murray, P. G.,	Tahl,
Corrigan,	Howells,	Myhan,	Tate,
Costa,	Hunter,	Nagel,	Tittle,
Coulson,	Huntley,	Nelson,	Trachtman,
Coyle,	James,	O'Brien,	Trent,
Dague,	Jones,	O'Connor,	Trout,
Dalrymple,	Kennedy,	O'Dare,	Turbett,
Dennison,	Kirley,	O'Donnell,	Turner,
Depuy,	Kline,	O'Neill,	Varallo,
Dillon,	Kolankiewicz,	Owens,	Verona,
Dix,	Komorofski,	Pentrack,	Wachhaus,
Dougherty,	Kurtz,	Petrosky,	Wagner,
Duffy,	Lane,	Pettigrew,	Waterhouse,
Dye,	Laughner,	Pickens,	Watkins,
Elder,	Lee,	Polaski,	Weiss,
Elish,	Leisey,	Polen,	Welsh,
Erb,	Leonard,	Powers,	Wescott,
Ewing,	Levy,	Propert,	White,
Finnerty,	Lichtenwalter,	Readinger,	Wood, L. H.,
Flack,	Loftus,	Reagan,	Wood, N.,
Fleming,	Longo,	Reese, D. P.,	Worley,
Foor,	Lopez,	Reese, R. E.,	Wright,
Fox,	Lovett,	Regan,	Yeakel,
Freed,	Lyons,	Reidenbach,	Yester,
Frost,	Madden,	Reilly,	Fiss,
Fullerton,			Speaker.

NAYS—0

NOT VOTING—3

Greenwood,	Hoopes,	Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 255, as follows:

An Act abating certain tax penalties and interest on unpaid county city borough town township school district poor district and county institution district taxes with certain exceptions prohibiting the sale of real property for the nonpayment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All penalties and interest imposed on unpaid delinquent county city borough town township school district poor district and county institution district taxes for the tax year one thousand nine hundred forty-four and all previous years assessed and levied against any parcel or parcels of real estate are hereby abated if the unpaid delinquent taxes are paid as hereinafter provided if the authority levying the tax shall have notified the county treasurer within thirty days after this act becomes effective that the taxing authority has accepted by a majority vote the provisions of this act

In order to receive the benefits of the installment system of payment provided by this act twenty per centum (20%) or more of the unpaid delinquent taxes due for the year one thousand nine hundred forty-four and for all previous years shall be paid on or before the first day of November one thousand nine hundred forty-five twenty per centum (20%) or more on or before the first day of November one thousand nine hundred forty-six twenty per centum (20%) or more on or before the first day of November one thousand nine hundred forty-seven twenty per centum (20%) or more on or before the first day of November one thousand nine hundred forty-eight and the unpaid balance on or before the first day of November one thousand nine hundred forty-nine Provided That the taxes on such parcel or parcels of real estate levied for the year one thousand nine hundred forty-five together with any interest and penalties due thereon shall be paid on or before the first day of November one thousand nine hundred forty-five And provided further That the respective current taxes on such parcel or parcels of real estate assessed and levied by such taxing authority for the years subsequent to the year one thousand nine hundred forty-five during such installment periods shall be paid before they become delinquent for the purposes of this act a tax shall be deemed to become delinquent on the date when a penalty attaches to the tax If and whenever any of the said current taxes or any of the said installments are not paid when due and payable as herein provided then and in that even the total amount of the abated penalties and interest shall be received and added to the unpaid taxes with the same force and effect as if such abated penalties and interest or portion thereof had never been abated and the taxpayer shall not thereafter be entitled to any further benefits or privileges under this act

Section 2 Any taxpayer or owner having the right of redemption may anticipate the payment of such delinquent taxes for the year one thousand nine hundred forty-four and previous years at any time on or before November first one thousand nine hundred forty-five by paying the entire amount of such delinquent taxes and receive the benefit of this act and in such cases payment of the taxes assessed and levied for the year one thousand nine hundred forty-five shall be required at the time of such payment

Section 3 This act shall be construed to apply to all such taxes whether or not such taxes have been returned to the commissioner's office or to the treasurer of any city for nonpayment or liens therefor have been filed in the office of the prothonotary of the county or proceedings for the collection of such taxes have been instituted in any court in said county or where real property has been sold to a county city borough town township school district or county institution district at a tax sale or a tax lien and the period of redemption has not expired but this act shall not be construed to apply to cases where real property has been sold other than to a county city borough town township school district or county institution district at a tax sale or on a tax lien and where the period of redemption has not expired The taxpayer shall be liable for the payment of all costs incurred except the solicitors fees where such taxes have been returned for nonpayment or liens therefor have been filed in the office of the prothonotary or proceedings for the collection thereof have been instituted in any court

Section 4 The benefits of this act shall extend to and accrue to any successful bidder or purchaser at sheriff's or other judicial sale grantee transferee mortgagee or owner having the right of redemption under a tax sale or other party in interest in the parcel or parcels of real estate against which the above mentioned taxes have been assessed and levied whether separated or not

Section 5 Any taxpayer or owner having the right of redemption shall have the right to pay the delinquent taxes assessed and levied against any parcel or parcels of real estate without being required to pay the delinquent taxes assessed and levied against any other parcel or parcels of real estate in the same ward district or other municipal subdivision

The county commissioners of each county shall at the cost of the county cause to be published two times in not more than two newspapers of general circulation throughout the county and in the legal newspaper if any a notice to the taxpayers giving a synopsis of the

terms of this act setting forth the benefits provided by the act and the necessary conditions required by the taxpayers in order to receive the same Upon application either in person or in writing by any taxpayer or owner the tax levying authorities the tax collector the receiver or receivers of taxes or the person or persons charged with the collection of such delinquent taxes or the person or persons in whose custody the records of such delinquent taxes are kept shall furnish to such delinquent taxpayers or owners a statement of the delinquent taxes owed by him to such political subdivision showing the face amount the penalty if any and any costs or other charges in detail against such real property as shown by the records in his custody

Every collector of taxes whose duty it is to send to the respective taxpayers any notice or statement of their annual taxes shall include in each such notice or statement an additional notice of the date when the next installment payment is due under the provisions of this act

Section 6 In order to enable the taxpayer or owner having the right of redemption under a tax sale to receive the full benefits of this act no real property shall be sold for nonpayment of taxes before November first one thousand nine hundred forty-five except in counties of the second class the county treasurer and in cities of the second class the city treasurer may hold their respective tax sales of real property as provided by existing law unless the owner of any such property to be sold at any such sale or any one interested in such property shall prior to such sale pay the first installment as hereinbefore provided of the delinquent taxes charged against such property and for which it is to be sold If the first installment of any such taxes shall be paid in order to prevent the tax sale as aforesaid the taxpayer making such payment shall still be required to pay the current taxes before they become delinquent as hereinbefore provided in order to secure the benefits of this act Any tax sale shall be adjourned or readjourned or right of redemption extended as often as may be necessary for the purpose of this section If any tax sale is adjourned or readjourned or right of redemption extended after advertisement or sale no additional advertisement or notice shall be necessary for the adjourned or readjourned sale or right of redemption No such adjournment or readjournment or redemption failure to advertise or hold any such tax sale shall invalidate the lien of any tax due and unpaid or sale had subject to redemption but the lien of all such taxes shall be fully preserved during the entire installment period herein provided for if the taxpayer avails himself of the privileges or benefits of this act Provided however That in every case where a taxpayer avails himself of the privileges or benefits of this act the period during which payment of the said delinquent taxes is postponed or continued under this act shall not be included in computing and determining whether or not any right of the tax assessing and levying authority has been barred or lost by reason of the provisions of any statute or statutes now existing or hereafter enacted limiting the right of the said tax levying and assessing authorities to file preserve or maintain the lien of the said taxes

Section 7 The provisions of this act are severable and if any of the provisions hereof are held to be unconstitutional the decision shall not be construed to impair any other provision of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included herein

Section 8 The act approved the first day of May one thousand nine hundred forty-one (P. L. 31) and the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 323) shall continue in full force and effect as to any and all taxpayers who have taken advantage of and are not in default in the provisions thereof All other acts and parts of acts general local and special inconsistent herewith be and the same are hereby suspended during the time this act shall be in effect

Section 9 Any taxpayer who has made any payment or payments on delinquent taxes under the provisions of any of the acts referred to in section eight above but who has defaulted in any payment required by such act may secure the benefits of this act by making payments on the balance due on all taxes covered by the provisions of this act whether or not covered by the abatement act under which he was previously making payments

Section 10 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—157

Andrews,	Foor,	Longo,	Reynolds,
Baker,	Fox,	Lopez,	Robertson,
Barrett,	Frost,	Lovett,	Root,
Barton,	Fullerton,	Madden,	Rose,
Bentzel,	Gaffney,	Mahany,	Rudisill,
Boies,	Gallagher,	Matthews,	Salus,
Bonawitz,	Gofe,	McAtee,	Scanlon,
Boney,	Green,	McCormack,	Schuster,
Boorse,	Greer,	McLanahan,	Serrill,
Boory,	Guthrie,	McNally,	Shaffer,
Bower,	Gyger,	Mihm,	Shoemaker,
Brancato,	Haberlen,	Mikula,	Skale,
Breisch,	Hall,	Miller,	Sloan,
Brice,	Hamilton,	Mills,	Smith,
Brown,	Hare,	Modell,	Snider,
Brunner, C. H.,	Haudenshield,	Mooney,	Snyder,
Brunner, P. A.,	Heatherington,	Moore, W. J.,	Stank,
Cadwalader,	Hennihan,	Moran,	Stockham,
Chervenak,	Hering,	Moser,	Stonier,
Chudoff,	Herman,	Munley,	Swope,
Cohen,	Hersch,	Murray, M. L.,	Tahl,
Coleman,	Hewitt,	Myhan,	Tate,
Cook,	Hoffman,	O'Brien,	Tittle,
Cooper,	Hoggard,	O'Connor,	Trent,
Corrigan,	Howells,	O'Dare,	Turner,
Costa,	Huntley,	O'Donnell,	Varallo,
Coulson,	James,	O'Neill,	Wachhaus,
Coyle,	Jones,	Owens,	Wagner,
Dague,	Kennedy,	Petrosky,	Waterhouse,
Dalrymple,	Kirley,	Pettigrew,	Watkins,
Dennison,	Kline,	Pickens,	Weiss,
Depuy,	Kolankiewicz,	Polaski,	Welsh,
Dillon,	Komorofski,	Propert,	Wescott,
Dix,	Kurtz,	Readinger,	White,
Dougherty,	Lane,	Reese, D. P.,	Worley,
Duffy,	Lee,	Reese, R. E.,	Wright,
Elish,	Leisey,	Regan,	Yester,
Ewing,	Leonard,	Reidenbach,	Fiss,
Finnerty,	Levy,	Reilly,	Speaker.
Flack,	Loftus,		

NAYS—30

Baumunk,	Grant,	Milliken,	Sollenberger,
Dye,	Helm,	Moore, C. E.,	Stuart,
Elder,	Laughner,	Murray, P. G.,	Trout,
Erb,	Lichtenwalter,	Polen,	Turbett,
Freed,	Madigan,	Reagan,	Wood, L. H.,
Gardner,	McClester,	Riley,	Wood, N.,
Gibson,	McKinney,	Royer,	Yeakel,
Goodling,	McMillen,		

NOT VOTING—17

Bentley,	Hunter,	McNair,	Powers,
Fleming,	Krise,	Nagel,	Sorg,
Getchey,	Lyons,	Nelson,	Trachtman,
Greenwood,	McDowell,	Pentrack,	Verona,
Hoopes,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 306, as follows:

An Act to authorize cities boroughs incorporated towns townships and school districts to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost and providing for the reinstatement of the liens of such claims and judgments

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1. Whenever any city borough incorporated town township or school district has heretofore filed in the office of the prothonotary of the proper county any tax or municipal claim and the city borough incorporated town or township or school district has not within the period of five years after the date on which any such claim was filed sued out a writ of scire facias to reduce the same to judgment or in the case of a tax or municipal claim has not within said period of five years filed a suggestion of nonpayment and an averment of default or whenever any writ of scire facias has been issued to reduce any such claim to judgment and by reason of defense or any other court proceedings judgment has not been entered within the period of five years after the date on which such writ was issued or whenever any such tax or municipal claim has been reduced to judgment and the city borough incorporated town township or school district has not within the period of five years after the date on which such judgment was entered or within five years after the date on which such judgment was last revived filed a suggestion of nonpayment and an averment of default or sued out a writ of scire facias to revive the same then in any such case any such city borough incorporated town township or school district may within six months after the passage and approval of this act issue its praecipe for a writ of scire facias on any such tax or municipal claim and proceed to judgment in the manner provided by law to obtain judgments upon tax or municipal claims or in case a writ of scire facias has been issued but the same has not been reduced to judgment within five years from the date of issuance issue its praecipe for an alias write of scire facias on any such tax or municipal claim and proceed to judgment in the manner provided by law to obtain judgments upon tax or municipal claims or in the case of a tax or municipal claim where no judgment has been entered file a suggestion of non-jayment and an averment of default or in case judgment has been entered on a tax or municipal claim either file a suggestion of nonpayment and an averment of default or issue its praecipe for a writ of scire facias on any such judgment and proceed to judgment in the manner provided by law to obtain judgments of revival and such claim or judgment so entered or revived shall be a valid claim or judgment and be a lien upon the real estate upon which it was a lien at the time the claim was filed or the judgment was entered and said claim or judgment may be revived or further revived and collected as other claims or judgments upon tax or municipal claims are revived and collected Provided however That the lien of any such claim or judgment shall not reattach against any real estate transferred to any purchaser during the time when the lien of any such tax or municipal claim or judgment was lost nor shall the lien of any such claim or judgment impair or affect the priority of the lien of any mortgage or other lien which gained priority because of the failure of the city borough incorporated town township or school district to sue out the writ of scire facias or file a suggestion of nonpayment and an averment of default within the five year period or was entered of record during the time the lien of such tax or municipal claim or judgment was lost

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Andrews,	Gaffney,	Mahany,	Riley,
Baker,	Gallagher,	Matthews,	Robertson,
Barrett,	Gardner,	McAtee,	Root,
Barton,	Getchey,	McClester,	Rose,
Baumunk,	Gibson,	McCormack,	Royer,
Bentley,	Goodling,	McDowell,	Rudisill,
Bentzel,	Gore,	McKinney,	Salus,
Boies,	Grant,	McLanahan,	Scanlon,
Bonawitz,	Green,	McMillen,	Schuster,
Boney,	Greer,	McNair,	Serrill,
Boory,	Guthrie,	McNally,	Shaffer,
Boorse,	Gyger,	Mihm,	Shoemaker,
Bower,	Haberlen,	Mikula,	Sheale,
Brancato,	Hall,	Miller,	Sloan,
Breisch,	Hamilton,	Milliken,	Smith,
Brice,	Hare,	Mills,	Snider,
Brown,	Haudenshield,	Modell,	Snyder,
Brunner, C. H.,	Heatherington,	Mooney,	Sollenberger,
Brunner, P. A.,	Helm,	Moore, C. E.,	Sorg,
Cadwalader,	Hennihan,	Moore, W. J.,	Stank,
Chervenak,	Hering,	Moran,	Stockham,
Chudoff,	Herman,	Moser,	Stonier,
Cohen,	Hersch,	Munley,	Stuart,
Coleman,	Hewitt,	Murray, M. L.,	Swope,
Cook,	Hoffman,	Murray, P. G.,	Tahl,
Cooper,	Hoggard,	Myhan,	Tate,
Corrigan,	Howells,	Nagel,	Tittle,
Costa,	Hunter,	Nelson,	Trachtman,
Coulson,	Huntley,	O'Brien,	Trent,
Coyle,	James,	O'Connor,	Trout,
Dague,	Jones,	O'Dare,	Turbett,
Dalrymple,	Kennedy,	O'Donnell,	Turner,
Dennison,	Kirley,	O'Neill,	Varallo,
Depuy,	Kline,	Owens,	Verona,
Dillon,	Kolankiewicz,	Pentrack,	Wachhaus,
Dix,	Komorofski,	Petrosky,	Wagner,
Dougherty,	Kurtz,	Pettigrew,	Waterhouse,
Duffy,	Lane,	Pickens,	Watkins,
Dye,	Laughner,	Polaski,	Weiss,
Elder,	Lee,	Polen,	Welsh,
Elish,	Leisey,	Powers,	Wescott,
Erb,	Leonard,	Propert,	White,
Ewing,	Levy,	Readinger,	Wood, L. H.,
Finnerty,	Lichtenwalter,	Reagan,	Wood, N.,
Flack,	Loftus,	Reese, D. P.,	Worley,
Fleming,	Longo,	Reese, R. E.,	Wright,
Foor,	Lopez,	Regan,	Yeakel,
Fox,	Lovett,	Reidenbach,	Yester,
Freed,	Lyons,	Reilly,	Fiss,
Frost,	Madden,	Reynolds,	Speaker.
Fullerton,	Madigan,		

NAYS—0

NOT VOTING—3

Greenwood,	Hoopes,	Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 632, as follows:

An Act authorizing the county commissioners of the respective counties to grant rights of way and licenses for rights of way for certain purposes on and across lands purchased by the county at tax sales and not redeemed

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The county commissioners of any county may grant rights of way or licenses for rights of way for roads pipe lines electric lines telephone lines and telegraph lines on and across lands purchased by the county at any tax sale and owned by the county after the period of redemption provided by law has expired They shall charge for such rights of way and licenses such remuneration and damages as they deem the conditions and circumstances warrant

All net proceeds from such rights of way or licenses shall be recorded and disposition thereof made in the same manner as other income or money derived from the property concerned

Section 2 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Andrews,	Gaffney,	Madigan,	Reynolds,
Baker,	Gallagher,	Mahany,	Riley,
Barrett,	Gardner,	Matthews,	Robertson,
Barton,	Getchey,	McAtee,	Root,
Baumunk,	Gibson,	McClester,	Rose,
Bentley,	Goodling,	McCormack,	Royer,
Bentzel,	Gore,	McDowell,	Rudisill,
Boies,	Grant,	McKinney,	Salus,
Bonawitz,	Green,	McLanahan,	Scanlon,
Boney,	Greer,	McMillen,	Schuster,
Boorse,	Guthrie,	McNair,	Serrill,
Boory,	Gyger,	McNally,	Shaffer,
Bower,	Haberlen,	Mihm,	Shoemaker,
Brancato,	Hall,	Mikula,	Skale,
Breisch,	Hamilton,	Miller,	Sloan,
Brice,	Hare,	Milliken,	Smith,
Brown,	Haudenshield,	Mills,	Snider,
Brunner, C. H.,	Heatherington,	Modell,	Snyder,
Brunner, P. A.,	Helm,	Mooney,	Sollenberger,
Cadwalader,	Hennihan,	Moore, C. E.,	Sorg,
Chervenak,	Hering,	Moore, W. J.,	Stank,
Chudoff,	Herman,	Moran,	Stockham,
Cohen,	Hersch,	Moser,	Stonier,
Coleman,	Hewitt,	Munley,	Stuart,
Cook,	Hoffman,	Murray, M. L.,	Swope,
Cooper,	Hoggard,	Murray, P. G.,	Tahl,
Corrigan,	Howells,	Myhan,	Tate,
Costa,	Hunter,	Nagel,	Tittle,
Coulson,	Huntley,	Nelson,	Trachtman,
Coyle,	James,	O'Brien,	Trent,
Dague,	Jones,	O'Connor,	Trout,
Dalrymple,	Kennedy,	O'Dare,	Turbett,
Dennison,	Kirley,	O'Donnell,	Turner,
Depuy,	Kline,	O'Neill,	Varallo,
Dillon,	Kolankiewicz,	Owens,	Verona,
Dix,	Komorofski,	Pentrack,	Wachhaus,
Dougherty,	Kurtz,	Petrosky,	Wagner,
Duffy,	Lane,	Pettigrew,	Waterhouse,
Dye,	Laughner,	Pickens,	Watkins,
Elder,	Lee,	Polaski,	Weiss,
Elish,	Leisey,	Polen,	Welsh,
Erb,	Leonard,	Powers,	Wescott,
Ewing,	Levy,	Propert,	White,
Finnerty,	Lichtenwalter,	Readinger,	Wood, L. H.,
Flack,	Loftus,	Reagan,	Wood, N.,
Fleming,	Longo,	Reese, D. P.,	Worley,
Foor,	Lopez,	Reese, R. E.,	Wright,
Fox,	Lovett,	Regan,	Yeakel,
Freed,	Lyons,	Reidenbach,	Yester,
Frost,	Madden,	Reilly,	Fiss,
Fullerton,			Speaker.

NAYS—0

NOT VOTING—3

Greenwood, Hoopes, Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 675, as follows:

An Act to further amend section fifteen of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debt of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" extending the lien of debts on decedent's real estate in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of section fifteen of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates

and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" as amended by the act approved the seventh day of June one thousand nine hundred nineteen (P. L. 412) is hereby further amended to read as follows

Section 15 (a) No debt of a decedent including the cost of settlement of the estate and the funeral expenses of the decedent except as provided in clauses (b) (g) [and] (h) and (m) hereof shall remain a lien on the real estate of such decedent longer than one year after the decease of such debtor unless within said period an action for the recovery thereof be brought against the executor or administrator of such decedent and such action shall be indexed within said period against the decedent and such executor or administrator in the judgment index in the county in which such action is brought and also in the county in which the real estate sought to be charged is situate and be duly prosecuted to judgment and then to be a lien only for the period of five years unless the same be revived by writ of scire facias against the decedent his heirs executors or administrators and the devisee alienee or owner of the land sought to be charged in the manner now provided in the case of the revival of judgments

The plaintiff may at his election join such surviving spouse and heirs and the devisee alienee or owner of the land in such original action in which event such action shall be indered as aforesaid against all defendants so joined

In any action brought under this section if the plaintiff obtains a verdict or a judgment or an award by an auditor or before obtaining a verdict or a judgment obtains by the orphans' court in his favor or otherwise obtains an allowance of his claim he shall also be allowed costs of suits without regard to the amount of his claim and without the filing of an affidavit that the debt due or damages exceeds the sum of one hundred dollars If an action for the recovery of a debt be brought as aforesaid it shall be deemed to have been duly prosecuted to judgment if award in favor of the plaintiff be made by an auditor or the orphans' court or if the claim be included in a schedule of distribution and the latter be confirmed by the court

Section 2 Section fifteen of said act as amended by the act approved the second day of May one thousand nine hundred nineteen (P. L. 104) and the act approved the seventh day of June one thousand nine hundred nineteen (P. L. 412) is hereby further amended by adding after subsection (l) a new subsection to read as follows

Section 15

* * * * *

(m) In all cases where the executor administrator or a creditor of a decedent's estate within one year from the date of decedent's death petitions the court for sale of decedent's real estate for payments of debts under the provisions of section sixteen the lien on the real estate of such decedent shall continue for a period of six months from the date of the filing of such petition and the court before which such petition is pending shall have the power to extend the lien for such additional period as in its discretion it deems necessary where the proceedings on the petition have been delayed by litigation or dilatory practices without the fault of the petitioner

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Consttiution the yeas and nays were taken and were as follows:

YEAS—201

Andrews,	Gaffney,	Madigan,	Reynolds,
Baker,	Gallagher,	Mahany,	Riley,
Barrett,	Gardner,	Matthews,	Robertson,
Barton,	Getchey,	McAtee,	Root,
Baumunk,	Gibson,	McClester,	Rose,
Bentley,	Goodling,	McCormack,	Royer,
Bentzel,	Gore,	McDowell,	Rudisill,
Boies,	Grant,	McKinney,	Salus,
Bonawitz,	Green,	McLanahan,	Scanlon,
Boney,	Greer,	McMillen,	Schuster,
Boorse,	Guthrie,	McNair,	Serrill,
Boory,	Gyger,	McNally,	Shaffer,
Bower,	Haberlen,	Mihm,	Shoemaker,
Brancato,	Hall,	Mikula,	Skale,
Breisch,	Hamilton,	Miller,	Sloan,
Brice,	Hare,	Milliken,	Smith,
Brown,	Haudenshield,	Mills,	Snider,
Brunner, C. H.,	Heatherington,	Modell,	Snyder,
Brunner, P. A.,	Helm,	Mooney,	Sollenberger,
Cadwalader,	Hennihan,	Moore, C. E.,	Sorg,
Chervenak,	Hering,	Moore, W. J.,	Stank,
Chudoff,	Herman,	Moran,	Stockham,
Cohen,	Hersch,	Moser,	Stonier,
Coleman,	Hewitt,	Munley,	Stuart,
Cook,	Hoffman,	Murray, M. L.,	Swope,
Cooper,	Hoggard,	Murray, P. G.,	Tahl,
Corrigan,	Howells,	Myhan,	Tate,
Costa,	Hunter,	Nagel,	Tittle,
Coulson,	Huntley,	Nelson,	Trachtman,
Coyle,	James,	O'Brien,	Trent,
Dague,	Jones,	O'Connor,	Trout,
Dalrymple,	Kennedy,	O'Dare,	Turbett,
Dennison,	Kirley,	O'Donnell,	Turner,
Depuy,	Kline,	O'Neill,	Varallo,
Dillon,	Kolankiewicz,	Owens,	Verona,
Dix,	Komorofski,	Pentrack,	Wachhaus,
Dougherty,	Kurtz,	Petrosky,	Wagner,
Duffy,	Lane,	Pettigrew,	Waterhouse,
Dye,	Laughner,	Pickens,	Watkins,
Elder,	Lee,	Polaski,	Weiss,
Elish,	Leisey,	Polen,	Welsh,
Erb,	Leonard,	Powers,	Wescott,
Ewing,	Levy,	Propert,	White,
Finnerty,	Lichtenwalter,	Readinger,	Wood, L. H.,
Flack,	Loftus,	Reagan,	Wood, N.,
Fleming,	Longo,	Reese, D. P.,	Worley,
Foor	Lopez,	Reese, R. E.,	Wright,
Fox,	Lovett,	Regan,	Yeakel,
Freed,	Lyons,	Reidenbach,	Yester,
Frost,	Madden,	Reilly,	Fiss,
Fullerton,			Speaker.

NAYS—0

NOT VOTING—3

Greenwood,	Hoopes,	Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 784, as follows:

An Act to add section one point one to the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 322) entitled "An act providing for the issuance of certified copies of death birth and marriage certificates and divorce decrees by county officers free of charge to disabled war veterans and their dependents in death and compensation cases and prescribing penalties" requiring counties to pay the fees of officers compensated on a fee basis

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 322) entitled "An act providing for the issuance of certified copies of death birth and marriage certificates and divorce decrees by county officers free of charge to disabled war veterans and their dependents in death and compensation cases and prescribing penalties" is hereby amended by adding after section one a new section to read as follows

Section 1.1 In counties where the county officer issuing any certificate under this act is compensated on a fee basis the fee for issuing such certificate shall be paid by the county upon the presentation to the county commissioners of proper vouchers by the county officer issuing such certificate

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Andrews,	Gaffney,	Madigan,	Reynolds,
Baker,	Gallagher,	Mahany,	Riley,
Barrett,	Gardner,	Matthews,	Robertson,
Barton,	Getchey,	McAtee,	Root,
Baumunk,	Gibson,	McClester,	Rose,
Bentley,	Goodling,	McCormack,	Royer,
Bentzel,	Gore,	McDowell,	Rudisill,
Boies,	Grant,	McKinney,	Salus,
Bonawitz,	Green,	McLanahan,	Scanlon,
Boney,	Greer,	McMillen,	Schuster,
Boorse,	Guthrie,	McNair,	Serrill,
Boory,	Gyger,	McNally,	Shaffer,
Bower,	Haberlen,	Mihm,	Shoemaker,
Brancato,	Hall,	Mikula,	Skale,
Breisch,	Hamilton,	Miller,	Sloan,
Brice,	Hare,	Milliken,	Smith,
Brown,	Haudenshield,	Mills,	Snider,
Brunner, C. H.,	Heatherington,	Modell,	Snyder,
Brunner, P. A.,	Helm,	Mooney,	Sollenberger,
Cadwalader,	Hennihan,	Moore, C. E.,	Sorg,
Chervenak,	Hering,	Moore, W. J.,	Stank,
Chudoff,	Herman,	Moran,	Stockham,
Cohen,	Hersch,	Moser,	Stonier,
Coleman,	Hewitt,	Munley,	Stuart,
Cook,	Hoffman,	Murray, M. L.,	Swope,
Cooper,	Hoggard,	Murray, P. G.,	Tahl,
Corrigan,	Howells,	Myhan,	Tate,
Costa,	Hunter,	Nagel,	Tittle,
Coulson,	Huntley,	Nelson,	Trachtman,
Coyle,	James,	O'Brien,	Trent,
Dague,	Jones,	O'Connor,	Trout,
Dalrymple,	Kennedy,	O'Dare,	Turbett,
Dennison,	Kirley,	O'Donnell,	Turner,
Depuy,	Kline,	O'Neill,	Varallo,
Dillon,	Kolankiewicz,	Owens,	Verona,
Dix,	Komorofski,	Pentrack,	Wachhaus,
Dougherty,	Kurtz,	Petrosky,	Wagner,
Duffy,	Lane,	Pettigrew,	Waterhouse,
Dye,	Laughner,	Pickens,	Watkins,
Elder,	Lee,	Polaski,	Weiss,
Elish,	Leisey,	Polen,	Welsh,
Erb,	Leonard,	Powers,	Wescott,
Ewing,	Levy,	Propert,	White,
Finnerty,	Lichtenwalter,	Readinger,	Wood, L. H.,
Flack,	Loftus,	Reagan,	Wood, N.,
Fleming,	Longo,	Reese, D. P.,	Worley,
Foor,	Lopez,	Reese R. E.,	Wright,
Fox,	Lovett,	Regan,	Yeakel,
Freed,	Lyons,	Reidenbach,	Yester,
Frost,	Madden,	Reilly,	Fiss,
Fullerton,			Speaker.

NAYS—0

NOT VOTING—3

Greenwood,	Hoopes,	Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 849, as follows:

An Act to further amend section six of the act approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" by providing for surety of the peace in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six of the act approved the fifth day of May one thousand nine hundred eleven P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" as last amended by the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 515) is hereby further amended by adding at the end thereof a new clause to read as follows

Section 6 The court hereby created shall have jurisdiction

* * * * *

(g) To require bonds for surety of the peace in actions before the county of Allegheny county on the complaint of one member of a family against another

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Andrews,	Gaffney,	Madigan,	Reynolds,
Baker,	Gallagher,	Mahany,	Riley,
Barrett,	Gardner,	Matthews,	Robertson,
Barton,	Getchey,	McAtee,	Root,
Baumunk,	Gibson,	McClester,	Rose,
Bentley,	Goodling,	McCormack,	Royer,
Bentzel,	Gore,	McDowell,	Rudisill,
Boies,	Grant,	McKinney,	Salus,
Bonawitz,	Green,	McLanahan,	Scanlon,
Boney,	Greer,	McMillen,	Schuster,
Boorse,	Guthrie,	McNair,	Serrill,
Boory,	Gyger,	McNally,	Shaffer,
Bower,	Haberlen,	Mihm,	Shoemaker,
Brancato,	Hall,	Mikula,	Skale,
Breisch,	Hamilton,	Miller,	Sloan,
Brice,	Hare,	Milliken,	Smith,
Brown,	Haudenshield,	Mills,	Snider,
Brunner, C. H.,	Heatherington,	Modell,	Snyder,
Brunner, P. A.,	Helm,	Mooney,	Sollenberger,
Cadwalader,	Hennihan,	Moore, C. E.,	Sorg,
Chervenak,	Hering,	Moore, W. J.,	Stank,
Chudoff,	Herman,	Moran,	Stockham,
Cohen,	Hersch,	Moser,	Stonier,
Coleman,	Hewitt,	Munley,	Stuart,
Cook,	Hoffman,	Murray, M. L.,	Swope,
Cooper,	Hoggard,	Murray, P. G.,	Tahl,

Corrigan,	Howells,	Myhan,	Tate,
Costa,	Hunter,	Nagel,	Tittle,
Coulson,	Huntley,	Nelson,	Trachtman,
Coyle,	James,	O'Brien,	Trent,
Dague,	Jones,	O'Connor,	Trout,
Dalrymple,	Kennedy,	O'Dare,	Turbett,
Dennison,	Kirley,	O'Donnell,	Turner,
Depuy,	Kline,	O'Neill,	Varallo,
Dillon,	Kolankiewicz,	Owens,	Verona,
Dix,	Komorofski,	Pentrack,	Wachhaus,
Dougherty,	Kurtz,	Petrosky,	Wagner,
Duffy,	Lane,	Pettigrew,	Waterhouse,
Dye,	Laughner,	Pickens,	Watkins,
Elder,	Lee,	Polaski,	Weiss,
Elish,	Leisey,	Polen,	Welsh,
Erb,	Leonard,	Powers,	Wescott,
Ewing,	Levy,	Propert,	White,
Finnerty,	Lichtenwalter,	Readinger,	Wood, L. H.,
Flack,	Loftus,	Reagan,	Wood, N.,
Fleming,	Longo,	Reese, D. P.,	Worley,
Foor,	Lopez,	Reese, R. E.,	Wright,
Fox,	Lovett,	Regan,	Yeakel,
Freed,	Lyons,	Reidenbach,	Yester,
Frost,	Madden,	Reilly,	Fiss,
Fullerton,			Speaker.

NAYS—0

NOT VOTING—3

Greenwood,	Hoopes,	Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 852, Printer's No. 400

House Bill No. 853, Printer's No. 401 and

House Bill No. 915, Printer's No. 402

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1062, as follows:

An Act to further amend section nine of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 363) entitled "An act relating to the organization jurisdiction and procedure of the orphans' courts the powers and duties of the judges thereof and appeals therefrom" by giving trustees the right to hold certain real estate under certain conditions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section nine of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 363) entitled "An act relating to the organization jurisdiction and procedure of the orphans' courts the powers and duties of the judges thereof and appeals therefrom" as last amended by the act approved the second day of July one thousand nine hundred forty-one (P. L. 227) is hereby further amended to read as follows

Section 9 The jurisdiction of the several orphans' courts whether separate or otherwise shall extend to and embrace

(a) The appointment control removal and discharge of the guardians of minors and the settlement of their accounts

(b) The appointment of trustees for any person interested in the real or personal estate of any decedent and the control removal discharge and settlement of the accounts of trustees so appointed and of testamentary trustees whether the testamentary trustees be appointed nominatim or virtute officii

(c) The appointment of trustees for absent persons the control removal and discharge of trustees so appointed and the settlement of their accounts

(d) The control removal and discharge of executors and administrators deriving their authority from the register of the respective county and the settlement of their accounts

(e) The distribution of the assets and surplusage of the estates of decedents among creditors and others interested

(f) The sale of real estate of decedents for payment of their debts

(g) The disposition of the title to real estate of decedents and of persons disabled from dealing therewith in order to render the same freely alienable and productive to the living owners thereof

(h) The partition of the real estate of decedents among the parties entitled thereto the valuation of such real estate and the sale thereof for the purpose of distribution

(i) The specific execution of contracts made by decedents to sell and convey any real estate of which such decedents shall die seised and of contracts made by decedents to purchase any real estate

(j) Proceedings for the collection or enforcement of payment or delivery of all legacies whether pecuniary specific or otherwise and whether charged on real estate or not

(k) Proceedings for the discharge of real estate of decedents from the lien if debts of decedents and for the discharge of real and personal estates from the liens of legacies annuities dower recognizances an dother charges

(l) All cases within their respective counties wherein executors administrators guardians or trustees may be possessed of or are in any way accountable for any real or personal estate of the decedent

(m) All appeals from the orders or decrees of the registers of wills of their respective counties and all proceedings removed from said registers by certifications

(n) The control removal discharge and settlement of accounts of trustees of trusts inter vivos

(o) The control removal discharge and settlement of accounts of trustees of life insurance trusts whether taking effect during the lifetime or at or after the death of the insured or settlor

(p) The right to empower and authorize testamentary trustees to continue to hold real estate charged with a charitable purpose notwithstanding provisions of the will of the testator where in the judgment of the court it will enable the testamentary trustees eventually to accomplish the main intent of the testator

The exercise of all other powers needful to the doing of anything which is or may be hereafter required or permitted to be done in said court whether incidental to the powers hereinbefore enumerated or in addition thereto

And such jurisdiction shall be exercised under the limitations and in the manner provided by law Provided however That nothing in the foregoing shall be construed to relieve executors administrators or trustees who have entered into an agreement of sale of real estate of a decedent or any other real estate held in trust in good faith and who prior to the time fixed for settlement thereunder have received a higher offer for such real estate from the payment of real estate broker or broker's commissions to the broker who had procured such agreement of sale and in the event that more than one real estate broker is entitled to commissions for said agreements of sale then such commissions shall be equally divided between or among such real estate brokers Provided further That the total aggregate commissions paid shall in no event exceed five per cent of the gross consideration of the final sale

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Andrews,	Gaffney,	Madigan,	Reynolds,
Baker,	Gallagher,	Mahany,	Riley,
Barrett,	Gardner,	Matthews,	Robertson,
Barton,	Getchey,	McAtee,	Root,
Baumunk,	Gibson,	McClester,	Rose,
Bentley,	Goodling,	McCormack,	Royer,
Bentzel,	Gore,	McDowell,	Rudisill,
Boies,	Grant,	McKinney,	Salus,
Bonawitz,	Green,	McLanahan,	Scanlon,
Boney,	Greer,	McMillen,	Schuster,
Boorse,	Guthrie,	McNair,	Serrill,
Boory,	Gyger,	McNally,	Shaffer,
Bower,	Haberlen,	Mihm,	Shoemaker,
Brancato,	Hall,	Mikula,	Skale,
Breisch,	Hamilton,	Miller,	Sloan,
Brice,	Hare,	Milliken,	Smith,
Brown,	Haudenshield,	Mills,	Snider,
Brunner, C. H.,	Heatherington,	Modell,	Snyder,
Brunner, P. A.,	Helm,	Mooney,	Sollenberger,
Cadwalader,	Hennihan,	Moore, C. E.,	Sorg,
Chervenak,	Hering,	Moore, W. J.,	Stank,
Chudoff,	Herman,	Moran,	Stockham,
Cohen,	Hersch,	Moser,	Stonier,
Coleman,	Hewitt,	Munley,	Stuart,
Cook,	Hoffman,	Murray, M. L.,	Swope,
Cooper,	Hoggard,	Murray, P. G.,	Tahl,
Corrigan,	Howells,	Myhan,	Tate,
Costa,	Hunter,	Nagel,	Tittle,
Coulson,	Huntley,	Nelson,	Trachtman,
Coyle,	James,	O'Brien,	Trent,
Dague,	Jones,	O'Connor,	Trout,
Dalrymple,	Kennedy,	O'Dare,	Turbett,
Dennison,	Kirley,	O'Donnell,	Turner,
Depuy,	Kline,	O'Neill,	Varallo,
Dillon,	Kolankiewicz,	Owens,	Verona,
Dix,	Komorofski,	Pentrack,	Wachhaus,
Dougherty,	Kurtz,	Petrosky,	Wagner,
Duffy,	Lane,	Pettigrew,	Waterhouse,
Dye,	Laughner,	Pickens,	Watkins,
Elder,	Lee,	Polaski,	Weiss,
Elish,	Leisey,	Polen,	Welsh,
Erb,	Leonard,	Powers,	Wescott,
Ewing,	Levy,	Propert,	White,
Finnerty,	Lichtenwalter,	Reagan,	Wood, L. H.,
Flack,	Loftus,	Reese, D. P.,	Wood, N.,
Fleming,	Longo,	Reese, R. E.,	Worley,
Foor,	Lopez,	Regan,	Wright,
Fox,	Lovett,	Readinger,	Yeakel,
Freed,	Lyons,	Reidenbach,	Yester,
Frost,	Madden,	Reilly,	Fiss,
Fullerton,			Speaker.

NAYS—0

NOT VOTING—3

Greenwood,	Hoopes,	Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1186, as follows:

An Act providing for the discharge of mortgages judgments and other liens given in favor of the Commonwealth by persons receiving assistance by sheriff's sales tax sales and other judicial sales

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All mortgages judgments and liens of any nature given by any person in favor of the Commonwealth in compliance with the rules and regulations of the Department of Public Assistance as a prerequisite for the receiving of assistance or because of the fact that such person shall have received assistance under the provisions of the "Public Assistance Law" shall be divested in full by any sheriff's sale tax or other judicial sale whatsoever of the property affected by the aforesaid mortgage judgment or lien

Section 2 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Andrews,	Gaffney,	Madigan,	Reynolds,
Baker,	Gallagher,	Mahany,	Riley,
Barrett,	Gardner,	Matthews,	Robertson,
Barton,	Getchey,	McAtee,	Root,
Baumunk,	Gibson,	McClester,	Rose,
Bentley,	Goodling,	McCormack,	Royer,
Bentzel,	Gore,	McDowell,	Rudisill,
Boies,	Grant,	McKinney,	Salus,
Bonawitz,	Green,	McLanahan,	Scanlon,
Boney,	Greer,	McMillen,	Schuster,
Boorse,	Guthrie,	McNair,	Serrill,
Boory,	Gyger,	McNally,	Shaffer,
Bower,	Haberlen,	Mihm,	Shoemaker,
Brancato,	Hall,	Mikula,	Skale,
Breisch,	Hamilton,	Miller,	Sloan,
Brice,	Hare,	Milliken,	Smith,
Brown,	Haudenshield,	Mills,	Snider,
Brunner, C. H.,	Heatherington,	Modell,	Snyder,
Brunner, P. A.,	Helm,	Mooney,	Sollenberger,
Cadwalader,	Hennihan,	Moore, C. E.,	Sorg,
Chervenak,	Hering,	Moore, W. J.,	Stank,
Chudoff,	Herman,	Moran,	Stockham,
Cohen,	Hersch,	Moser,	Stonier,
Coleman,	Hewitt,	Munley,	Stuart,
Cook	Hoffman,	Murray, M. L.,	Swope,
Cooper,	Hoggard,	Murray, P. G.,	Tahl,
Corrigan,	Howells,	Myhan,	Tate,
Costa,	Hunter,	Nagel,	T'ttle,
Coulson,	Huntley,	Nelson,	Trachtman,
Coyle,	James,	O'Brien,	Trent,
Dague,	Jones,	O'Connor,	Trout,
Dalrymple,	Kennedy,	O'Dare,	Turbett,
Dennison,	Kirley,	O'Donnell,	Turner,
Depuy,	Kline,	O'Neill,	Varallo,
Dillon,	Kolankiewicz,	Owens,	Verona,
Dix,	Komorofski,	Pentrack,	Wachhaus,
Dougherty,	Kurtz,	Petrosky,	Wagner,
Duffy,	Lane,	Pettigrew,	Waterhouse,
Dye,	Laughner,	Pickens,	Watkins,
Elder,	Lee,	Polaski,	Weiss,
Elish,	Leisey,	Polen,	Welsh,
Erb,	Leonard,	Powers,	Wescott,
Ewing,	Levy,	Propert,	White,
Finnerty,	Lichtenwalter,	Readinger,	Wood, L. H.,
Flack,	Loftus,	Reagan,	Wood, N.,
Fleming,	Longo,	Reese, D. P.,	Worley,
Foor,	Lopez,	Reese, R. E.,	Wright,
Fox,	Lovett,	Regan,	Yeakel,
Freed,	Lyons,	Reidenbach,	Yester,
Frost,	Madden,	Reilly,	Fiss,
Fullerton,			Speaker.

NAYS—0

NOT VOTING—3

Greenwood,	Hoopes,	Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1193, as follows:

An Act to amend the title and section one of the act approved the twentieth day of May one thousand nine hundred thirty-seven (P. L. 755) entitled "An act providing for the fixing of the salaries and compensation of officers clerks stenographers and employes appointed by judges of the courts of this Commonwealth in counties of the second class where salary boards exist by law" by extending the provisions of the act to include court criers and tipstaves and repealing certain inconsistent acts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and section one of the act approved the twentieth day of May one thousand nine hundred thirty-seven (P. L. 755) entitled "An act providing for the fixing of the salaries and compensation of officers clerks stengraphers and employes appointed by judges of the courts of this Commonwealth in counties of the second class where salary boards exist by law" are hereby amended to read as follows

An Act providing for the fixing of the salaries and comsation of officers clerks stenographers court criers tipstaves and employes appointed by judges of the courts of this Commonwealth in counties of the second class where salary boards exist by law

Section 1 Be it enacted & That in any of the counties of the second class of this Commonwealth where a salary board exists by law the salaries and compensation of all officers clerks stenographers court criers tipstaves and employes appointed by the judges of any courts of such counties and who are paid from the county treasury shall be fixed by the salary board of such counties as in the case of all other county employes

Section 2 The following acts are hereby repealed

The act approved the third day of April one thousand nine hundred twenty-nine (P. L. 126) entitled "An act to repeal the act approved the twelfth day of May one thousand nine hundred and eleven (P. L. 293) entitled "An act to amend an act entitled 'An act to regulate the fees of tipstaves in judicial districts containing more than one hundred and fifty thousand inhabitants and less than five hundred thousand inhabitants' approved the fifth day of March Anno Domini one thousand nine hundred and three by further regulating the salary of tipstaves and court criers in judicial districts containing more than one hundred and fifty thousand inhabitants and less than two hundred and fifty thousand inhabitants"

The act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 918) entitled "An act to amend section one and repeal section two of the act approved the third day of May one thousand nine hundred and twenty-nine (P. L. 126) entitled "An act to regulate the salaries of tipstaves in the courts of common pleas oyer and terminer and general jail delivery quarter sessions of the peace and orphans' court in counties of the second class" by providing for fixing of such salaries by judges"

The act approved the twentieth day of March one thousand nine hundred twenty-three (P. L. 24) entitled "An act fixing the salary or compensation of the crier of the courts of quarter sessions of the peace and oyer and terminer and general jail delivery in the several counties of the second class"

The act approved the fifth day of April one thousand nine hundred twenty-nine (P. L. 176) entitled "An act to amend section one of the act approved the eighteenth day of April one thousand nine hundred and nineteen (P. L. 52) entitled "An act fixing the salary of the crier of the courts of common pleas in the several counties of this Commonwealth having more tha none million and less than one million five hundred thousand inhabitants"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Andrews,	Gaffney,	Madigan,	Reynolds,
Baker,	Gallagher,	Mahany,	Riley,
Barrett,	Gardner,	Matthews,	Robertson,
Barton,	Getchey,	McAtee,	Root,
Baumunk,	Gibson,	McClester,	Rose,
Bentley,	Goodling,	McCormack,	Royer,
Bentzel,	Gore,	McDowell,	Rudisill,
Boies,	Grant,	McKinney,	Salus,
Bonawitz,	Green,	McLanahan,	Scanlon,
Boney,	Greer,	McMillen,	Schuster,
Boorse,	Guthrie,	McNair,	Serrill,
Boory,	Gyger,	McNally,	Shaffer,
Bower,	Haberlen,	Mihm,	Shoemaker,
Brancato,	Hall,	Mikula,	Skale,
Breisch,	Hamilton,	Miller,	Sloan,
Brice,	Hare,	Milliken,	Smith,
Brown,	Haudenshield,	Mills,	Snider,
Brunner, C. H.,	Heatherington,	Modell,	Snyder,
Brunner, P. A.,	Helm,	Mooney,	Sollenberger,
Cadwalader,	Hennihan,	Moore, C. E.,	Sorg,
Chervenak,	Hering,	Moore, W. J.,	Stank,
Chudoff,	Herman,	Moran,	Stockham,
Cohen,	Hersch,	Moser,	Stonier,
Coleman,	Hewitt,	Munley,	Stuart,
Cook,	Hoffman,	Murray, M. L.,	Swope,
Cooper,	Hoggard,	Murray, P. G.,	Tahl,
Corrigan,	Howells,	Myhan,	Tate,
Costa,	Hunter,	Nagel,	Tittle,
Coulson,	Huntley,	Nelson,	Trachtman,
Coyle,	James,	O'Brien,	Trent,
Dague,	Jones,	O'Connor,	Trout,
Dalrymple,	Kennedy,	O'Dare,	Turbett,
Dennison,	Kirley,	O'Donnell,	Turner,
Depuy,	Kline,	O'Neill,	Varallo,
Dillon,	Kolankiewicz,	Owens,	Verona,
Dix,	Komorofski,	Pettigrew,	Wachhaus,
Dougherty,	Kurtz,	Petrosky,	Wagner,
Duffy,	Lane,	Pentrack,	Waterhouse,
Dye,	Laughner,	Pickens,	Watkins,
Elder,	Lee,	Polaski,	Weiss,
Elish,	Leisey,	Polen,	Welsh,
Erb,	Leonard,	Powers,	Wescott,
Ewing,	Levy,	Propert,	White,
Finnerty,	Lichtenwalter,	Readinger,	Wood, L. H.,
Flack,	Loftus,	Reagan,	Wood, N.,
Fleming,	Longo,	Reese, D. P.,	Worley,
Foor,	Lopez,	Reese, R. E.,	Wright,
Fox,	Lovett,	Regan,	Yeakel,
Freed,	Lyons,	Reidenbach,	Yester,
Frost,	Madden,	Reilly,	Fiss,
Fullerton,			Speaker.

NAYS—0

NOT VOTING—3

Greenwood,	Hoopes,	Krise,

The majority required by the Constitution having voted in the affiffirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 352, as follows:

An Act to amend section two hundred thirteen of the act approved the twenty-fifth day of June one thousand nine hundred forty-one (P. L. 159) entitled "An act amending revising consolidating and changing the law relating to the borrowing of money by certain political subdivisions the authorization issuance and sale of general obligation bonds as herein defined of bonds imposing no general obligation of debt and of bonds not deemed to constitute a debt for certain purposes and to the funding of debt and refunding of bonds regulating the keeping and use of sinking funds imposing powers and duties upon the Department of Internal Affairs and upon corporate bodies and officers of political sudivisions imposing penalties and repealing existing laws" by authorizing temporary investments in certain obligations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred thirteen of the act approved the twenty-fifth day of June one thousand nine hundred forty-one (P. L. 159) entitled "An act amending revising consolidating and changing the law relating to the borrowing of money by certain political subdivisions the authorization issuance and sale of general obligation bonds as herein defined of bonds imposing no general obligation of debt and of bonds not deemed to constitute a debt for certain purposes and to the funding of debt and the refunding of bonds regulating the keeping and use of sinking funds imposing powers and duties upon the Department of Internal Affairs and upon corporate bodies and officers of political subdivisions imposing penalties and repealing existing laws" is hereby amended to read as follows

Section 213 Application of Bond Proceeds The Proceeds of the sale of general obligation bonds shall be used for the purpose or purposes specified in the ordinance authorizing said bonds except where a change of purpose has been authorized under the provisions of section 216 of this article If for any reason any part of the proceeds is not applied to or is not necessary for such purpose or purposes such unexpended part of the proceeds shall be paid into the sinking funds for such issue of bonds unless otherwise applied under the provisions of section 216 of this article or invested temporarily in obligations issued by the United States of America and general obligations of the Commonwealth of Pennsylvania or any political subdivision thereof

The cost of preparing issuing and marketing general obligation bonds shall be deemed to be one of the purposes for which the bonds are issued

Each municipality shall keep such accounts as will readily show the proceeds of each issue of bonds hereafter marketed and the application of the proceeds thereof

Section 2 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

Section 3 The provisions of the act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Andrews,	Gaffney,	Madigan,	Reynolds,
Baker,	Gallagher,	Mahany,	Riley,
Barrett,	Gardner,	Matthews,	Robertson,
Barton,	Getchey,	McAtee,	Root,
Baumunk,	Gibson,	McClester,	Rose,
Bentley,	Goodling,	McDowell,	Royer,
Bentzel,	Gore,	McCormack,	Rudisill,
Boies,	Grant,	McKinney,	Salus,
Bonawitz,	Green,	McLanahan,	Scanlon,
Boney,	Greer,	McMillen,	Schuster,
Boorse,	Guthrie,	McNair,	Serrill,
Boory,	Gyger,	McNally,	Shaffer,
Bower,	Haberlen,	Mihm,	Shoemaker,
Brancato,	Hall,	Mikula,	Skale,
Breisch,	Hamilton,	Miller,	Sloan,
Brice,	Hare,	Milliken,	Smith,
Brown,	Haudenshield,	Mills,	Snider,
Brunner, C. H.	Heatherington,	Modell,	Snyder,
Brunner, P. A.,	Helm,	Mooney,	Sollenberger,
Cadwalader,	Hennihan,	Moore, C. E.,	Sorg,
Chervenak,	Hering,	Moore, W. J.,	Stank,
Chudoff,	Herman,	Moran,	Stockham,
Cohen,	Hersch,	Moser,	Stonier,
Coleman,	Hewitt,	Munley,	Stuart,
Cook,	Hoffman,	Murray, M. L.,	Swope,
Cooper,	Hoggard,	Murray, P. G.,	Tahl,
Corrigan,	Howells,	Myhan,	Tate,
Costa,	Hunter,	Nagel,	Tittle,
Coulson,	Huntley,	Nelson,	Trachtman,
Coyle,	James,	O'Brien,	Trent,
Dague,	Jones,	O'Connor,	Trout,
Dalrymple,	Kennedy,	O'Dare,	Turbett,
Dennison,	Kirley,	O'Donnell,	Turner,
Depuy,	Kline,	O'Neill,	Varallo,
Dillon,	Kolankiewicz,	Owens,	Verona,
Dix,	Komorofski,	Pentrack,	Wachhaus,
Dougherty,	Kurtz,	Petrosky,	Wagner,
Duffy,	Lane,	Pettigrew,	Waterhouse,
Dye,	Laughner,	Pickens,	Watkins,
Elder,	Lee,	Polaski,	Weiss,
Elish,	Leisey,	Polen,	Welsh,
Erb,	Leonard,	Powers,	Wescott,
Ewing,	Levy,	Propert,	White,
Finnerty,	Lichtenwalter,	Readinger,	Wood, L. H.,
Flack,	Loftus,	Reagan,	Wood, N.,
Fleming,	Longo,	Reese, D. P.,	Worley,
Foor,	Lopez,	Reese, R. E.,	Wright,
Fox,	Lovett,	Regan,	Yeakel,
Freed,	Lyons,	Reidenbach,	Yester,
Frost,	Madden,	Reilly,	Fiss,
Fullerton,			Speaker.

NAYS—0

NOT VOTING—3

Greenwood,	Hoopes,	Krise,

The majority required by the Constitution having voted in the affiffirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 918, as follows:

An Act to amend subsections one and two of section nine of the act approved the twenty-fourth day of July one thousand nine hundred forty-one (P. L. 490) entitled "An act relating to acknowledgments of written instruments and to make uniform the law with relation thereto" defining how certificates of certain acknowledgments taken without the State shall be authenticated

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsections one and two of section nine of the act approved the twenty-fourth day of July one thousand nine hundred forty-one (P. L. 490) entitled "An act relating to acknowledgments of written instruments and to make uniform the law with relation thereto" are hereby amended to read as follows

Section 9 Authentication of Acknowledgments

(1) If the acknowledgment is taken within this State or if taken without this State by an officer of this State or is made without the United States by an officer of the United States no authentication shall be necessary

(2) If the acknowledgment is taken without this State but in the United States a territory or insular possession of the United States the District of Columbia or the Philippine Islands by an officer duly authorized by any other state or any such territory insular possession district or islands to acknowledge written instruments the certificate

shall be authenticated by a certificate as to the official character of such officer executed if the acknowledgment is taken by a clerk or deputy clerk of a court by the presiding judge of the court or if the acknowledgment is taken by [a notary public by a clerk of a court of record of the county parish or district in which the acknowledgment is taken] some other authorized officer by the official having custody of the official record of the election appointment or commission of the officer taking such acknowledgment

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Andrews,	Gaffney,	Madigan,	Reynolds,
Baker	Gallagher,	Mahany.	Riley.
Barrett,	Gardner.	Matthews,	Robertson,
Barton.	Getchey,	McAtee.	Root,
Baumunk,	Gibson,	McClester,	Rose,
Bentley.	Goodling,	McCormack,	Royer,
Bentzel.	Gore,	McDowell.	Rudisill,
Boies.	Grant,	McKinney.	Salus,
Bonawitz,	Green,	McLanahan,	Scanlon,
Boney,	Greer.	McMillen,	Schuster,
Boorse,	Guthrie,	McNair,	Serrill.
Boory.	Gyger.	McNally,	Shaffer,
Bower.	Haberlen.	Mihm.	Shoemaker,
Brancato,	Hall.	Mikula.	Skale,
Breisch,	Hamilton.	Miller.	Sloan,
Brice.	Hare.	Milliken,	Smith,
Brown,	Haudenshield.	Mills.	Snider.
Brunner. C. H.,	Heatherington.	Modell,	Snyder.
Brunner. P. A.,	Helm.	Mooney.	Sollenberger,
Cadwalader,	Hennihan,	Moore. C. E..	Sorg.
Chervenak,	Hering.	Moore, W. J.,	Stank.
Chudoff,	Herman,	Moran,	Stockham,
Cohen.	Hersch,	Moser.	Stonier,
Coleman,	Hewitt.	Munley.	Stuart,
Cook	Hoffman,	Murray, M. L.,	Swope,
Cooper.	Hoggard.	Murray, P. G.,	Tahl,
Corrigan,	Howells.	Myhun,	Tate.
Costa,	Hunter,	Nagel.	Tittle,
Coulson,	Huntley,	Nelson.	Trachtman,
Coyle,	James.	O'Brien.	Trent.
Dague.	Jones.	O'Connor.	Trout,
Dalrymple,	Kennedy,	O'Dare.	Turbett,
Dennison,	Kirley.	O'Donnell,	Turner,
Depuy.	Kline.	O'Neill.	Varallo,
Dillon.	Kolankiewicz,	Owens.	Verona.
Dix.	Komorofski,	Pentrack,	Wachhaus,
Dougherty,	Kurtz,	Petrosky.	Wagner,
Duffy,	Lane.	Pettigrew,	Waterhouse,
Dye,	Laughner,	Pickens,	Watkins,
Elder,	Lee,	Polaski,	Weiss.
Elish,	Leisey,	Polen,	Welsh.
Erb,	Leonard.	Powers,	Wescott,
Ewing.	Levy.	Propert,	White,
Finnerty,	Lichtenwalter.	Readinger.	Wood. L. H.,
Flack.	Loftus,	Reagan,	Wood N.,
Fleming.	Longo,	Reese. D. P.,	Worley.
Foor,	Lopez,	Reese, R. E.,	Wright,
Fox.	Lovett,	Regan.	Yeakel,
Freed.	Lyons,	Reidenbach,	Yester.
Frost	Madden,	Reilly,	Fiss,
Fullerton,			Speaker.

NAYS—0

NOT VOTING—3

Greenwood.	Hoopes,	Krise.

The majority required by the Constitution having voted in the affiffirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 221, as follows:

An Act authorizing the Commonwealth and any administrative department boards and commissions thereof acting through the Department of Property and Supplies and political subdivisions of the Commonwealth including municipal authorities to enter into contracts with the United States of America or any agency thereof for the purchase lease or other acquisition of property real or personal offered for sale pursuant to the Surplus Property Act of one thousand nine hundred forty-four without complying with any requirement of existing law as to specifications advertising award of contract and approval of purchases by a state agency receiving competitive bids or the delivery of property purchased before payment therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Commonwealth of Pennsylvania or any administrative department boards or commissions thereof acting through the Department of Property and Supplies or any political subdivisions of the Commonwealth including municipal authorities created pursuant to law may hereafter enter into any contract with the United States of America or any agency thereof for the purchase lease or other acquisition of any property real or personal offered for sale under the Act of Congress approved October three one thousand nine hundred forty-four C 479 58 Stat 765 known as the Surplus Property Act of one thousand nine hundred forty-four without complying with any requirement of existing law as to specifications advertising award of contract and approval of purchases by a State agency receiving competitive bids or the delivery of property purchased before payment therefor

Section 2 The Department of Property and Supplies through its duly appointed agents or any duly appointed agent of any political subdivision or municipal authority of the Commonwealth of Pennsylvania may designate by appropriate order an office holder or employe of its own to enter a bid or bids in its behalf at any sale of any equipment supplies materials or other property real or personal owned by the United States of America or any agency thereof any may authorize said person to make any down payment or payment in full required in connection with such bidding

Section 3 All acts and parts of acts inconsistent with this act are hereby repealed to the extent of such inconsistency

Section 4 This act shall take effect immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Andrews,	Gaffney,	Madigan,	Reynolds,
Baker,	Gallagher,	Mahany.	Riley.
Barrett,	Gardner.	Matthews,	Robertson,
Barton.	Getchey,	McAtee.	Root,
Baumunk,	Gibson.	McClester,	Rose,
Bentley.	Goodling,	McCormack,	Royer,
Bentzel,	Core,	McDowell,	Rudisill,
Boies.	Grant,	McKinney.	Salus,
Bonawitz,	Green,	McLanahan,	Scanlon,
Boney,	Greer,	McMillen,	Schuster,
Boorse,	Guthrie,	McNair,	Serrill.
Boory,	Gyger.	McNally,	Shaffer,
Bower,	Haberlen,	Mihm,	Shoemaker,

Brancato,	Hall,	Mikula,	Skale,
Breisch,	Hamilton,	Miller,	Sloan,
Brice,	Hare,	Milliken,	Smith,
Brown,	Haudenshield,	Mills,	Snider,
Brunner, C. H.,	Heatherington,	Modell,	Snyder,
Brunner, P. A.,	Helm,	Mooney,	Sollenberger,
Cadwalader,	Hennihan,	Moore, C. E.,	Sorg,
Chervenak,	Hering,	Moore, W. J.,	Stank,
Chudoff,	Herman,	Moran,	Stockham,
Cohen,	Hersch,	Moser,	Stonier,
Coleman,	Hewitt,	Munley,	Stuart,
Cook,	Hoffman,	Murray, M. L.,	Swope,
Cooper,	Hoggard,	Murray, P. G.,	Tahl,
Corrigan,	Howells,	Myhan,	Tate,
Costa,	Hunter,	Nagel,	Tittle,
Coulson,	Huntley,	Nelson,	Trachtman,
Coyle,	James,	O'Brien,	Trent,
Dague,	Jones,	O'Connor,	Trout,
Dalrymple,	Kennedy,	O'Dare,	Turbett,
Dennison,	Kirley,	O'Donnell,	Turner,
Depuy,	Kline,	O'Neill,	Varallo,
Dillon,	Kolankiewicz,	Owens,	Verona,
Dix,	Komorofski,	Pentrack,	Wachhaus,
Dougherty,	Kurtz,	Petrosky,	Wagner,
Duffy,	Lane,	Pettigrew,	Waterhouse,
Dye,	Laughner,	Pickens,	Watkins,
Elder,	Lee,	Polaski,	Weiss,
Elish,	Leisey,	Polen,	Welsh,
Erb,	Leonard,	Powers,	Wescott,
Ewing,	Levy,	Propert,	White,
Finnerty,	Lichtenwalter,	Readinger,	Wood, L. H.,
Flack,	Loftus,	Reagan,	Wood, N.,
Fleming,	Longo,	Reese, D. P.,	Worley,
Foor,	Lopez,	Reese, R. E.,	Wright,
Fox	Lovett,	Regan,	Yeakel,
Freed,	Lyons,	Reidenbach,	Yester,
Frost,	Madden,	Reilly,	Fiss,
Fullerton,			Speaker.

NAYS—0

NOT VOTING—3

Greenwood,	Hoopes,	Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

SENATE MESSAGES

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 456.

An Act authorizing and empowering minors seventeen years of age or older to contract for and to make loans in accordance with the provisions of the Act of Congress known as the "Servicemen's Readjustment Act of 1944" and saving and relieving the parents guardians and trustees of such minors from any liability therefor unless joining therein

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, line 5, by inserting after the figures "1944" the following: "or any agency of the Commonwealth hereafter created".

Amend Section 1, page 1, line 8, by inserting after the word "thereto" the words "or any agency of the Commonwealth hereafter created".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Andrews,	Gaffney,	Madigan,	Reynolds,
Baker,	Gallagher,	Mahany,	Riley,
Barrett,	Gardner,	Matthews,	Robertson,
Barton,	Getchey,	McAtee,	Root,
Baumunk,	Gibson,	McClester,	Rose,
Bentley,	Goodling,	McCormack,	Royer,
Bentzel,	Gore,	McDowell,	Rudisill,
Boies,	Grant,	McKinney,	Salus,
Bonawitz,	Green,	McLanahan,	Scanlon,
Boney,	Greer,	McMillen,	Schuster,
Boorse,	Guthrie,	McNair,	Serrill,
Boory,	Gyger,	McNally,	Shaffer,
Bower,	Haberlen,	Mihm,	Shoemaker,
Brancato,	Hall,	Mikula,	Skale,
Breisch,	Hamilton,	Miller,	Sloan,
Brice,	Hare,	Milliken,	Smith,
Brown,	Haudenshield,	Mills,	Snider,
Brunner, C. H.,	Heatherington,	Modell,	Snyder,
Brunner, P. A.,	Helm,	Mooney,	Sollenberger,
Cadwalader,	Hennihan,	Moore, C. E.,	Sorg,
Chervenak,	Hering,	Moore, W. J.,	Stank,
Chudoff,	Herman,	Moran,	Stockham,
Cohen,	Hersch,	Moser,	Stonier,
Coleman,	Hewitt,	Munley,	Stuart,
Cook,	Hoffman,	Murray, M. L.,	Swope,
Cooper,	Hoggard,	Murray, P. G.,	Tahl,
Corrigan,	Howells,	Myhan,	Tate,
Costa,	Hunter,	Nagel,	Tittle,
Coulson,	Huntley,	Nelson,	Trachtman,
Coyle,	James,	O'Brien,	Trent,
Dague,	Jones,	O'Connor,	Trout,
Dalrymple,	Kennedy,	O'Dare,	Turbett,
Dennison,	Kirley,	O'Donnell,	Turner,
Depuy,	Kline,	O'Neill,	Varallo,
Dillon,	Kolankiewicz,	Owens,	Verona,
Dix,	Komorofski,	Pentrack,	Wachhaus,
Dougherty,	Kurtz,	Petrosky,	Wagner,
Duffy,	Lane,	Pettigrew,	Waterhouse,
Dye,	Laughner,	Pickens,	Watkins,
Elder,	Lee,	Polaski,	Weiss,
Elish,	Leisey,	Polen,	Welsh,
Erb,	Leonard,	Powers,	Wescott,
Ewing,	Levy,	Propert,	White,
Finnerty,	Lichtenwalter,	Readinger,	Wood, L. H.,
Flack,	Loftus,	Reagan,	Wood, N.,
Fleming,	Longo,	Reese, D. P.,	Worley,
Foor,	Lopez,	Reese, R. E.,	Wright,
Fox,	Lovett,	Regan,	Yeakel,
Freed,	Lyons,	Reidenbach,	Yester,
Frost,	Madden,	Reilly,	Fiss,
Fullerton,			Speaker.

NAYS—0

NOT VOTING

Greenwood,	Hoopes,	Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED RESOLUTION RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced returned resolution from the House of Representatives as follows:

In the House of Representatives, January 31, 1945.

Whereas, The Penal Code approved June 24, 1939 contains numerous inconsistencies and considerable language which is open to construction and should be carefully studied and revised in order to make it effective for its intended purposes; therefore be it

Resolved (if the Senate concurs), That a committee of three members of the House of Representatives to be appointed by the Speaker of the House, three Senators to be appointed by the President Pro Tem of the Senate, is hereby created, whose duty it shall be to survey, investigate, and consider all of the penal laws of the Commonwealth and to completely revise and restate such penal laws into codified form, and to report its findings and conclusions to the next regular session of the General Assembly, with a bill embodying a codification of the penal laws of the Commonwealth to be introduced at the next regular session of the General Assembly.

The committee shall organize immediately after its appointment, and elect a chairman and a secretary from its membership, and appoint any clerks, stenographers or other employes necessary to carry out the purposes of this resolution.

The members of the committee shall receive no compensation but shall be reimbursed for any necessary traveling and living expenses actually incurred in the performance of the duties hereby imposed.

An item shall be inserted in the general appropriation bill for the purpose of paying such expenses and the salaries of such clerks, stenographers or other employes, appointed by the committee.

With information that the Senate has passed the same with amendments, in which the concurrence of the House of Representetives is requested.

The SPEAKER. The Clerk will read the amendments.

The amendments were read by the Clerk as follows:

Amend page 1, first resolve clause, line 1, by striking out after the word "That" the following "a committee of three members of the House of Representatives to be appointed by the Speaker of the House three Senators to be appointed by President pro tem of the Senate is hereby created whose duty it shall be" and inserting in lieu thereof the following; "the Joint State Government Commission is hereby directed".

Amend resolution beginning with line 13 on page 1 by striking out the following: "The committee shall organize immediately after its appointment and elect a chairman and a secretary from its membership and appoint any clerks stenographers or other employes necessary to carry out the purposes of this resolution

The members of the committee shall receive no compensation but shall be reimbursed for any necessary traveling and living expenses actually incurred in the performance of the duties hereby imposed

An item shall be inserted in the general appropriation bill for the purpose of paying such expenses and the salaries of such clerks stenographers or other employes appointed by the committee". and inserting in lieu thereof the following: "The Legislative Reference Bureau shall prepare the necessary drafts of all bills agreed on by the commission and shall furnish such advice and assistance as it may be called on to furnish".

On the question,

Will the House concur in the amendments made by the Senate?

They were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 38.

An Act to further amend section four hundred twenty-one of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" broadening the definition of the term "deceased service persons" to include members of any women's organization officially connected with any of the armed forces of the United States and requiring county commissioners of each county to contribute to the funeral expenses of such persons.

HOUSE BILL No. 46.

An Act to further amend section one of the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 676) entitled as amended "An act providing for the burial of certain persons who are have been or shall be soldiers sailors marines or members of the enlisted nurse corps designated as 'deceased service men' defining the term "deceased service men" authorizing county commissioners to provide markers and burial plots for such deceased service men at the expense of such county in which they shall die or have a legal residence at the time of their death and providing for the burial of widows of soldiers sailors or marines" broadening the definition of the term "deceased service men" to include members of any women's organization officially connected with any of the armed forces of the United States and requiring county commissioners of each county to contribute to the funeral expenses of such persons.

HOUSE BILL No. 72.

An Act to prohibit the unlawful wearing of uniforms of the armed forces or branches thereof and imposing penalties for violation thereof.

HOUSE BILL No. 207.

An Act to provide for the receiving as evidence in any court office or other place in this State official findings records reports or certified copies thereof of death presumed death missing or other status issued by the Secretaries of War and Navy and other Federal officers and employees.

HOUSE BILL No. 270.

An Act to amend section three hundred two of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals, and amending, revising, consolidating and changing the law relating thereto," by exempting for the duration of the present war any resident of the Commonwealth who is in service with the Armed Forces of the United States, or any of its Allies, from the payment of a fee to the Commonwealth for a Resident Hunter's License.

HOUSE BILLNo. 727.

An Act providing for the issuance of certified copies of birth death and marriage certificates by the proper city and county officers in cities of the first class to disabled war veterans and their dependents in death and compensation cases free of charge.

HOUSE BILL No. 456.

An Act authorizing and empowering minors seventeen years of age or older to contract for and to make loans in accordance with the provisions of the Act of Congress known as the "Servicemen's Readjustment Act of 1944," or any agency of the Commonwealth hereafter created and saving and relieving the parents, guardians and trustees of such minors from any liability therefor unless joining therein.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

RESOLUTION

TO DISCHARGE COMMITTEE

Mr. MATTHEWS offered a resolution which was read as follows:

In the House of Representatives, April 2, 1945.

Resolved, That the Committee on Railroads and Railways be discharged from further consideration of House Bill 410; entitled:

An Act to promote the safety of employes and travelers upon railroads by compelling common carriers by railroad to man freight trains with competent employes; to provide the least number of men that may be employed on freight trains; and to provide a penalty for the violation thereof; and the enforcement thereof by the Public Utility Commission.

Said bill having been referred Tuesday, February 6, 1945 to the Committee on Railroads and Railways.

On the question,

Will the House adopt the resolution?

Mr. LICHTENWALTER. Mr. Speaker, I ask that the Members vote down this motion of the gentleman from Fayette, Mr. Matthews.

Mr. LOVETT. Mr. Speaker, may I interrogate the gentleman from Lehigh, Mr. Lichtenwalter.

The SPEAKER. Will the gentleman from Lehigh permit himself to be interrogated?

Mr. LICHTENWALTER. I shall, Mr. Speaker.

Mr. LOVETT. Would the gentleman mind, Mr. Speaker, giving me a list of the absentees on his side, to save the time of the House?

Mr. LICHTENWALTER. I would mind, Mr. Speaker.

Mr. LOVETT. I thank the gentleman.

Mr. ANDREWS. Mr. Speaker, I didn't like the Majority Leader's action; it is too much like "Father knows best." He says "I ask the Members of the House to vote, no." I should think in presenting the matter, that Father ought to tell them why, something like that, but there has been so much of this "Father knows best" "You children will vote, yes," or "I ask you children to vote, no" or something like that. I wish once in a while Father would explain or Mother would explain and let us know what it is all about, what he has on his mind, and maybe the little children will trail right along with much better effect.

Mr. LICHTENWALTER. Mr. Speaker, I recall a few weeks ago we gave birth to some children here on the floor of the House. I didn't know I could be a mother; I don't mind being called a father, but the other reason, Mr. Speaker, I asked to have the Members vote "no" on this motion is the fact that the men over here, as we stated last week, are the brain trust, and they are very busy at their desks reading bills so that they can be interrogated at any time on this five minute period to explain bills. Therefore I just wanted them to be alert on this roll call.

On the question recurring,

Will the House adopt the resolution?

The yeas and nays were required by Messrs. Matthews, Russell E. Reese and Heatherington.

Messrs. Lovett, Russell E. Reese and Lane asked for a verification of roll.

The roll was verified and was as follows:

YEAS—74

Andrews,	Hamilton,	McNair,	Reidenbach,
Baker,	Heatherington,	McNally,	Reynolds,
Barrett,	Hennihan,	Mihm,	Rudisill,
Bentzel,	Herman,	Modell,	Scanlon,
Boney,	Hersch,	Mooney,	Schuster,
Brancato,	Hoggard,	Moore, W. J.,	Shaffer,
Brunner, P. A.,	Hunter,	Moran,	Skale,
Chudoff,	Jones,	Murray, M. L.,	Snider,
Cohen,	Kirley,	Myhan,	Stank,
Coleman,	Kolankiewicz,	Nagel,	Swope,
Dougherty,	Komorofski,	O'Brien,	Tate,
Duffy,	Lane,	O'Donnell,	Trent,
Elish,	Leonard,	O'Neill,	Varallo,
Finnerty,	Levy,	Pettigrew,	Weiss,
Gaffney,	Longo,	Polaski,	Welsh,
Gallagher,	Lopez,	Polen,	White,
Gore,	Lovett,	Reese, R. E.,	Wright,
Grant,	Matthews,	Regan,	Yester,
Haberlen,	McLanahan,		

NAYS—100

Barton,	Fullerton,	Madigan,	Salus,
Bonawitz,	Gardner,	Mahany,	Serrill,
Boorse,	Getchey,	McAtee,	Shoemaker,
Bower,	Gibson,	McClester,	Sloan,
Breisch,	Goodling,	McCormack,	Smith,
Brice,	Greer,	McDowell,	Snyder,
Brunner, C. H.,	Guthrie,	McKinney,	Sollenberger,
Cadwalader,	Gyger,	McMillen,	Sorg,
Cook,	Hall,	Mikula,	Stockham,
Cooper,	Hare,	Miller,	Stonier,
Costa,	Helm,	Milliken,	Stuart,
Coulson,	Hewitt,	Moore, C. E.,	Tahl,
Dague,	Hoffman,	Moser,	Tittle,
Dennison,	Huntley,	Murray, P. G.,	Trout,
Depuy,	James,	Nelson,	Turbett,
Dix,	Kennedy,	O'Dare,	Wachhaus,
Dye,	Kline,	Pickens,	Wagner,
Elder,	Kurtz,	Propert,	Waterhouse,
Erb,	Laughner,	Reagan,	Watkins,
Ewing,	Lee,	Reese, D. P.,	Wescott,
Flack,	Leisey,	Reilly,	Wood, L. H.,
Fleming,	Lichtenwalter,	Riley,	Wood, N.,
Foor,	Loftus,	Robertson,	Worley,
Fox,	Lyons,	Root,	Yeakel,
Frost,	Madden,	Royer,	Fiss, Speaker.

NOT VOTING—30

Baumunk,	Dalrymple,	Howells,	Petrosky,
Bentley,	Dillon,	Krise,	Powers,
Boies,	Freed,	Mills,	Readinger,
Boory,	Green,	Munley,	Rose,
Brown,	Greenwood,	O'Connor,	Trachtman,
Chervenak,	Haudenshield,	Owens,	Turner,
Corrigan,	Hering,	Pentrack,	Verona,
Coyle,	Hoopes,		

So the question was determined in the negative and the resolution was not adopted.

ADDITIONAL SPONSOR

Mr. MOSER asked and obtained unanimous consent to add an additional sponsor to a resolution.

CONGRATULATORY RESOLUTION

Messrs. MOSER, FREED and LICHTENWALTER offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, April 2, 1945.

To-day marks the sixty-third anniversary of the birth of a former Member of this House and one of the outstanding citizens of Lehigh County and of this Commonwealth.

With only three score and three years of his span of

life behind him, and in the full enjoyment of his physical and mental faculties, he is now a Member of the Superior Court of Pennsylvania.

During those sixty-three years, he has been solicitor of his county, of the City of Allentown, and of the school district, a member of this House of Representatives, Judge of the Courts of Lehigh County, Attorney General of the Commonwealth, and a judge of the Superior Court.

When only twenty-nine years of age, he represented the City of Allentown in this House and during the Session of 1911 he frequently acted as Speaker when bills were read the second time; he had a voice that without the assistance of a microphone could be heard in the remote corners of this Hall. At that time there were only two members of this House younger than he, and it is said that he was the youngest member to ever represent his district.

In 1921 he was appointed judge of the 31st Judicial District by Governor Sproul to fill a vacancy and two years later was elected for the ten year term. At the end of that term, he voluntarily retired to resume the practice of the law.

In January, 1939, he was appointed Attorney General of the Commonwealth by Governor James, and served in that office with distinction, until December 15, 1942, when he resigned in order to accept an appointment to fill a vacancy on the Superior Court. At the election in 1943 he was elected for a full ten-year term commencing January, 1944.

Since on the bench of the Superior Court, he has again demonstrated those rare judicial qualities that were so apparent while serving on the bench in his home county, and that same intelligence that has marked his service in every public office he has filled; therefore be it

Resolved, That this House, conscious of his wonderful record of public service, extends to the Honorable Claude Trexler Reno of Allentown, its most sincere congratulations and felicitations on this, his natal day, wishes him many more celebrations thereof, and a most happy and satisfying experience on the bench of the Superior Court during the years that lie ahead and in evidence thereof it requests the Chief Clerk of the House to transmit a copy of this resolution to Judge Reno.

CONGRATULATORY RESOLUTION

Mr. MORAN offered a resolution which was read, considered and unanimously adopted as follows:

In the House of Representatives, April 2, 1945.

The annual dinner of the Legislative Sons of St. Patrick held on Tuesday evening, March 20th, needs no official record to be made of it in order to keep it green in the minds and hearts of those who attended.

It was well planned from the start and the planning resulted in a banquet that cannot be forgotten.

The food was delicious and the taste of it lingers on. The attendance was larger than ever and the program was outstanding.

The unprecedented success of the party was due in the first instance to the tireless efforts of the committee on arrangements, who overlooked no detail to make the function the best in every respect of all similar affairs heretofore held, and Thomas Lyons, Chairman and Thomas J. Griffen, Secretary of the committee, and Joseph A. Scanlon, who was the champion ticket seller, are to be especially commended for their work in providing the evening's entertainment.

From the time the first unforgettable notes issued from the huge horn so ably played by the Honorable Henry I. Wilson, until the brilliant toast master, John M. Cummings, said "The meeting stands adjourned" there was not a dull moment.

The story of his experience among the boys in the South Pacific and the lesson drawn from it for us by the Navy Chaplain, Commander F. W. Meehling, was most inspiring.

The Mayor of Wilkes-Barre, the Honorable Con J. McCole, in a few minutes clearly demonstrated the reason for his election. His stories were side-splitting, his wit was contagious and every one was soon convinced that he was truly the Prince of Story Tellers.

The Governor was in rare form and added greatly to the worthwhileness of the occasion.

Senator Coleman extolled the Irish in such a convincing manner that all the non-Irish were just a bit ashamed that in them flowed none of the blood that seems necessary to greatness.

The toast master, John Cummings, could not have been better and the absence of Uncle Dominick was the one lone error made in planning the celebration.

The committee labored long and hard, but the results justified the work. It was a great party, one long to be remembered and no praise of the work of the committee could be termed extravagant; therefore be it

Resolved, That the Members of the House who were present at the celebration, for themselves and for those others who were fortunate enough to have been there, extend to the members of the committee who arranged the banquet, their profound thanks and the assurance of their high admiration of the entertainment furnished, and they request the Chief Clerk of the House to forward a copy of this resolution to the toastmaster, John M. Cummings, and to His Excellency, the Governor, the Navy Chaplain, Commander F. W. Meehling, the Honorable Henry I. Wilson, the Honorable Con J. McCole, and the Honorable Edward J. Coleman, who provided the entertainment that made possible a most delightful evening as evidence of their full appreciation of their contribution to the successful celebration of the birthday of the patron saint of the Emerald Isle, and the Chief Clerk, as evidence of the appreciation of the Members of the House of the laudable efforts of the committee, is hereby requested to transmit a copy of this resolution to each member of the committee.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, I can understand how the desk can be in error regarding the vote of a man who is in the hall of the House and who answers indistinctly, but you have just heard an instance of more than one, more than two, more than three, more than four men who were not in the hall of the House who are recorded as voting. Now, we are in the process of getting a recorded vote on labor measures, and we want the recorded vote and we want the verified vote because there are those who believe they can make use, and proper use, of the record on this vote. We played this game fair, we have gone along and played it on the up and up, and we will not, positively will not stand for any procedure where the roll obviously is incorrect and people who are not in the hall of the House are voted.

The SPEAKER. It is only fair to the Clerks for the Chair to state that the Clerks distinctly heard someone answer to Mr. Readinger's name.

Mr. ANDREWS. Mr. Speaker, I would call attention to the fact that Mr. Readinger is not a new Member in this House, that his face is familiar, and there is no excuse for recording him, particularly on this kind of a record roll call.

The SPEAKER. The Clerk has stated that he heard an answer, not exactly Mr. Readinger's answer, but a distinct answer to his name. The Chair requests the Members to be careful in responding to their names because the Clerk must record them as they answer.

Mr. ANDREWS. Mr. Speaker, I have every confidence in the intregrity of the Majority Leader, and I would ask then as a measure of facilitating the action of this House that he see to it, because he is in control of this House, that those who are not in the hall of the House be not recorded as voting. If he will tell me that that is his intention I am sure that we can all rely upon his word, and that that will be done. Otherwise it will be necessary for us time after time as this session goes on to verify rolls, and we won't want to do it.

Mr. LICHTENWALTER. Mr. Speaker, in reply to the gentleman from Cambria, I would like to say that I agree heartily with the gentleman that when the request is made for a roll call only those answering to their names be recorded. It is the privilege of any Member of this House, to make that request. Every time that request has been made it has been honored by the desk and by the Reading Clerk slowly calling the names of the Members. I can readily understand that the desk, hearing an answer to the name of Mr. Readinger when called, certainly recorded that name. I am heartily in agreement that only those answering to their names be recorded on the roll call.

PERMISSION TO ADDRESS HOUSE

Mr. HUNTLEY asked and obtained unanimous consent to address the House.

Mr. Speaker, it was my pleasure to attend the dinner put on by the Legislative Sons of St. Patrick. Senator Coleman delivered a striking and illuminating address in which he named a long list of Irish American patriots. However, most of those men were Protestant Irish. I wonder if it was personal modesty that prevented him from mentioning some of the prominent Catholic Irishmen who had been such a force in the progress of our country. Well do I remember being in Wilkes-Barre fifty odd years ago when the Catholic Total Abstinence Society of Pennsylvania was holding a convention. They put on a street parade in which seven thousand Catholic Total Abstainers marched to the air of patriotic music played by several hundred brass bands.

This spectacle made a lasting impression on my life. Wilkes-Barre was the home of Father Curran, who was one of the most powerful foes of the liquor traffic of his day. It is strange that Senator Coleman did not mention this great and good Irish Catholic of his own vicinity. I also recall Archbishop Ireland, a native son of Ireland and a great Catholic prelate stationed at St. Paul, Minnesota. He was an uncompromising foe of the liquor traffic in the northwest extending from the Great Lakes to the Pacific Ocean. I lived in that territory at that time.

Howard Russell, a young Protestant minister was stationed at Stillwater, Minnesota and was a personal friend of Archbishop Ireland. It was the Archbishop who suggested, formulated and collaborated with Russell in forming the Anti-Saloon League which has been the real thorn in the flesh of the liquor traffic ever since. These two great Irish Catholic dignitaries were wheel horses in the team that took the lead in putting across the "Noble Experiment." Are we now to presume that they would be indifferent to the Ignoble Experiment of today?

Have the Irish ignored these outstanding Catholics because they were apostles of temperance? Surely they were not delibertely forgotten. As one who was impressed during his youthful years with the righteousness of their fight for temperance, I take this method of restoring their names to the list of representative Irishmen of America.

RESOLUTIONS

TO DISCHARGE COMMITTEE

Mr. RUSSELL E. REESE offered a resolution which was read as follows:

In the House of Representatives, April 2, 1945.

Resolved, That the Committee on Railroads and Railways be discharged from further consideration of House Bill 403, entitled:

An Act to promote the safety of travelers and employes upon railroads by prohibiting carriers by railroad hauling trains excessive in length; providing for enforcement by the Public Utility Commission or any other agency empowered to enforce the law.

Said bill having been referred Tuesday, February 6, 1945 to the Committee on Railroads and Railways.

On the question,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Russell E. Reese and Mr. Matthews.

Messrs. Lovett, Weiss and Coleman asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—63

Andrews,	Grant,	Longo,	Reidenbach,
Baker,	Haberlen,	Lovett,	Reynolds,
Barrett,	Hamilton,	Matthews,	Rudisill,
Bentzel,	Heatherington,	McNair,	Scanlon,
Boney,	Hennihan,	McNally,	Shaffer,
Brancato,	Hering,	Mihm,	Snider,
Brunner, P. A.,	Herman,	Modell,	Stank,
Cohen,	Hoggard,	Mooney,	Swope,
Coleman,	Hunter,	Moore, W. J.,	Tate,
Coyle,	Jones,	Moran,	Varallo,
Dougherty,	Kirley,	Murray, M. L.,	Weiss,
Elish,	Kolankiewicz,	O'Donnell,	Welsh,
Finnerty,	Komorofsk.,	O'Neill,	White,
Gaffney,	Lane,	Polen,	Wright,
Gallagher,	Leonard,	Reese, R. E.,	Yester,
Gore,	Levy,	Regan,	

NAYS—90

Barton,	Getchey,	Madigan,	Salus,
Baumunk,	Gibson,	Mahany,	Serrill,
Bonawitz,	Goodling,	McClester,	Shoemaker,
Boorse,	Greer,	McCormack,	Smith,
Bower,	Guthrie,	McDowell,	Snyder,
Breisch,	Gyger,	McKinney,	Sollenberger,
Brunner, C. H.,	Hall,	McMillen,	Sorg,
Cadwalader,	Hare,	Mikula,	Stockham,
Cook,	Helm,	Miller,	Stonier,
Cooper,	Hewitt,	Milliken,	Stuart,
Costa,	Howells,	Moore, C. E.,	Tahl,
Coulson,	Huntley,	Moser,	Tittle,
Dague,	James,	Murray, P. G.,	Turbett,
Depuy,	Kennedy,	O'Dare,	Turner,
Dix,	Kline,	Pickens,	Wachhaus,
Dye,	Kurtz,	Propert,	Wagner,
Ewing,	Laughner,	Reagan,	Waterhouse,
Flack,	Lee,	Reese, D. P.,	Wood, L. H.,
Fleming,	Leisey,	Reilly,	Wood, N.,
Foor,	Lichtenwalter,	Riley,	Worley,
Fox	Loftus,	Robertson,	Yeakel,
Frost,	Lyons,	Root,	Fiss,
Gardner,	Madden,	Royer,	Speaker.

NOT VOTING—51

Bentley,	Erb,	Mills,	Powers,
Boles,	Freed,	Munley,	Readinger,
Boory,	Fullerton,	Myhan,	Rose,
Brice,	Green,	Nagel,	Schuster,
Brown,	Greenwood,	Nelson,	Skale,
Chervenak,	Haudenshield,	O'Brien,	Sloan,
Chudoff,	Hersch,	O'Connor,	Trachtman,
Corrigan,	Hoffman,	Owens,	Trent,
Dalrymple,	Hoopes,	Pentrack,	Trout,
Dennison,	Krise,	Petrosky,	Verona,
Dillon,	Lopez,	Pettigrew,	Watkins,
Duffy,	McAtee,	Polaski,	Wescott,
Elder,	McLanahan,		

So the question was determined in the negative and the resolution was not adopted.

Mr. E. GADD SNIDER offered a resolution which was read as follows:

In the House of Representatives, April 2, 1945.

Resolved, That the Committee on Constitutional Amendments be discharged from further consideration of House Bill 627, entitled:

A Joint Resolution proposing an amendment to article eight of the Constitution of the Commonwealth of Pennsylvania, by adding thereto section eighteen.

Said bill having been referred Monday, February 19, 1945, to the Committee on Constitutional Amendments.

On the question,

Will the House adopt the resolution?

Mr. LOVETT. Mr. Speaker, we don't enjoy this any more over on this side than you do over there, but of course you must admit we tried to be fair with you—we tried to change the rules. You fellows refused to go along, and, speaking on this motion to discharge, the rules of this House are unfair. We realize that you set this time to discharge the committee, when the boys are all tired and want to go home and everything else. That is all part of this scheme; it has been worked out in this House of Representatives session after session—it is nothing new. I want to say to you fellows here tonight that you are not going continually to kid the people of Pennsylvania. You may get away with it for a while, but it is not going to last, boys.

You talk about saving this democracy that our boys are fighting for over on the other side. You are not helping to save this democracy over here. I told you many and many a time on the floor of this House, session after session and you let the words go by. I want to say to you that the working people of this state are eventually going to wake up to the fact that you fellows with a good labor record over there are continually voting against these fellows. And there isn't any joke about it; it doesn't make any difference whether you are voting against their particular bill or whether you are voting to keep the bills in committee, its all the same thing.

Gentlemen, I want to say to you that it is about time that we here save democracy and eliminate some of these unfair rules in the House of Representatives.

On the question recurring,

Will the House adopt the resolution?

The yeas and nays were required by Mr. E. Gadd Snider and Mr. Lovett.

Messrs. Lovett, Grant and Lane asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—68

Andrews,	Hamilton,	McLanahan,	Reidenbach,
Baker,	Heatherington,	McNair,	Reynolds,
Barrett,	Hennihan,	McNally,	Rudisill,
Bentzel,	Hering,	Mihm,	Scanlon,
Boney,	Herman,	Mills,	Schuster,
Brancato,	Hoggard,	Modell,	Shaffer,
Brunner, P. A.,	Hunter,	Mooney,	Skale,
Cohen,	Jones,	Moore, W. J.,	Snider,
Coleman,	Kirley,	Moran,	Stank,
Dougherty,	Kolankiewicz,	Murray, M. L.,	Swope,
Elish,	Komorofski,	Nagel,	Tate,
Finnerty,	Lane,	O'Donnell,	Varallo,
Gaffney,	Leonard,	O'Neill,	Weiss,
Gallagher,	Levy,	Petrosky,	Welsh,
Gore,	Longo,	Polen,	White,
Grant,	Lovett,	Reese, R. E.,	Wright,
Haberlen,	Matthews,	Regan,	Yester,

NAYS—88

Barton,	Gardner,	Loftus,	Robertson,
Baumunk,	Getchey,	Lyons,	Royer,
Bonawitz,	Gibson,	Madigan,	Serrill,
Boorse,	Goodling,	Mahany,	Sloan,
Bower,	Greer,	McClester,	Smith,
Cadwalader,	Guthrie,	McCormack,	Snyder,
Cook,	Gyger,	McDowell,	Sollenberger,
Cooper,	Hall,	McKinney,	Sorg,
Costa,	Hare,	McMillen,	Stockham,
Coulson,	Helm,	Mikula,	Stonier,
Dague,	Hewitt,	Miller,	Stuart,
Dennison,	Hoffman,	Milliken,	Tahl,
Depuy,	Howells,	Moore, C. E.,	Tittle,
Dix,	Huntley,	Moser,	Turbett,
Dye,	James,	Murray, P. G.,	Wachhaus,
Ewing,	Kennedy,	O'Dare,	Wagner,
Flack,	Kline,	Pickens,	Waterhouse,
Fleming,	Kurtz,	Propert,	Wescott,
Foor,	Laughner,	Reagan,	Wood, N.,
Freed,	Lee,	Reese, D. P.,	Worley,
Frost,	Leisey,	Reilly,	Yeakel,
Fullerton,	Lichtenwalter,	Riley,	Fiss, Speaker.

NOT VOTING—48

Bentley,	Dillon,	Madden,	Readinger,
Boles,	Duffy,	McAtee,	Root,
Boory,	Elder,	Munley,	Rose,
Breisch,	Erb,	Myhan,	Salus,
Brice,	Fox,	Nelson,	Shoemaker,
Brown,	Green,	O'Brien,	Trachtman,
Brunner, C. H.,	Greenwood,	O'Connor,	Trent,
Chervenak,	Haudenshield,	Owens,	Trout,
Chudoff,	Hersch,	Pentrack,	Turner,
Corrigan,	Hoopes,	Pettigrew,	Verona,
Coyle,	Krise,	Polaski,	Watkins,
Dalrymple,	Lopez,	Powers,	Wood, L. H.,

So the question was determined in the negative and the resolution was not adopted.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 80

An Act to reenact and amend the title and the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) entitled as amended "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock

associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" as previously reenacted and amended by extending the provisions of the act for a further limited period of time by providing for additional deductions in fixing the tax by providing that a report of change of income becomes part of the original report in certain instances by changing the gross receipts fraction by specifically providing for the computing of interest on increases of income indicated by reports of change

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

COMMITTEE MEETINGS

There will be meetings of the committees on:

City and County—First Class, Tuesday, April 3, at 12:45 p. m. in Room 521

Education, Tuesday, April 3 at 11:00 a. m. in Room 324

Elections, Tuesday, April 3, at 9:30 a. m. in Room 329

Highways, Tuesday, April 3, at 10:00 a. m. in Room 329

Judiciary General, Tuesday, April 3 at 10:00 a. m. in Room 325

Municipal Corporations, Tuesday, April 3 at 11:00 a. m. in Room 521

Public Health and Sanitation, Tuesday, April 3 at 11:00 a. m. in Room 522

Cities and Counties—Second Class, Public Hearing, Tuesday, April 3 at 10:00 a. m. in New House Caucus Room

ADJOURNMENT

Mr. GIBSON. Mr. Speaker, I move that this House do now adjourn until Tuesday, April 3, 1945, at 1 p. m.

The motion was agreed to, and (at 1:05 a. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1945. 136th of the General Assembly.

Vol. 29. HARRISBURG, PA., TUESDAY, APRIL 3, 1945. No. 38.

SENATE

TUESDAY, April 3, 1945.

The Senate met at 3:00 o'clock, p. m., Eastern War Time.

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the Chair.

PRAYER

The Chaplain, Rev. EDWIN S. WALLACE, D. D., offered the following prayer:

Almighty God, before whom the very angels veil their faces, as they can not look upon Thy glory and purity, how humble and reverent should we, Thy erring children of the earth, be. Our hearts condemn us for our many sins, but Thou are greater than our hearts. Thou hast opened the gate of forgiveness, and all who in faith accept Thy invitation to enter have passed from death to life and from the power of sin unto God. May none of us decline the invitation.

In days just passed the Christian world has commemorated in praise and thanksgiving Christ's victory over death. May the comfort and peace that faith in this victory brings be with all those who are mourning the loss of loved ones. Give to all such the guaranty of Christ that "Whosoever believeth in Him should not perish but have everlasting life."

We pray for world peace, O God, Hasten its coming. Prepare us as individuals and as a nation to meet the requirements of such a peace, which must be based on justice and righteousness. This calls for sacrifice on our part. May we be generous enough, wise enough, Christly enough to make that sacrifice.

In the name of Christ, our Lord. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HEYBURN and Mr. EDMONDS the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. Wade asked and obtained leave of absence for Mr. JAMES.

WARRANT OFFICER THEODORE R. EDMONDS INTRODUCED TO SENATE

The PRESIDENT. The Senate is honored today by having here with us a distinguished son of a distinguished father, Warrant Officer Theodore R. Edmonds, who has just come back from both the Pacific and European theaters of war. I am sure the Senate would like to have him stand so they may pay tribute to him.

Warrant Officer Edmonds, will you stand, please?

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

MEMBER OF THE LACKAWANNA COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 3, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James P. Scoblick (Republican), 524 Main Street, Archbald, Lackawanna County, for appointment as a Member of the Lackawanna County Board of Assistance, to serve until December 31, 1947, and until his successor is duly appointed and qualified, vice George Morgan, Scranton, resigned.

EDWARD MARTIN.

JUSTICE OF THE PEACE HYNDMAN BOROUGH, BEDFORD COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 3, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John D. Margraff, Hyndman, Bedford County, for appointment as Justice of the Peace in and for the Borough of Hyndman, Bedford County, until the first Monday in January, 196, vice Hiram N. VanVoorhis, deceased.

EDWARD MARTIN.

HOUSE MESSAGES

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurred in resolution from the Senate as follows:

STATE SCHOOL COMMISSION AND THE DIRECTOR OF THE BUDGET PRESENT TO THE GENERAL ASSEMBLY A SUMMARY OF COMPARATIVE COST ENTAILED IN VARIOUS SCHOOL BILLS NOW IN COMMITTEES IN THE HOUSE AND SENATE

In the Senate of Pennsylvania, April 2, 1945.

Whereas, There is present before the Legislature in the various committees of the House of Representatives and the Senate, legislation dealing with public school problems, and

Whereas, Said legislation has been the subject of controversy and speculation as to amounts of monies involved and necessary for the carrying out of the provisions of the bills as introduced, therefore be it

Resolved (if the House of Representatives concur), That the State School Commission and the Director of the Budget, present to the House of Representatives and the Senate on or before Wednesday afternoon, April 4th at three o'clock, a summary of comparative cost entailed in the various school bills now in the various committees in the House and Senate.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 103, entitled:

An Act to permit the purchase by the cities, counties and other political subdivisions of this Commonwealth of surplus war materials, supplies and commodities from the Government of the United States or any of its agencies without advertisement or competitive bidding.

Which was committed to the Committee on State Government.

House Bill No. 255, entitled:

An Act abating certain tax penalties and interest on unpaid county, city, borough, town, township, school district, poor district and county institution district taxes, with certain exceptions; prohibiting the sale of real property for the nonpayment of any such taxes for a certain period; and preserving certain tax liens and providing for the extension thereof.

Which was committed to the Committee on State Government.

House Bill No. 306, entitled:

An Act to authorize cities, boroughs, incorporated towns, townships, and school districts to file suggestions of nonpayment and averments of default, or to sue out writs of scire facias on certain tax or municipal claims, and to revive judgments where the lien of such claims or the judgments thereon have been lost; and providing for the reinstatement of the liens of such claims and judgments.

Which was committed to the Committee on Judiciary General.

House Bill No. 528, entitled:

An Act to repeal subsection (f) of section nine hundred two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," as last amended by the act, approved the twenty-ninth day of June, one thousand nine hundred thirty-seven (P. L. 2329).

Which was committed to the Committee on Highways.

House Bill No. 632, entitled:

An Act authorizing the county commissioners of the respective counties to grant rights of way and licenses for rights of way for certain purposes on and across lands purchased by the county at tax sales and not redeemed.

Which was committed to the Committee on County Government.

House Bill No. 675, entitled:

An Act to further amend section fifteen of the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 447), entitled as amended "Fiduciaries Act of 1917," extending the lien of debts on decedent's real estate in certain cases.

Which was committed to the Committee on Judiciary General.

House Bill No. 784, entitled:

An Act to add section one point one to the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 322), entitled "An act providing for the issuance of certified copies of death, birth, and marriage certificates, and divorce decrees, by county officers, free of charge, to disabled war veterans and their dependents, in death and compensation cases; and prescribing penalties," requiring counties to pay the fees of officers compensated on a fee basis.

Which was committed to the Committee on County Government.

House Bill No. 849, entitled:

An Act to further amend section six of the act, approved the fifth day of May, one thousand nine hundred eleven (P. L. 198), entitled "An act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof," by providing for surety of the peace in certain cases.

Which was committed to the Committee on Judiciary General.

House Bill No. 918, entitled:

An Act to amend subsections one and two of section nine of the act approved the twenty-fourth day of July, one thousand nine hundred forty-one (P. L. 490), entitled "Uniform Acknowledgment Act," defining how certificates of certain acknowledgments taken without the State shall be authenticated.

Which was committed to the Committee on Judiciary General.

House Bill No. 1062, entitled:

An Act to further amend section nine of the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 363), entitled "Orphan's Court Act of 1917," by giving trustees the right to hold certain real estate under certain conditions.

Which was committed to the Committee on Judiciary General.

House Bill No. 1099, entitled:

An Act to add section seventeen point one to the act approved the third day of May, one thousand nine hundred thirty-three (P. L. 242), entitled "Beauty Culture Law," by declaring the right of municipalities to adopt ordinances for the regulation of beauty shops and beauty schools.

Which was committed to the Committee on Municipal Government.

House Bill No. 1186, entitled:

An Act providing for the discharge of mortgages, judgments and other liens given in favor of the Commonwealth by persons receiving assistance by sheriff's sales, tax sales and other judicial sales.

Which was committed to the Committee on Judiciary General.

House Bill No. 1193, entitled:

An Act to amend the title and section one of the act, approved the twentieth day of May, one thousand nine hundred thirty-seven (P. L. 755) entitled, "An act providing for the fixing of the salaries and compensation of officers, clerks, stenographers, and employes appointed by judges of the courts of this Commonwealth in counties of the second class where salary boards exist by law," by extending the provisions of the act to include court criers and tipstaves; and repealing certain inconsistent acts.

Which was committed to the Committee on County Government.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 80

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 80, entitled:

An Act to reenact and amend the title and the act approved the sixteenth day of May, one thousand nine hundred thirty-five (P. L. 208), entitled as amended, "Corporate Net Income Tax Act," as previously reenacted and amended by extending the provisions of the act for a further limited period of time.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 456

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 456, entitled:

An Act authorizing and empowering minors seventeen years of age or older to contract for and to make loans in accordance with the provisions of the Act of Congress known as the "Servicemen's Readjustment Act of 1944," and saving and relieving the parents, guardians and trustees of such minors from any liability therefor unless joining therein.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 472

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 472, entitled:

An Act prohibiting the sale of drugs, chemicals and preparations thereof without a label bearing certain information; and prescribng a penalty.

HOUSE CONCURS IN AMENDMENTS TO SENATE BILL No. 123 RECALLED FROM THE GOVERNOR

He also informed the Senate that the House has concurred in amendments made by the Senate to Senate Bill No. 123, entitled:

An Act to repeal Section one thousand thirty-three (1033) of the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds;" as last amended by the Act approved May twenty-first, one thousand nine hundred forty-three, (P. L. 559).

Said bill having been recalled from the Governor for the purpose of amendment. The votes had on final passage and third reading were reconsidered in the Senate and the bill amended.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) announced that the Acting Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 38, entitled:

An Act to further amend section four hundred twenty-one of the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," broadening the definition of the term "deceased service persons" to include members of any women's organization officially connected with any of the armed forces of the United States, and requiring county commissioners of each county to contribute to the funeral expenses of such persons.

House Bill No. 46, entitled:

An Act to further amend section one of the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 676) entitled as amended "An act providing for the burial of certain persons who are have been or shall be soldiers sailors marines or members of the enlisted nurse corps designated as 'deceased service men' defining the term 'deceased service men' authorizing county commissioners to provide markers and burial plots for such deceased service men at the expense of such county in which they shall die or have a legal residence at the time of their death and providing for the burial of widows of soldiers sailors or marines" broadening the definition of the term "deceased service men" to include members of any women's organization officially connected with any of the armed forces of the United States and requiring county commissioners of each county to contribute to the funeral expenses of such persons.

House Bill No. 72, entitled:

An Act to prohibit the unlawful wearing of uniforms of the armed forces or branches thereof and imposing penalties for violation thereof.

House Bill No. 80, entitled:

An Act to reenact and amend the title and the act approved the sixteenth day of May, one thousand nine hundred thirty-five (P. L. 208), entitled as amended "Corporate Net Income Tax Act," as previously reenacted and amended by extending the provisions of the act for a further limited period of time.

Senate Bill No. 123, entitled:

An Act to repeal Section one thousand thirty-three (1033) of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the Act approved May twenty-first one thousand nine hundred forty-three (P. L. 559).

Senate Bill No. 143, entitled:

An Act to amend clause (a) of section six hundred twenty-one and one-tenth of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further regulating group accident and health insurance.

House Bill No. 204, entitled:

An Act to amend sections fourteen and twenty of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 414), entitled "Uniform Vital Statistics Act," by changing the conditions under which information or records may be furnished and certified copies of birth certificates shall be issued.

House Bill No. 207, entitled:

An Act to provide for the receiving as evidence in any court, office or other place in this State, official findings, records, reports, or certified copies thereof, of death, presumed death, missing or other status, issued by the Secretaries of War and Navy and other Federal officers and employees.

House Bill No. 270, entitled:

An Act to amend section three hundred two of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "The Game Law," by exempting for the duration of the present war any resident of the Commonwealth who is in service with the Armed Forces of the United States, or any of its Allies, from the payment of a fee to the Commonwealth for a Resident Hunter's License.

House Bill No. 420, entitled:

An Act to amend the act approved the twelfth day of May, one thousand nine hundred and forty-three, (P. L. 259), entitled "An act providing for the payment by the State Treasurer, of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies, to the treasurers of the several cities, boroughs, towns and townships, and for the payment thereof into police pension funds, and in certain cases into the Municipal Employes' Retirement System, and in certain other cases into the State Employes' Retirement Fund, for certain purposes," by providng for allocation and distributon of such moneys and further prescribing their use.

House Bill No. 456, entitled:

An Act authorizing and empowering minors seventeen years of age or older to contract for and to make loans in accordance with the provisions of the act of Congress known as the "Servicemen's Readjustment Act of 1944" and saving and relieving the parents guardians and trustees of such minors from any liability therefor unless joining therein

House Bill No. 470, entitled:

An Act to further amend section four of the act, approved the eighth day of May, one thousand nine hundred nine (P. L. 470), entitled "Pure Drug Law," by further defining what shall constitute misbranding of drugs.

House Bill No. 472, entitled:

An Act prohibiting the sale of drugs, chemicals and preparations thereof without a label bearing certain information; and prescribng a penalty.

House Bill No. 493, entitled:

A Supplement to the act approved the fourth day of June one thousand nine hundred and forty-three (Appropriation Acts, page 59), entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public

schools for two years beginning June first one thousand nine hundred and forty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-three," providing for a deficiency in the appropriation made by said act to the Department of the Auditor General for the fiscal biennium ending May thirty-first one thousand nine hundred and forty-five.

House Bill No. 727, entitled:

An Act providing for the issuance of certified copies of birth, death and marriage certificates by the proper city and county officers in cities of the first class to disabled war veterans and their dependents in death and compensation cases, free of charge.

House Bill No. 771, entitled:

An Act to further amend clause (b), section six of the act, approved the fifth day of May, one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing is powers and duties; regulating the procedure therein, and providing for the expenses thereof," by conferring the authority to issue writs of habeas corpus in desertion and non-support cases.

House Bill No. 780, entitled:

An Act to further amend section six of the act, approved the fifth day of May, one thousand nine hundred eleven (P. L. 198), entitled "An act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof," by extending jurisdiction to cases for support of illegitimate children where the putative father admits parentage.

Whereupon,

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the presence of the Senate signed the same.

HOUSE MESSAGES

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurred in resolution from the Senate as follows:

TIME OF NEXT MEETING

In the Senate, April 2, 1945.

Resolved (if the House of Representatives concur) That when the Senate adjourns this week, it reconvene on Monday, April 9, 1945, at four o'clock p. m., and when the House of Representatives adjourns this week, it reconvene on Monday, April 9, 1945, at nine o'clock p. m.

HOUSE CONCURS IN SENATE BILL No. 352

He also returned to the Senate, Senate Bill No. 352, entitled:

An Act to amend section two hundred thirteen of the act, approved the twenty-fifth day of June, one thousand nine hundred forty-one (P. L. 159), entitled "An act amending, revising, consolidating and changing the law relating to the borrowing of money by certain political subdivisions, the authorization, issuance and sale of general obligation bonds as herein defined, of bonds imposing no general obligation of debt and of bonds not deemed to constitute a debt for certain purposes, and to the funding of debt and the refunding of bonds; regulating the keeping and use of sinking funds; imposing powers and duties upon the Department of Internal Affairs and upon corporate bodies and officers of political subdivisions; imposing penalties, and repealing existing laws," by authorizing temporary investments in certain obligations.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 356

He also returned to the Senate, Senate Bill No. 356, entitled:

An Act to further amend Section 411 subsection B of Section 512 Section 1012 Section 1108 and subsection B of Section 1109 of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and duties and limitations upon powers of corporations and persons authorized to engage in a banking or fiduciary business or both

with the information that the House has passed the same without amendments.

SENATE BILL No. 221 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 221, entitled:

An Act authorizing political subdivisions to purchase surplus material, equipment, property and supplies from the Surplus Property Board or any other Federal agency without complying with any requirement of existing law as to specifications, advertising, award of contract and approval of purchases by a state agency

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended, will appear on tomorrow's Calendar.

AMENDMENT TO HOUSE BILL No. 52 RECALLED FROM THE GOVERNOR

He also presented for concurrence bill of the House of Representatives as follows:

An Act to amend clause six of section thirteen of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "School Employes Retirement Law," further defining the disability retirement rights of members of the School Employes' Retirement Association who engage in active military service.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third

reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended, will appear on tomorrow's Calendar.

AMENDMENT TO HOUSE BILL No. 164
RECALLED FROM THE GOVERNOR

He also presented for concurrence bill of the House of Representatives as follows:

An Act to reenact and amend the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 563), entitled "An act to add section two thousand two and one-tenth to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309), entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' providing for cooperation of State Teachers Colleges at the request of the State Council of Defense with other agencies in furthering national defense programs and activities" extending the effective period thereof.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended, will appear on tomorrow's Calendar.

AMENDMENT TO HOUSE BILL No. 336
RECALLED FROM THE GOVERNOR

He also presented for concurrence bill of the House of Representatives as follows:

An Act to amend clause IV, section seven hundred and two of the act, approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "The Second Class Township Law," designating the purposes for which appropriations may be made to fire companies; and requiring annual report by such fire companies of expenditures of appropriated moneys.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended, will appear on tomorrow's Calendar.

AMENDMENT TO HOUSE BILL No. 374
RECALLED FROM THE GOVERNOR

He also presented for concurrence bill of the House of Representatives as follows:

An Act to further amend the second paragraph of section five of the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" making counties in which deceased service persons are buried liable for the cost of headstones

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended, will appear on tomorrow's Calendar.

REPORTS FROM COMMITTEES

Mr. SNOWDEN, from the Committee on Finance, reported as committed, Senate Bill No. 209, entitled:

An Act to further amend section one of the act, approved the thirteenth day of June, one thousand nine hundred seven (P. L. 640), entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved April twenty-ninth, one thousand eight hundred and seventy-four, and the supplements thereto; for the insurance of owners of real estate, mortgages, and others interested in real estate, from loss by reason of defective titles, liens, and encumbrances; and of companies entitled to the benefits of, and of companies having any of the powers of, companies entitled to the benefits of an act, entitled 'An act conferring upon certain fidelity, insurance, safety deposit, trust, and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act, entitled "An act to provide for the incorporation and regulation of certain corporations," approved April twenty-ninth, Anno Domini one thousand eight hundred and seventy-four, and of the supplements thereto,' approved June twenty-seventh, one thousand eight hundred and ninety-five, commonly known as title insurance or trust companies," by reducing the rate of said tax and modifying the procedure for the collection and payment of said tax.

Mr. CROWE, from the Committee on Education, reported as committed, House Bill No. 474, entitled:

An Act providing for the granting of certificates of licensure to practice professions, or work at any trade or occupation in this Commonwealth for which licenses are issued by a State board or other State agency to certain persons who served in the military or naval forces of the United States.

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 688, entitled:

An Act to further amend section twenty-one of the act approved the sixth day of August one thousand nine hundred forty-one (P. L. 861) entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the "Pennsylvania Board of Parole" conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases providing for the methods of appointment of its members regulating the appointment removal and discharge of its officers clerks and employes dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the board and of certain other officers and employes thereof making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation" empowering the Board of Parole to grant paroles to convicted persons before the expiration of their minimum sentence with the consent of the sentencing judge or the Pardon Board.

Mr. FARRELL, from the Committee on Judiciary General, reported as amended, House Bill No. 805, entitled:

An Act to amend Article VIII of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it unlawful to injure tap or make unauthorized connections with telegraph and telephone facilities to receive or send communications by means of such unauthorized connections or to induce such actions by another and providing penalties.

Mr. CARR, from the Committee on Education, reported as committed, House Bill No. 112, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of Indiana State Teachers' College, to acquire a certain tract of land for the use of said school; and making an appropriation therefor.

which was recommitted to the Committee on Appropriations.

Mr. WALKER, from the Committee on Judiciary General, reported as committed, House Bill No. 789, entitled:

An Act validating county treasurers' sales of unseated lands heretofore made where such sales were held under laws not at that time applicable to such lands

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 791, entitled:

An Act to further amend section two of the act approved the ninth day of March one thousand eight hundred forty-seven (P. L. 278) entitled "An act in relation to the sales of unseated lands in the several counties of this Commonwealth" by providing that the cost of advertising such sales shall be paid out of the proceeds of the sale

He also, from the Committee on Military Affairs, reported as committed, Senate Bill No. 248, entitled:

An Act to authorize certain persons to take affidavits and acknowledgments in connection with the administration of the affairs of veterans and their dependents making certain offenses punishable as perjury and imposing penalties.

Mr. BOWERS, from the Committee on Education, reported as committed, Senate Bill No. 625, entitled:

An Act to amend section ten of the act, approved the third day of May, one thousand nine hundred thirty-three (P. L. 242), entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture; defining beauty culture, and regulating beauty culture shops, schools, students, apprentices, teachers managers and operators; conferring powers and duties upon the Department of Public Instruction; providing for appeals to certain courts by applicants and licensees; and providing penalties," by further regulating the number of apprentices in beauty shops.

Mr. TROUTMAN, from the Committee on Judiciary General, reported as committed, House Bill No. 917, entitled:

An Act to validate certain acknowledgments and to regulate the effect thereof.

Mr. RUTH, from the Committee on Education, reported as committed, Senate Bill No. 621, entitled:

An Act to further amend paragraph (d) and to amend paragraph (f) of section one thousand two hundred five of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled, "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by further regulating the employment, dismissal, suspension, demotion and retirement of professional employes.

He also, from the Committee on Education, reported as amended House Bill No. 611, entitled:

An Act to further amend the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2603) entitled "An act relating to vocational education creating vocational school districts for the purpose of conducting systems of vocational schools departments or classes providing for their government prescribing their powers and duties conferring powers and imposing duties on School districts and on the State Board for Vocational Education and providing for referendum in certain cases" limiting the taxing power of vocational school districts and providing for determining the question of establishing vocational schools, departments or classes by the directors of the school district or the several school districts constituting the vocational school district

Mr. COLEMAN, from the Committee on Education, reported as committed, Senate Bill No. 604, entitled:

An Act providing for and regulating the contractural powers of school districts during the period of the present wars in which the United States is engaged and until six months after proclamation by the President of the United States that hostilities in such wars have ceased.

Mr. GOURLEY, from the Committee on Judiciary General, reported as committed, House Bill No. 199, entitled:

An Act to further amend section one of the act approved the sixteenth day of May one thousand nine hundred twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" by adding certain claims of Municipal Authorities in the definition of "municipal claim" and further amending the definition of "municipality" to include county institution districts and bodies politic or corporate created as Municipal Authorities

Mr. JASPAN, from the Committee on Finance, reported as committed, Senate Bill No. 208, entitled:

An Act to further amend Section one of the act approved the fifteenth day of July, one thousand eight hundred ninety-seven (P. L. 292), entitled "An act to provide revenue by taxation," by modifying the procedure for the collection and payment of the tax.

Mr. McGINNIS, from the Committee on Finance, reported as committed, House Bill No. 223, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," and known as The Fiscal Code, by authorizing the Commonwealth of Pennsylvania to petition for a resettlement of claims against the Commonwealth by the Auditor General and State Treasurer, and to petition for a review of settlements by the Board of Finance and Revenue and to appeal from the decisions of the Board of Finance and Revenue to the Court of Common Pleas of Dauphin County.

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 721, entitled:

An Act to amend section ten, and to further amend section twelve, of the act approved the twelfth day of May, one thousand nine hundred twenty-five (P. L. 603), entitled "An act concerning conditional sales; and to make uniform the law relating thereto," by changing the fees to which the filing officer shall be entitled in counties of the second class.

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 898, entitled:

An Act conferring the power to administer oaths on minute clerks in the court of common pleas or the courts of quarter sessions of the Peace Oyer and Terminer and General Jail Delivery in counties of the second class

Mr. HALUSKA, from the Committee on Education, reported as committed, Senate Bill No. 413, entitled:

An Act to amend section one of the act approved the twenty-sixth day of May, one thousand nine hundred forty-three (P. L. 607), entitled "An act authorizing administrative boards within the Department of Public Instruction, for the duration of the present War, to admit to examination and grant licenses or registration to certain applicants who are less than twenty-one, but not less than twenty years of age," by reducing temporarily the age limit of persons who may take Pennsylvania State pharmacy examinations.

Mr. KEPHART, from the Committee on Judiciary Special, reported as amended, Senate Bill No. 461, entitled:

An Act concerning devices, bequests or gifts in trust for the care and maintenance of cemeteries, cemetery lots, in perpetuity; trustees and substituted trustees thereof; sureties of said trustees; excess income from said funds; and the investment of such trust funds; accounts of said trustees; approving actions and proceedings prior to this act and repealing conflicting laws.

He also, from the Committee on Judiciary Special, reported as amended, Senate Bill No. 563, entitled:

An Act prohibiting the sale of surplus property as defined in the Federal Surplus Property Act of 1944 by or to certain persons using words or names indicating an official relationship with the United States government; making exceptions in certain cases and imposing penalties.

Mr. WAGNER, from the Committee on Education, reported as committed, House Bill No. 695, entitled:

An Act to amend Section eight hundred one of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing for special meetings of school directors under jurisdiction of county superintendents.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. EALY, from the Committee on Executive Nominations, reported with a favorable recommendation the following nomination, made by His Excellency, the Governor, which was laid over for one day under the rules.

MEMBER OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisbur, April 2, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harold A. Scragg, Scranton, Lackawanna County, for appointment as a Member of the Pennsylvania Public Utility Commission, for the term ending April 1, 1955, vice Thomas C. Buchanan, Beaver, whose term expired.

EDWARD MARTIN.

BILLS INTRODUCED AND COMMITTED

Mr. MALLERY read in his place and presented to the Chair Senate Bill No. 643, entitled:

An Act validating certain borough ordinances which were inadvertently recorded beyond the statutory period.

Which was committed to the Committee on Municipal Government.

Mr. STEVENSON read in his place and presented to the Chair Senate Bill No. 644, entitled:

An Act to further amend section nine of the act, approved the sixteenth day of May, one thousand nine hundred twenty-three (P. L. 207), entitled "An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances, and for water rents or rates, sewer rates, and lighting rates for the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; the distribution of the proceeds of such sales and the re-

demption of the property therefrom; for the alien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed, within six months before the passage of this act; and for the procedure on tax and municipal claims filed under other and prior acts of Assembly," providing for the payment of interest in certain claims.

Which was committed to the Committee on Judiciary General.

Mr. THOMAS read in his place and presented to the Chair Senate Bill No. 645, entitled:

An Act to amend section five of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 955) entitled "An act to promote public health, safety, morals, and welfare by declaring the necessity of creating public bodies, corporate and politic, to be known as housing authorities to engage in slum clearance, and to undertake projects, to provide dwelling accommodations for persons of low income; providing for the organization of such housing authorities; defining their powers and duties; providing for the exercises of such powers, including the acquisition of property by purchase, gift or eminent domain, the renting and selling of property, and including borrowing money, issuing bonds, and other obligations, and giving security therefor; prescribing the remedies of obligees of housing authorities; authorizing housing authorities to enter into agreements, including agreements with the United States, the Commonwealth, and political subdivisions and municipalities thereof; defining the application of zoning, sanitary, and building laws and regulations to projects built or maintained by such housing authorities; exempting the property and securities of such housing authorities from taxation; and imposing duties and conferring powers upon the State Board of Housing, and certain other State officers and departments," by providing for the appointment of members of an authority.

Which was committed to the Committee on State Government.

Mr. BOWERS read in his place and presented to the Chair Senate Bill No. 646, entitled:

An Act re-appropriating for additional purposes, moneys heretofore appropriated to the Department of Military Affairs for the purpose of erecting, constructing and equipping an auditorium at Indiantown Gap.

Which was committed to the Committee on Appropriations.

Mr. WALKER read in his place and presented to the Chair Senate Bill No. 647, entitled:

An Act to amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth"; by transferring the power and duty of collecting certain moneys from the Department of Revenue to the Department of Welfare; and repealing certain inconsistent sections.

Which was committed to the Committee on State Government.

Mr. KEPHART read in his place and presented to the Chair Senate Bill No. 648, entitled:

An Act to further amend paragraph six of section one of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner or payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties;" by further defining State employe to include employes of the Interstate Commission on the Delaware River Basin.

Which was committed to the Committee on State Government.

Messrs. GOURLEY and BOWERS read in place and presented to the Chair Senate Bill No. 649, entitled:

An Act providing for the disposition of fines, penalties and forfeitures collected in summary proceedings; and imposing penalties.

Which was committed to the Committee on Judiciary Special.

Messrs. WOODRING and DENT read in place and presented to the Chair Senate Bill No. 650, entitled:

An Act to further amend subsection (c) of section two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1216), entitled "An act to define real estate brokers and real estate salesmen; and providing for the licensing, regulation, and supervision of resident and nonresident real estate brokers and real estate salesmen and their business," excluding persons engaged in selling cemetery plots from the provisions of the act.

Which was committed to the Committee on Education.

Messrs. WOODRING and COX read in place and presented to the Chair Senate Bill No. 651, entitled:

An Act to amend section two and to repeal entirely section four of the act approved the fourth day of June, one thousand nine hundred and forty-three (P. L. 870) entitled "An act relating to appointments, reclassifications, and promotions made under any civil service system of this Commonwealth after the effective date of this act, until a period after the cessation of hostilities, making such appointments of war duration; providing for examinations at the end of such period; and providing for experience credit for men and women honorably discharged from the armed forces or the uniformed services of the United States; suspending inconsistent laws; sav-

ing the right to return to former position and status; suspending powers and duties of the Personal Director of the State Civil Service Commission for a limited period; and conferring powers on the State Civil Service Commission" by providing that all war-duration appointments, reclassifications or promotions shall be made in accordance with the Civil Service Act of 1941 and the rules of the State Civil Service Commission; providing the right to appeal to the State Civil Service Commission to war-duration appointments in certain circumstances; repealing entitrely section four of said act.

Which was committed to the Committee on State Government.

Mr. WALKER, on behalf of Mr. HEYBURN, read in his place and presented to the Chair Senate Bill No. 652, entitled:

An Act to amend the title and further amend section one of the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 662) entitled, "An act relating to retirement from the Pennsylvania National Guard"; extending the provisions thereof to the Pennsylvania State Guard; and making changes with respect to advance in grade of retiring officers and enlisted men.

Which was committed to the Committee on Military Affairs.

He also, on behalf of Mr. HEYBURN, read in his place and presented to the Chair Senate Bill No. 653, entitled:

An Act to amend the act, approved the sixteenth day of March, one thousand nine hundred thirty-seven (P. L. 100), entitled "An act directing the Department of Military Affairs to select, procure, furnish, and award certain decorations, medals, and badges," providing for additional decorations, medals, and badges; and changing the procedure for awarding the same.

Which was committed to the Committee on Military Affairs.

PERMISSION TO ADDRESS SENATE

Mr. McCREESH asked and obtained unanimous consent to address the Senate.

Mr. McCREESH. Mr. President, I want to offer the following resolution, but before doing so, I want to call the attention of the Senate to a very dangerous train wreck that happened in Frankford some months ago, where almost one hundred people lost their lives. So, Mr. President, I am offering this resolution to try to correct that mistake that was made.

RESOLUTION

URGING THAT CONGRESS BE MEMORIALIZED TO PASS LEGISLATION IN RE: TRANSMITTING SIGNALS ON TRAINS

Mr. McCREESH offered the following resolution which was twice read, as follows:

In the Senate of Pennsylvania, April 3, 1945.

Whereas, Within the last several years there have occurred many serious accidents on railroads operated in the United States, which the members of the General Assembly of the Commonwealth of Pennsylvania believe might be obviated by a more modern method of transmitting signals on such trains; therefore be it

Resolved (if the House of Representatives concur), That the General Assembly hereby memoralize the Congress of the United States to consider and speedily pass necessary legislation requiring the installation of an adequate system of transmitting signals by radio, or other methods found to be satisfactory or of equal benefit, the entire length of all trains, and from train to train of all trains operated in interstate traffic within the United States, and be it further

Resolved, That copies of the memorial be immediately transmitted to the Secretary of the United States Senate, the Clerk of the United States House of Representatives and to each member of the Congress from the State of Pennsylvania.

REQUEST THAT RULE 39 BE SUSPENDED

Mr. McCREESH. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

The PRESIDENT. Is there objection?

Mr. CARR. Mr. President, I object.

The PRESIDENT. The resolution is referred to the Committee on Public Utilities.

Mr. McCREESH. Mr. President, I would like to ask the gentleman from Butler, Mr. Carr, why he objected.

The PRESIDENT. Will the gentleman from Butler permit himself to be interrogated?

Mr. CARR. Yes, Mr. President.

Mr. McCREESH. Would the gentleman please explain why he objected to the resolution?

Mr. CARR. My objection is that it has not been proved yet that a proper method of directing trains by radio is really established as an effective means of control.

Mr. McCREESH. Mr. President, I would rather have a vote on the resolution now than send it to committee. We are trying to finish up in a couple of weeks, the Governor says, so we better get the bills out of committee and not be sending them back again. I ask a vote on the resolution, Mr. President.

The PRESIDENT. Under the Senate rules, a resolution may be considered on the day on which it is offered only by unanimous consent of the Senate. If there is objection, it must go to a committee.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. EALY. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on April 3, 1945.

Mr. CHAPMAN. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 3, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Edward J. Stack, Marshall Twp., R. D. No. 1, Wexford.

BEAVER COUNTY

Miss J. Leone Early, Beaver Falls.
R. J. Hein, Potter Twp., P. O. Box No. 92, Monaca.

CAMBRIA COUNTY

E. H. Binder, Barnesboro.
Walter A. Krise, Johnstown.
Miss Anna Kathryn Leventry, Johnstown.

DELAWARE COUNTY

Oliver H. Jackson, Radnor Twp., Wayne.

ERIE COUNTY

Mrs. Frances H. Garrison, Erie.

LEHIGH COUNTY

Mrs. Ruth Hauke, Allentown.

PHILADELPHIA COUNTY

Corrado J. DeSantis, Phila., 1700 S. 16th St.
Miss Genevieve V. Ryan, Phila., 1622 Chestnut St. (3).
Miss Estelle M. Walker, Phila., Room 1305, 1421 Chestnut St.

EDWARD MARTIN.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 3, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

MERCER COUNTY

John Salcau, Sharon, April 5, 1945.

WASHINGTON COUNTY

Miss Frances Ross, Washington, April 7, 1945.

CAMBRIA COUNTY

Vincent A. Huber, Patton, April 10, 1945.

ALLEGHENY COUNTY

Miss Eleanor G. Schadler, Pittsburgh, 5800 Baum Blvd., April 16, 1945.

CUMBERLAND COUNTY

L. E. Eppley, Carlisle, April 16, 1945.

EDWARD MARTIN.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. EALY and Mr. CHAPMAN,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Edmonds,	Leader,	Tallman,
Berger,	Farrell,	Letzler,	Taylor,
Blass,	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	Margle,	Troutman,
Carr,	Haluska,	McCreesh,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

CALENDAR

BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 230, as follows:

An Act to amend the title and the act approved the thirtieth day of April one thousand nine hundred and forty-three (P. L. 145) entitled "An act providing for and regulating the accumulation investment expenditure by counties cities boroughs incorporated towns and townships of funds for post war projects" extending the provisions of said act to school districts and to the expenditure of such funds jointly with the Commonwealth or any department or agency thereof and defining the term "post war period"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follaws

Section 1 The title of and the act approved the thirtieth day of April one thousand nine hundred and forty-three (P. L. 145) entitled "An act providing for and regulating the accumulation investment and expenditure by counties cities boroughs incorporated towns and townships of funds for post war projects" is hereby amended to read as follows

An Act providing for and regulating the accumulation investment and expenditure by counties cities boroughs incorporated towns [and] townships and school districts of funds for post war projects

Section 1 Definitions As used in this act the word or phrase

"Municipality" means any county city borough incorporated town [or] township or school district

"Post war period" means any period [commencing not earlier than six months after the cessation of] after proclamation by the Governor of the Commonwealth that hostilities in all wars in which the United States is now engaged have ceased

"Special Fund" means a Capital Reserve Fund created invested and expended in accordance with this act

Section 2 Creation of Capital Reserve Fund Any municipality shall have power to create a special fund and to accumulate therein moneys for expenditure in accordance with the provisions of this act during the post war period Such special fund may consist (a) of moneys transferred during any fiscal year from appropriations made for any particular purpose which may not be needed (b) of surplus moneys in the general fund of the treasury of the municipality at the end of any fiscal year No such moneys shall be paid into the fund after the commencement of the post war period

The municipality shall annually show in its budget the amount of moneys in the special fund

Section 3 Investment of Fund Budget Record The

moneys in the fund shall be kept separate and apart from any other fund by the treasurer of the municipality and the moneys in the special fund may be invested by the corporate authorities of the municipality in securities legal for the investment of the sinking fund moneys of the municipality The interest earnings on investments shall be paid into the special fund The corporate authorities may sell any such securities and reinvest the moneys in other securities or convert such securities into cash when the same may be needed for expenditure under the provisions of this act

Section 4 Expenditure of Fund The moneys in any such special fund may be expended by the municipality singly or jointly with the Commonwealth or any department or agency thereof or with one or more other municipalities only during the post war period and only for capital improvements and for replacement of and additions to [construction of] public works and improvements and for deferred maintenance thereof and for no other purpose

Section 5 Plans and Surveys Any municipality singly or jointly with the Commonwealth or any department or agency thereof or with one or more municipalities shall have power to formulate and develop preliminary and final plans and surveys for a long-range program of public works and improvements for the post war period and to revise the same from time to time so that the scope cost employment possibilities materials and equipment needed for the completion of the projects will be readily available and to maintain contact exchange information and cooperate with State and Federal agencies having duties and responsibilities related to post war planning

Section 6 Where any municipality has prior to the effective date of this act created any special fund or set moneys aside for expenditure during the post war period the said action of the municipality is hereby ratified confirmed and validated and the moneys in such fund or set aside shall be placed in a special fund shall be invested and shall be expended only in accordance with the provisions of this act

Section 7 This act shall become effective immediately upon final enactment

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Edmonds,	Leader,	Tallman,
Berger,	Farrell,	Letzler,	Taylor,
Blass,	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	Margie,	Troutman,
Carr,	Haluska,	McCreesh,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

RECONSIDERATION OF SENATE BILL No. 36

Mr. JASPAN. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 36, entitled:

An Act to add section seven hundred thirty-four to the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of this Commonwealth" making wilful abandonment or nonsupport of an aged or indigent person a misdemeanor and prescribing penalties

passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. JASPAN. Mr. President, I voted "aye".

Mr. STIEFEL. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. STIEFEL. Mr. President, I voted "aye".

The motion was agreed to.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 36, entitled:

An Act to add section seven hundred thirty-four to the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" making wilful abandonment or nonsupport of an aged or indigent person a misdemeanor and prescribing penalties

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. JASPAN. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend the title, next to the last line of said title by striking out the word "or" where it first appears in said line and inserting in lieu thereof the word "and"; Amend the title, next to the last line of said title by adding at the end of said line the words "in certain cases"; Amend Section 1 (Sec. 734) page 2, line 3, by striking out the words "has or is likely to" and insert in lieu thereof the word "will"; Amend Section 1 (Sec. 734) page 2, line 4 by striking out the word "or" and insert in lieu thereof the word "and"; Amend Section 1 (Sec. 734) page 2, line 5, by inserting after the word "person" the words "being financially able to do so".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing on final passage.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 238, on final passage entitled:

An Act to amend section nine hundred ten and subsection (e) of section nine hundred fifty-one of the act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and

primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" changing the requirements for affidavits of candidates for judge of a court of record who are in the armed forces of the United States and whose whereabouts is unknown or who is out of the country

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of House Bill No. 315, as follows:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" discontinuing the registration of assistant pharmacists and providing that persons who have served as registered assistant pharmacists for ten years or longer shall be qualified for examination as pharmacists

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one and three of the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" are hereby amended to read as follows

Section 1 Be it enacted &c That (a) the term "pharmacy" when not otherwise limited shall for all the purposes of this act be taken to mean a retail drugstore or any place where drugs medicine or poisons are compounded dispensed prepared or sold at retail (b) the term "drug" as used in this act shall include * * * all medicine and preparations recognized in the United States Pharmacopoeia the National Formulary or the American Homeopathic Pharmacopoeia for internal or external use and any other substance or mixture of substances intended to be used for the cure mitigation or prevention of disease of either man or other animals (c) the term "pharmacist" shall for all purposes of this act be deemed to mean a person who is properly registered in accordance with this act of Assembly as a pharmacist [(d) the term "assistant pharmacist" shall for all the purposes of this act be deemed to mean a person who is properly registered in accordance with this Act of Assembly as an assistant pharmacist] Provided however That all persons registered as pharmacists [or assistant pharmacists] by the State Pharmaceutical Examining Board of Pennsylvania under the act of May twenty-fourth one thousand eight hundred and eighty-seven and various supplements and amendments entitled "An act to regulate the practice of pharmacy and sale of poisons and to prevent adulterations in drugs and medicinal preparations in the State of Pennsylvania" shall be deemed to be pharmacists [or assistant pharmacists respectively] registered under this act

Section 3 [That the Pennsylvania] The State Board of Pharmacy shall meet at least four times a year in the city of Harrisburg or such other place in Pennsylvania as they may deem expedient and examine all persons in the science of pharmacy and its allied branches who shall make application for registration as pharmacists [or assistant pharmacists] and that the said [Pennsylvania] State Board of Pharmacy or a majority of them shall grant to such persons as may be qualified registration and certificates of competency and qualification which shall entitle the holders thereof to all the privileges of a pharmacist [or assistant pharmacist] under the provisions of this act as may be specified therein

Section 2 Section four of said act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled 'An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity as last amended by the act approved the twenty-fourth day of April one thousand nine hundred thirty-five (P. L. 70) is hereby further amended to read as follows

Section 4 [That every] Every person applying to the Pennsylvania Board of Pharmacy for examination and registration as a pharmacist shall be not less than twenty-one years of age and of good moral character and be a graduate in pharmacy of some reputable and properly chartered college of pharmacy so recognized by the State Board of Pharmacy and must produce satisfactory evidence of having had subsequent to his sixteenth birthday practical experience in the business of retailing compounding or dispensing of drugs chemicals and poisons and of compounding of physicians' prescriptions under the personal supervision of a registered pharmacist one year of which practical experience must have been acquired within the United States

The practical experience required of each applicant for examination and registration shall depend on the length of the course the applicant took in the college of pharmacy of which he is a graduate in pharmacy as follows

(a) If a two years college course in pharmacy then four years of practical experience

(b) If a three years college course in pharmacy then two years of practical experience

(c) If a four years college course in pharmacy then one year of practical experience

Under subdivision (a) of this section credit on the years of practical experience required shall be given equal to the actual time of attendance in the college of pharmacy

Credit for practical experience may be given for experience acquired in the drug dispensary of a regular public hospital which is conducted under the constant supervision of a registered pharmacist but such credit shall not in any case exceed six months

In lieu of the above requirements of this section relative to the qualifications of applicants for examination and registration as pharmacists any person who has been actively engaged for ten years or longer as a registered assistant pharmacist shall be qualified and entitled to take the examination for pharmacist and upon satisfactorily passing such examination and payment of the prescribed fees shall be duly registered as a pharmacist

[Every person applying for registration as an assistant pharmacist shall be not less than eighteen years of age and of good moral character and must produce satisfactory evidence of having satisfactorily completed a two years' course in pharmacy in some reputable and properly chartered college of pharmacy so recognized by the State Board of Pharmacy and of having had subsequent to his

or her sixteenth birthday not less than two years practical experience in a pharmacy under the personal supervision of a pharmacist Credit for practical experience may be given for experience acquired in the drug dispensary of a regular public hospital which is conducted under the constant supervision of a registered pharmacist but such credit shall not in any case exceed one year]

Section 3 Sections five and eight of said act as last amended by the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2668) are hereby further amended to read as follows

Section 5 Each applicant for examination and registration as a pharmacist shall pay to the [Pennsylvania] State Board of Pharmacy an examination fee of five dollars ($5.00). If the said applicant passes a satisfactory examination and complies with the rules and regulations and with the terms and conditions of this act of Assembly then the said board shall grant the applicant registration and a certificate of competency and qualification as a pharmacist upon the payment of a fee of twenty dollars ($20.00) or such other sum as shall be fixed by the Department of Public Instruction under authority of law provided said fee shall be paid to the said board within thirty days of the time that the said applicant is notified that a satisfactory examination has been passed

[Each applicant for examination and registration as assistant pharmacist must pay a fee of five dollars ($5.00) or such other sum as shall be fixed by the Department of Public Instruction under authority of law to the Pennsylvania Board of Pharmacy and if the said applicant passes a satisfactory examination and complies with the rules and regulation of the Pennsylvania Board of Pharmacy for the enforcement of this act of Assembly and with the terms and conditions of this act of Assembly the said board shall grant the said aplicant registration and a certificate of competency and qualification as an assistant pharmacist upon payment of a fee of ten dollars ($10.00) or such other sum as shall be fixed by the Department of Public Instruction under authority of law provided that said fee shall be paid to the said board within thirty (30) days of the time when the said applicant is notified that a satisfactory examination has been passed]

The Department of Public Instruction shall provide for regulate and require all persons registered as pharmacists to register annually with the department and shall prescribe the form of such registrations The department shall require as a condition precedent to such annual registration the payment of such annual registration fee as shall be fixed according to law The department may suspend or revoke the registration of such persons as fail refuse or neglect to register annually or pay such fee

Section 8 [That all] All certificates as pharmacists or assistant pharmacists and permits to conduct a pharmacy and the annual renewals thereof issued under the authority of the Commonwealth of Pennsylvania shall at all times be conspicuously exhibited in the place of business where the pharmacist or assistant pharmacist is employed Any person violating this section of this act of Assembly as to the display of his permit or his own or his employes' certificates shall upon conviction be sentenced to pay a fine of ten dollars ($10.00) and the costs of prosecution

Section 4 The provisions of this act shall become effective immediately upon its final enactment.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. FARRELL. Mr. President, on behalf of the pharmacists of Philadelphia I would like to enter on the record of this Senate their protest against this bill. I would like to have these two letters added as their protest and my protest.

The first letter is from the Northeast Philadelphia Pharmaceutical Association, which reads as follows:

"NORTHEAST PHILADELPHIA PHARMACEUTICAL ASSOCIATION

March 18, 1945.

"The Hon. Louis H. Farrell,
9427 Buselton Ave., Philadelphia, Pa.

"Dear Mr. Farrell,

"I have been asked by my organization which represents some three hundred druggists of the northeast to contact you regarding House Bill No. 315.

"We earnestly solicit your active opposition to this bill in view of the fact that it would mean a lowering of the standards of our profession and would be a definite detriment to the best interests of public health.

"A college education is required for all professions and pharmacy should be no exception.

"With sincere thanks for your cooperation and our assurance of your support in the future as in the past, we are,

"Respectfully yours,

Northeast Phila. Pharm. Assoc.
J. HARRIS KING, Secretray."

They cover my district.

I have another letter here that I would like to place on record from the city-wide board, which reads as follows:

"P. A. R. D.

"Philadelphia Association of Retail Druggists
March 31, 1945.

"Honorable Louis H. Farrell
Senate of Pennsylvania
Harrisburg, Pennsylvania

"Dear Sir:

"The Philadelphia Association of Retail Druggists, with a membership of over 1100 established retail pharmacies out of Philadelphia's total of 1400, are unanimously opposed to House Bill No. 315.

"With every section of the city polled, not one registered pharmacist has voiced approval of this bill for the reason the bill will lower the standards of a public health profession whose aim it is in the public interest to raise professional standards and qualifications.

"House Bill No. 315 establishes the shockingly dangerous precedent of giving to persons who purely for reasons for their own do not elect to meet existing statutory requirements, a backdoor entrance to the broader practice of a profession vital to the public health.

"The pharmacists of Philadelphia, out of a deep sense of responsibility to the citizens of the city, respectfully request of the Senate of Pennsylvania that they be granted a public hearing in order that they may present their objections to House Bill No. 315.

Respectfully,
HYMAN C. BOGASH, Secretary
Philadelphia Association of Retail Druggist."

Mr. JASPAN. Mr. President, I want to go on record as opposing this bill. I understand from druggists in my district that they are bitterly opposed to passage of it and it interferes with their business, that their business is one of the healing arts, and it would be very dangerous to go through with a bill of this character, and in line with what they told me I now read a telegram addressed to me, as follows:

"House Bill No. 315 is on Tuesday's Calendar for third reading. We earnestly request that you be on hand to register your disapproval of this bill. Philadelphia Association of Retail Druggists."

Mr. CARR. Mr. President, as Chairman of the Committee on Public Health I am perfectly aware of all the objections raised against this bill, but it seems to me that

the objections are based upon a wrong premise, the premise that we are endangering the lives of people by passing this bill. As a matter of fact, there are at present some 239 assistant pharmacists registered and actually compounding prescriptions under doctors' directions. This bill, if it passes, will eliminate those assistant pharmacists in the future and simply grant to those men who have been compounding prescriptions right along for ten years the right to take the same examination that any other applicant for a pharmacist's license must take.

In my opinion, this is a protective measure for the people in Pennsylvania, in that it eliminates the assistant pharmacist forever and makes the man who after this wants to become a pharmacist take a full course and then take an examination.

For that reason I favor passage of this bill.

Mr. DiSILVESTRO. Mr. President, I thought I had spoken enough on this bill yesterday. Since the Legislative Correspondents' Association is giving a banquet tonight I waive the opportunity to speak for about an hour today on this bill, because I feel we have other things to do I did not intend to take up any more time of the Senate, but since my good friend and colleague from Butler, Senator Carr, has made a statement that is confusing—not that it is maliciously or willfully done; that is the way he understands the bill—but I will have to correct the wrong impression given by my colleague from Butler, Senator Carr, and state that the assistant pharmacist does not work in a drug store in the way the gentleman thinks he works in a pharmacy, as he only has an opportunity to work for two hours a day under the direct supervision of a registered pharmacist and he does not have the right to compound prescriptions for more than two hours a day, or three—I do not remember exactly—but he does not have domination and control of that laboratory every day.

I just want to make that correction because I could not sit quietly by and listen to that mis-statement.

Mr. JASPAN. Mr. President, I desire to interrogate my colleague from Philadelphia, Senator DiSilvestro.

The PRESIDENT. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. DiSILVESTRO. I did not yield yet, Mr. President. I yield.

The PRESIDENT. The gentleman from Philadelphia, Senator Jaspan, may proceed.

Mr. JASPAN. Mr. President, I desire to know whether this measure is a protective measure and in the best interests of the pharmaceutical trade?

Mr. DiSILVESTRO. According to the opinion of druggists in Philadelphia, it is not.

Mr. JASPAN. What is the opinion of the gentleman from Philadelphia, Senator DiSilvestro?

Mr. DiSILVESTRO. If the gentleman from Philadelphia, Senator Jaspan, will read the Legislative journal when it is published, he will find that my statement of yesterday will explain to him my opinion.

Mr. JASPAN. What is the opinion of the gentleman now?

Mr. DiSILVESTRO. As it was yesterday.

Mr. JASPAN. What was it yesterday?

For the sake of the record, and because this bill is now on third reading, I would like to know the opinion of the gentleman from Philadelphia, Senator DiSilvestro, with respect to this bill.

Mr. DiSILVESTRO. Mr. President, I feel it is a vicious piece of legislation and that it reduces the standards of pharmacy. I further feel that this is not a proper bill and that it also puts in peril those who deal in drugs, because these assistant pharmacists who first started to study in a school of pharmacy and then for some reason, economical or otherwise, discontinued their studies, today are asking, without a P.H.D. degree from a recognized college, to take the examination that the law provides for. In other words, they are trying to skirt the statutory provisions now on our books.

Mr. JASPAN. Therefore, Mr. President, would the gentleman from Philadelphia Senator DiSilvestro, say this is not a protective measure?

Mr. DiSILVESTRO. It is not, in the opinion of druggist in Philadelphia.

Mr. CARR. Mr. President, I want to thank the gentleman from Philadelphia, Senator DiSilvestro, for his enlightening remarks with regard to this bill. However, it still occurs to me that an assistant pharmacist can make a mistake in one minute or one second, as well as in eight hours, and therefore the argument that the assistant is only allowed to compound prescriptions for two or three hours a day does not carry very much weight. It is a matter of a moment's action for a man to mistake strychnine for sodium chloride and somebody will die as a result of it, and I still think to get rid of the assistant pharmacist finally by this means not only is not a detriment to the profession but is a help to the profession, if they only realize it.

Mr. ROSENFELD. Mr. President, I desire to interrogate the gentleman from Butler, Senator Carr.

The PRESIDENT. Will the gentleman from Butler permit himself to be interrogated?

Mr. CARR. I will, Mr. President.

Mr. ROSENFELD. Can the Senator from Butler tell me whether this bill does away with registration of assistant pharmacists?

Mr. CARR. It does.

Mr. ROSENFELD. Can the Senator from Butler further explain whether an assistant pharmacist who does not pass this examination loses his registration with the board?

Mr. CARR. He does not.

Mr. ROSENFELD. If he can not be a registered pharmacist how will he be an assistant pharmacist?

Mr. CARR. He is already licensed as an assistant pharmacist and this bill does not take that license away from him.

Mr. ROSENFELD. Does the Senator from Butler, Senator Carr, not think that elimination of the registration as an assistant pharmacist will prevent him from re-registering annually as an assistant pharmacist?

Mr. CARR. No.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Becker,	Dent,	Leader,	Tallman,

Berger,	Ealy,	Letzler,	Taylor,
Blass,	Edmonds,	Mallery,	Thomas,
Bowers,	Gourley,	Margie,	Troutman
Carr,	Haluska,	McGinnis,	Tyler,
Chapman,	Heyburn	Ruth,	Wade,
Coleman,	Holland,	Scarlett,	Walker,
Cox,	Homsher,	Snowden,	Wilson,
Crider,	Jones,	Stevenson,	Woodring,
Crowe,	Klein,		

NAYS—8

Barr,	Farrell,	McCreesh,	Stiefel,
DiSilvestro,	Jaspan,	Rosenfeld,	Wagner,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 462, as follows:

An Act establishing a mode of selecting and drawing jurors for counties of the first class and imposing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The judges of the courts of common pleas of each county of the first class with the sheriff thereof shall constitute a board to be known as the "Jury Selection Board" and hereinafter referred to as the board Said board shall superintend and manage the drawing and selection of jurors to serve in the courts of said counties One member of any two of the common pleas courts of each of said counties with the sheriff thereof or his duly authorized deputy shall be a quorum of said board for the transaction of business

Section 2 (a) Prior to the thirty-first day of January in each and every year the registration commission of each of said counties shall lodge with the sheriff of the county for the use of the said board a duly certified list of all the registered electors setting out their names places of residence and occupation and prior to the first day of April thereafter in each and every year it shall be the duty of the said board or a quorum thereof to assemble together and to select from the said list a sufficient number of persons to be fixed by the board to constitute the several panels of jurors grand and petit that may be required for service in the courts for the next ensuing year

(b) After a selection is made the board through its members or masters to be appointed by the judges of the courts of common pleas of said county the salaries and expenses of whom shall be fixed by the said judges and be paid by said county shall make inquiries by questionnaire personal interview or otherwise touching the qualifications for jury service of each of the persons selected and for this purpose the board is empowered to summon the persons selected and other witnesses by subpoenas and members of the board and the masters shall have power to examine the persons selected and other witnesses under oath in relation to the qualifications of any person selected for jury service saving the privileges as witnesses of the persons examined A false answer to a pertinent question shall be perjury punishable by not more than one year's imprisonment in the county prison or a fine of not more than one hundred dollars ($100)

(c) When a sufficient number of names is selected of registered electors who can read write and understand the English language whose sight and hearing are normal who are not infirm or decrepit and who are of good character and reasonable judgment who have never been convicted of any crime involving moral turpitude notice by mail shall be given to each person selected of his selection with the request that he inform the board within ten days which of the four quarters of the year will be most convenient to him for jury service

(d) There shall be four jury wheels From the first jurors for service during the first quarter of the year shall be drawn from the second jurors for service during the second quarter from the third jurors for service during the third quarter and from the fourth jurors for service during the fourth quarter

(e) The names of the persons finally chosen by the board for jury service shall be deposited in equal proportions in the four wheels The board shall respect the wishes of those chosen and deposit their names in the wheel for the quarter most convenient to the jurors so far as it is possible to do so without interfering with the reasonable proportionate numbers in each wheel

Section 3 The names of registered electors so chosen with their respective places of residence and occupation shall in the presence of the said board be written on separate pieces or slips of paper which shall then and there be placed in reasonably proportionate numbers in four closed wheels to be provided by and kept in the exclusive custody of the said sheriff securely locked sealed or otherwise guarded from intrusion a list of the names residences and occupations so chosen and placed in the said wheels shall be certified by the members of the said board then present to the prothonotary of the court of common pleas to be duly filed by him for preservation and public inspection and one other such list shall be made out and kept in the custody of the said board

Section 4 At least three weeks before the commencement of each and every term of any of the said courts the said board or a quorum thereof shall assemble and cause to be drawn from the wheel for the current quarter as many of the names of the required electors therein deposited as may be necessary to serve as grand and petit jurors for each of the said courts according to the command of the venire or venires directed to the said sheriff one list of which names residences and occupations so drawn shall be duly certified by the said board to the proper court with the venire issued therefrom and one other list of said names occupations and residences shall be duly certified to the said sheriff

Section 5 Whenever the board after it shall have selected from the list of registered electors the number of persons deemed sufficient to constitute the several panels shall be of the opinion that additional persons are required for service as jurors in the said courts during any quarter of the year it shall select from said list the names of such additional number of persons as may be required Thereafter the mode of selecting and drawing jurors from such names shall be as prescribed in Sections 2 3 and 4 hereof except that the names of the persons finally chosen by the board shall be deposited in the particular wheel or wheels for the quarter or quarters of the year requiring such additional jurors

Section 6 It shall be the duty of the said sheriff to summon each of the said jurors in the manner now practiced to appear in the court for which he may be drawn on a day specified in the summons to serve as a juror during the ensuing term the said summons shall be served on each juror at least ten days before the time fixed for his appearance of which said several services the said sheriff shall make return to the proper court under oath stating the time and manner of such service

Section 7 No one so summoned as a juror shall be excused from service except in open court on good cause shown to the satisfaction of the court and if any juror so summoned and not excused shall fail to attend the said court until duly discharged he shall be fined for the use of the said county not less than thirty (30) nor more than two hundred dollars ($200) to be recovered by attachment or such other appropriate process as the said court may direct

Section 8 Whenever talesmen are required in any of the said courts the said sheriff shall produce the wheel for the current quarter in open court and in the presence of one of the judges thereof draw therefrom five names for every talesman required which names so drawn shall be immediately noted on the minutes of the court where-

upon a venire shall be issued requiring the said sheriff to bring into court any one of the said five persons so drawn to serve as the tales juror no tales juror shall be selected or served in any other manner the tickets or slips so drawn from the said wheel shall be returned thereto

Section 9 No citizen whose name has been duly drawn and who has served as a juryman for one full term shall be liable to be again drawn and summoned as a juror for the succeeding period of three years

The names of jurors who are drawn for service and excused for reasons touching their own convenience shall be put in a wheel for the succeeding quarter

Section 10 The said sheriff shall preserve the said wheels secure from all interference by others and if the said board on any examination the members thereof may institute into the condition of the said wheels and their contents shall discover that any names have been surreptitiously introduced or withdrawn therefrom it shall be evidence of misdemeanor committed by the said sheriff and thereupon it shall be the duty of any member of the said board to bind him over to answer at the next court of quarter sessions for the said misdemeanor and on conviction thereof he shall be punished by fine and imprisonment at the discretion of the court the said fine to be not less than two hundred dollars ($200) and the imprisonment if any not less than three months in the county jail

Section 11 Any of the duties enjoined on the said sheriff by this act may be performed by his duly appointed deputy under the same penalties herein provided Provided That if such deputy shall be unable or refuse to pay any fine imposed by this act the said sheriff shall be liable to pay the same

Section 12 The act approved the twentieth day of April one thousand eight hundred and fifty-eight (P. L. 354) entitled "An act establishing a mode of Selecting and Drawing Jurors in and for the city of Philadelphia" is hereby repealed All acts and parts of acts inconsistent herewith are hereby repealed

Section 13 This act shall become effective as to the selection of all jurors made subsequent to January first one thousand nine hundred forty-six

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barr,	DiSilvestro,	Kephart,	Stiefel,
Becker,	Ealy,	Klein,	Tallman,
Berger,	Edmonds,	Leader,	Taylor,
Blass,	Farrell,	Letzler,	Thomas,
Bowers,	Geltz,	Mallery,	Troutman,
Carr,	Gourley,	Margle,	Tyler
Chapman,	Haluska,	McCreesh,	Wade,
Coleman,	Heyburn,	McGinnis,	Wagner,
Cox,	Holland,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Wilson,
Crowe,	Jaspan,	Snowden,	Woodring,
Dent,	Jones,	Stevenson,	

NAYS—1

Rosenfeld,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 523, as follows:

An Act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act shall be known and may be cited as the "Local Tax Collection Law"

Section 2 Definitions The words

"Tax Collector" shall include every person duly elected or appointed to collect all taxes levied by any political subdivision included in the provisions of this act including the treasurers of cities of the third class and of townships of the first class in their capacity as collectors of taxes

"Taxing district" include counties (except counties of the first or second class) county institution districts (except in counties of the second class) cities of the third class boroughs towns townships and school districts of the second third and fourth classes and vocational school districts

Section 3 Section 3 Application of Act (a) All of the provisions of this act relating to county taxes shall also without specific reference thereto relate and apply to county institution district taxes except in counties of the second class

(b) All of the provisions of this act shall apply to all taxes covered by the provisions of this act heretofore levied and remaining uncollected as well as to all such taxes hereafter levied

(c) None of the provisions of this act shall apply to any county of the first or second class city of the first or second class or second class A or to any school district of the first class or school district in a city of the second class A

(d) The provisions of this act shall not repeal or supply any local or special act

(e) This act does not include and shall not be construed to repeal any provisions of any law providing for the return of uncollected taxes to the county commissioners and the sale of real property bound thereby by the county treasurer or by a city treasurer nor to the entry and enforcement of liens for unpaid taxes

Section 4 (a) Bonds of Tax Collectors In cities of the third class and in townships of the first class the treasurer as tax collector for the various taxing districts shall give bond secured and conditioned as provided by the laws relating to such cities and townships

(b) In boroughs towns and townships of the second class the elected tax collector shall be the collector of borough town or township taxes as the case may be and of county and institution school and vocational school district taxes He shall before he enters upon the duties of his office take and subscribe an oath of office and file the same in the office of the clerk of the court of quarter sessions of the county He shall enter into one fidelity bond to the Commonwealth for all taxes to be collected by him in an amount to be fixed by the court of quarter sessions of the county which amount shall never exceed the estimated amount of taxes charged in the duplicates to be delivered to him in one year Such bond may at the option of the tax collector be an annual bond or may cover the full term of office for which the tax collector shall have been elected Such bond shall have thereon at least two sufficient sureties or one bonding company and the sufficiency of the sureties on the bond shall be approved by the court of quarter sessions at any time prior to the delivery of a tax duplicate to the tax collector The bond shall be filed in the office of the clerk of the court of quarter sessions Should any of the taxing districts be of the opinion at any time that the bond given by the tax collector is not sufficient in amount or as to the surety thereon the said taxing district may apply to the court by petition to have the tax collector furnish additional bond in the manner provided by this section

Thereupon the tax collector shall furnish such additional bond if any as the court of quarter sessions may prescribe but not exceeding the limitation as to amount hereinbefore prescribed

(c) In boroughs towns and townships of the second class the condition of the bond shall be that the collector as tax collector for the borough town or township as the case may be and for the county and the institution school and vocational school district shall account for and pay over all taxes penalties and interest received and collected by him to the taxing districts entitled thereto

(d) The tax collector of boroughs towns and townships of the second class and his sureties shall be discharged from further liability on his bond for the taxes charged in a duplicate delivered to him as soon as all tax items contained in the said duplicate are either (1) collected and paid over to the proper taxing district or (2) certified to the taxing authority for entry as liens in the office of the prothonotary or (3) returned to the county commissioners for sale of the real estate by the county treasurer or (4) in the case of occupation poll and per capita and personal property taxes accounted for by the payment over or by exoneration which shall be granted by the taxing district upon oath or affirmation by the tax collector that reasonable effort has been made to collect such taxes

(e) The bond given by a borough town or township tax collector shall be for the use of the borough town or township as the case may be and for the county and the institution school and vocational school district

(f) In case where a tax collector shall be appointed in a borough town or township of the second class to fill a vacancy in said office or where the elected tax collector shall have failed to qualify or to furnish bond or where a tax collector shall have failed to settle a duplicate as provided in section 31 of this act the person appointed in accordance with existing laws including an individual corporation or the county treasurer to collect such taxes shall give bond secured and conditioned as above provided where a township of the second class or a school district shall in such cases exercise its power to appoint a separate tax collector to collect its taxes such appointee shall give bond secured and conditioned as above provided

Section 5 Tax Collector's Warrant A duplicate when issued to a tax collector shall constitute his warrant for the collection of the taxes levied and assessed therein and such warrant shall remain in force until the complete settlement of all taxes in such duplicate as provided in this act

Section 6 Notices of Taxes When any duplicate of taxes assessed is issued and delivered by any taxing district to the tax collector he shall within thirty days after receiving the tax duplicate notify every taxable whose name appears on such duplicate Such notice shall contain (1) the date of the tax notice (2) the rate or rates of taxation (3) the valuation and identification of the real property of such taxpayer (4) the occupation valuation of such taxpayer if any (5) the several amounts of real and personal property and personal taxes for which said taxpayer is liable for the current year (6) the total amount of said taxes (7) a statement that such taxes are due and payable and (8) a request for payment thereof A separate notice shall be issued for each parcel of real property of a taxable Personal property and personal taxes may be included on any one of such tax notices Such notice shall further designate a place and time where the taxes shall be paid and state the time during which an abatement of tax will be allowed when full amount of tax will be collected and when an additional percentage will be added as a penalty Such notice shall be mailed to the last known post office address of each of said taxables Any such notice may include information as to taxes levied by two or more taxing districts

The Department of Internal Affairs shall prepare a uniform form of tax notice and supply specimen copies thereof to the county commissioners of the several counties for distribution to tax collectors

Section 7 Effect of Failure to Receive Tax Notice Failure to receive notice shall not relieve any taxpayer from the payment of any taxes imposed by any taxing district and such taxpayer shall be charged with his taxes as though he had received notice

Section 8 Affidavit as to Notice Before any allowance is made by any taxing district or by the auditing authority thereof for commissions due the tax collector he shall make an affidavit setting forth that he has complied with the provisions of this act in respect to notice to taxpayers

Section 9 Expenses Paid by Taxing Districts The expenses of postage and printing of tax notices shall be paid by the taxing districts

Section 10 Discounts Penalties All taxpayers subject to the payment of taxes assessed by any taxing district shall be entitled to a discount of two per centum from the amount of such tax upon making payment of the whole amount thereof within two months after the date of the tax notice All taxpayers who shall fail to make payment of any such taxes charged against them for four months after the date of the tax notice shall be charged a penalty of five per centum which penalty shall be added to the taxes by the tax collector and be collected by him

Section 11 Installment Payment of Taxes (a) Any taxing district shall have power to provide by ordinance or resolution for the collection and payment of its taxes in not more than four installments Where payment of taxes is made on the installment basis no abatement or discount shall be allowed on said taxes

(b) Any such ordinance or resolution shall set forth the number of installments in which taxes shall be paid and the dates when the respective installments become due and delinquent To each installment on the date when it becomes delinquent a penalty of five per centum shall be added which shall be collected by the tax collector No further penalties except as herein after provided shall be added to any installment of taxes unless one or more installments remain unpaid and the lands upon which such installments are due are returned under existing laws to the county commissioners for non-payment of taxes or in case a lien for such unpaid installment or installments is filed under existing laws in the office of the prothonotary in which case the additional penalty or interest provided for by such existing return and lien laws shall apply

(c) The payment of the first installment by a taxpayer before the same becomes delinquent shall conclusively evidence an intention to pay his taxes on the installment plan as provided by said ordinance or resolution

Where a taxpayer shall fail to evidence an intention to pay on the installment plan as hereinbefore provided his taxes shall become due and payable and be collected as elsewhere provided in this act subject to the discounts and penalties provided thereby

Section 12 Payment of Taxes by Joint-Tenants Etc Any joint tenant tenant in common or coparcener of real property shall have the right to pay his proportionate part of the amount of taxes due thereon It shall be the duty of the tax collector to receive and receipt for the same The interest of any such joint tenant tenant in common or coparcener shall not be affected by any proceeding to enforce payment of taxes on the other interests in said land

Section 13 Collectors Required to be in Attendance The tax collector shall in person or by some person duly authorized be in attendance for the purpose of receiving and receipting for taxes on at least three days of each week during the last two weeks of the period or periods during which discounts are allowed at his residence or some other appropriate place to be designated by him in the tax notice

Section 14 Tax Receipts The tax collectors shall furnish each person on the payment of taxes from a book containing a stub or from a bill containing a stub to be furnished at the expense of the taxing district or dis-

tricts a numbered receipt setting out the date of payment name of taxpayer the district in which the taxpayer is assessed the amount of real and personal property and personal taxes paid stated separately and in the case of taxes on real property identifying the property A separate receipt shall be issued for each parcel of real property On the stub or bill a memorandum shall be made in ink of the number of the receipt and giving the same information as was given in the receipt

Where payment of taxes is made by mail a receipt shall be required to be furnished only if the taxpayer shall enclose with the payment of a self-addressed and stamped envelope for the return of the receipt

The Department of Internal Affairs shall prepare a uniform form of tax receipt and supply specimen copies thereof to the county commissioners of the several counties for distribution to tax collectors

Section 15 Receiving County Taxes Not Assessed and Adding Names to Duplicates Prohibited Is shall not be lawful for any county treasurer county commissioner or any tax collector nor for any other person on his or their behalf to receive payment or give any receipt for the payment of any taxes that have not been duly assessed and returns of said assessment made according to law nor shall any such treasurer commissioner or tax collector or other person on his or their behalf receive payment or give any receipt for the payment of any taxes from the collection of which the tax collector has been exonerated according to law But where the tax collector has been so exonerated such taxes shall remain payable to the taxing district Except as hereinfter otherwise provided it shall not be lawful for any county commissioner or for any other person on his behalf to add any name to the duplicate return or list of taxables made or furnished by the assessor or assistant assessors of any township ward or district

Section 16 Adding Names to Duplicates In case the tax collector or a deputy tax collector shall at any time find within the taxing district any resident or inhabitant above the age of twenty-one years whose name does not appear upon the duplicate of such taxing district he shall report the name of such person forthwith to the assessor who made the assessment used by the taxing district

The assessor shall thereupon promptly certify the said name to the taxing district which made the assessment which shall then promptly certify such name to the tax collector reporting such name Whereupon the tax collector shall add the name and assessment of such person to the duplicate of the proper taxing district and proceed to collect the tax assessed against such person as herein provided

Section 17 Distress and Sale of Goods and Chattels of Tax Payer Every tax collector shall have power in case of the neglect or refusal of any person copartnership association or corporation to make payment of the amount of any tax due by him after two months from the date of the tax notice to levy the amount of such tax any penalty due thereon and costs not exceeding costs and charges allowed constables for similar services by distress and sale of the goods and chattels of such delinquent wherever situate or found upon giving at least ten days' public notice of such sale by posting ten written or printed notices and by one advertisement in a newspaper of general circulation published in the county

No failure to demand or collect any taxes by distress and sale of goods and chattels shall invalidate any return made or lien filed for non-payment of taxes or any tax sale for the collection of taxes

Section 18 Collection of Taxes From Occupants of Real Estate by Distress Any person occupying real property shall be liable to pay all the taxes levied becoming due and payable thereon and the goods and chattels belonging to such person or belonging to any other and found on the premises shall be liable to distress and sale for the non-payment of any taxes assessed upon such real property during his possession and occupancy and remaining unpaid in like manner as if they were the goods and chattels of the owner of such real property and having so paid such taxes or any part thereof the occupant of such real property may by action of debt or otherwise recover said taxes from his landlord or person liable therefor or at his election may defalcate the amount thereof in the payment of the rent due his landlord

Section 19 Collection of Tax on Real Property Out of Rent Payable by Tenant In case any person who is the owner of real estate neglects or refuses to pay any tax levied against such real property the tax collector of such taxes may any time thereafter notify in writing the tenant in possession of any such real property that the owner thereof has failed to pay such tax and request the payment of such tax together with any penalties and interest due thereon by such tenant out of any rent money then due and owing or thereafter to become due and owing to such delinquent tax payer Upon receipt of such notice from the tax collector the tenant in possession of any such real property shall deduct from any rent that is then or may thereafter become due and owing to such delinquent owner the amount of such delinquent tax and the penalties and interest due thereon and pay the same over to the collector of such taxes The proper receipt for such taxes and penalties and interest if any paid to the tax collector by any tenant shall be a good and sufficient voucher to offset any claim that such delinquent tax payer may have against such tenant for any rent to the amount thereof

Section 20 Collection of Per Capita Poll and Occupation Taxes From Employers Etc The tax collector shall demand receive and collect from all corporations political subdivisions associations companies firms or individuals employing persons owing per capita poll or occupation taxes or having in possession unpaid commissions or earnings belonging to any person or persons owing per capita poll or occupation taxes upon the presentation of a written notice and demand containing the name of the taxable and the amount of tax due Upon the presentation of such written notice and demand it shall be the duty of any such corporation political subdivision association company firm or individual to deduct from the wages commissions or earnings of such individual employes then owing or that shall within sixty days thereafter become due or from any unpaid commissions or earnings of any such taxable in its or his possession or that shall within sixty days thereafter come into its or his possession a sum sufficient to pay the respective amount of the per capita poll or occupation taxes and costs shown upon the written notice or demand and to pay the same to the tax collector of the taxing district in which such delinquent taxable resides within sixty days after such notice shall have been given Such corporation political subdivision association firm or individual shall be entitled to deduct from the moneys collected from each employe the costs incurred from the extra bookkeeping necessary to record such transactions not exceeding two per centum of the amount of money so collected and paid over to the tax collector Upon the failure of any such corporation political subdivision association company firm or individual to deduct the amount of such taxes or to pay the same over to the tax collector less the cost of bookkeeping involved in such transaction as herein provided within the time hereby required such corporation political subdivision association company firm or individual shall forfeit and pay the amount of such tax for each such taxable whose taxes are not withheld and paid over or that are withheld and not paid over together with a penalty of ten per centum added thereto to be recovered by an action of assumpsit in a suit to be instituted by the tax collector or by the proper authorities of the taxing district as debts of like amount are now by law recoverable except that such persons shall not have the benefit of any stay of execution or exemption law

Section 21 Collection of Taxes by Suit (a) A tax collector may institute a suit in assmpsit against a delinquent taxable for the collection of any real property taxes due and unpaid after the fifteenth day of May of the year following the year for which the taxes were levied and assessed if (1) the property against which such taxes

were levied has not been returned to the county commissioners and (2) such taxes have not been certified for entry of liens and (3) such taxes are not held in the custody of a court as herein provided Execution may be had upon any such judgment recovered without any stay or benefit of any exemption law

(b) In addition to all other remedies provided by this act each taxing district shall have power to collect unpaid taxes from the persons owing such taxes by suit in assumpsit or other appropriate remedy To each judgment obtained for such taxes there shall be added a penalty of ten per centum together with costs of suit Upon each such judgment execution may be issued without any stay or benefit of any exemption law The right of each such taxing district to collect unpaid taxes under the provisions of this subsection shall not be affected by the fact that such taxes have been entered as liens in the office of the prothonotary or the fact that the property against which they were levied has been returned to the county commissioners for taxes for prior years

Section 22 Deputy Tax Collectors A tax collector may with the approval of a taxing district and his surety deputize in writing one or more deputy tax collectors who when so deputized shall be authorized to receive and collect any or all of the taxes in like manner and with like authority as the tax collector appointing them Any tax collector appointing any deputy collector shall be responsible for and account to the taxing district for all taxes received or collected by his deputy

Section 23 Collection of Unseated Land Tax in Certain Counties All taxes on unseated lands except in counties of the seventh and eighth classes shall be collected in the same manner and at the same time as provided by this act for the collection of taxes on seated lands

Section 24 Collection of Unseated Land Taxes in Seventh and Eighth Class Counties (a) In counties of the seventh and eighth classes taxes charged upon unseated lands shall be certified and returned by the several taxing districts levying the same to the county commissioners on or before April first of each year

The county commissioners shall certify such returns to the county treasurer whose duty it shall be to receive the taxes contained in such returns

(b) All taxes levied upon unseated lands shall be paid to the county treasurer by the owner or owners of such unseated lands within the year for which the same are levied In case of the refusal or failure of any owner or owners of such unseated lands to pay the taxes so levied within the year for which the same are levied and collectible then interest at the rate of six per centum per annum shall be charged upon the amount of said taxes or any part thereof remaining due and unpaid from and after the first day of the year following that for which said taxes were levied until the same has been paid in full or the land sold as provided by law for the sale of unseated lands

(c) When taxes upon unseated lands are paid to a county treasurer by the owners or claimants of said lands it shall be the duty of the county treasurer to enter such payments upon the proper book kept by him for the purpose and if requested by the person paying such taxes give a certified copy under the official seal of said county treasurer of the entries in such book specifying the name of the person or persons as whose property such lands are taxed the location of such lands the number of the warrant and the number of acres or other description thereof the kind and amount of taxes assessed thereon and so paid the date of payment of the same and the name of the person or persons paying the said taxes and for whose use the same are paid The county treasurer shall be entitled to receive therefor from the person demanding the receipt or certified copy the sum of twenty-five cents

(d) It shall be the duty of the county treasurer on receiving the said taxes or any part thereof and not before to pay over the amount thereof to the taxing districts who shall respectively be entitled to the same

Section 25 Collection and Payment Over of Taxes The tax collector shall keep a correct account of all moneys collected by him as taxes under the authority of any duplicate or dupicates in his possession He shall mark "paid" on each duplicate at the name of each taxable the amount of taxes paid and the date on which payment was made

The tax collector shall on or before the tenth day of each month or oftener if required by ordinance or resolution of the taxing district make a true verified statement in writing to the secretary or clerk of the taxing district or in the case of cities of the third class to the Director of Accounts and Finance if and as required for all taxes collected for such taxing district during the previous month or period giving the names of taxables the amount collected from each and the total amount of taxes received The collector shall pay over on or before the tenth day of each month or oftener if required by ordinance or resolution of the taxing district to the treasnrer of the taxing district all moneys collected as taxes during the previous month or period and take his receipt for the same

The tax collector shall at any time on demand of any taxing district exhibit any duplicate in his possession showing the uncollected taxes as of any date

Section 26 Settlement of Duplicates Audit The tax collector shall make a complete settlement of all taxes for each year with the proper authority of the taxing district to be designated by the taxing district not later than the first day of July of the year succeeding the one for which the taxes were levied unless such time shall be extended by resolution of the taxing district In the settlement of such taxes the tax collector shall be allowed a credit for all taxes collected and paid over for all unpaid taxes upon real property which real property shall have been returned to the county commissioners as provided by law or shall have been certified to the taxing district or its solicitor for the entry of liens in the office of the prothonotary and in the case of occupation poll and per capita taxes for taxes accounted for by exonerations which shall be granted by the taxing district upon oath or afirmation that reasonable effort has been made to collect such taxes

Upon final settlement of a tax duplicate a tax collector shall take an oath or affirmation in writing and subscribed by the tax collector that he has made a true and just return of all taxes collected by him Such oath or affirmation shall be administered by the officer of the taxing district empowered to make settlement who shall have power to administer the same and shall be filed with such officer

The final accounts and the monthly or other periodic returns and payments of a tax collector shall be audited by the controller or auditors of the taxing district

Section 27 Recovery of Taxes Paid Over by Tax Collector In case a tax collector pays the taxes levied against any real property or personal taxes without having collected the same he shall be entitled to collect the same from the person who is liable therefor so long as his warrant remains in force or in the case of real property have the taxes filed as a lien to his use in the office of the prothonotary if the period for the filing of such lien has not expired

Section 28 Expiration of Term of Third Class City Treasurer Upon the expiration of the term of office of the city treasurer of any city of the third class in case any of the taxes he was commanded to collect remain unpaid he shall turn over the unpaid or delinquent taxes to his successor in office who shall have power to collect the same in the same manner as in the case of the treasurer to whom warrants were first issued Before such duplicates are surrendered to a successor the tax accounts of the outgoing treasurer shall be adjusted and balanced to the satisfaction of the incoming treasurer and the respective taxing authorities before any release of the bond of the outgoing treasurer shall be given

Section 29 Collection of Taxes After Expiration of Office Any tax collector and his sureties except a treasurer of a city of the third class upon the expiration of

his term of office shall be responsible for the collection and payment over of the unpaid taxes charged in duplicates in his possession and for the final and complete settlement of such duplicates in the manner provided by this act

Section 30 Collection of Taxes by Legal Representatives of Deceased Collector The executors or administrators of any deceased tax collector except a treasurer of a city of the third class shall have the same powers to enforce collection of unpaid taxes as the collector would have if living and for that purpose may employ a suitable person to act for them in the execution of the warrants with all the powers possessed by the deceased collector

Section 31 Failure to Settle Duplicates Unless settlement of a duplicate is made by a tax collector of a borough town or township of the second class or by any tax collector of school taxes in the manner provided by this act he shall not be entitled to the duplicate or duplicates of any taxing district with which settlement has not been so made for any succeeding year during his term and a tax collector shall be appointed in his stead in the manner provided by law

Section 32 Compensation to be Made by Warrant All payments made by any taxing district to any such tax collector for compensation or expenses incident to his serving as tax collector shall be made by proper warrants or orders drawn upon the treasurer It shall be unlawful for any such tax collector to deduct funds for his compensation or expenses as tax collector or treasurer from any taxing district funds in his possession

Section 33 Compensation and Expenses of Tax Collector in Cities of the Third Class Shared For the collection of city county institution district and school taxes in a city of the third class the city treasurer as tax collector shall be paid an annual salary which salary where not definitely fixed by this section shall be fixed before the election of the city treasurer jointly by taxing authorities other than the institution district whose taxes are collected under the provisions of this act In the case of newly created cities the said salary where not definitely fixed by this act shall be fixed by said taxing authorities before any tax duplicates are delivered to the city treasurer In fixing the salary of the tax collector the taxing authorities fixing the same shall each be assigned one vote which one vote shall be divided into fractions assigning an equal fraction of one vote to each member of the same taxing authority and a majority of all the fractional votes cast shall govern

In cities of the third class having a population of twenty-five thousand inhabitants and less the annual salary of the tax collector shall not be less than one thousand six hundred dollars nor more than three thousand five hundred dollars

In cities of the third class having a population of more than twenty-five thousand inhabitants and not exceeding fifty thousand the annual salary of the tax collector shall not be less than three thousand five hundred dollars nor more than five thousand dollars

In cities of the third class having a population of more than fifty thousand inhabitants and not exceeding fifty-two thousand inhabitants the annual salary of the collector shall be six thousand dollars

In cities of the third class having a population of more than fifty-five thousand inhabitants the annual salary of the tax collector shall not exceed seven thousand five hundred dollars

The tax collector of each city of the third class shall appoint all necessary deputies clerks and assistants whose number and salaries shall be fixed jointly by the city council the board of school directors and the county commissioners in the same manner as hereinbefore provided for the fixing of the salary of the tax collector Said deputies clerks and assistants shall give fidelity bond payable to the Commonwealth for the use of the city county institution district and school district conditioned on the faithful accounting and payment over all tax moneys received by them

Each city of the third class shall provide and furnish for the tax collector at his office as city treasurer suitable office space light heat furniture and janitor service

The salaries of the tax collector and his deputies clerks and assistants shall be paid monthly or semimonthly in equal proportions by the city the county and the school district in the same manner as other officers of said city county and school district under such arrangement as to payment as may be agreed upon between said taxing districts

The taxing authorities other than the institution district shall be required to pay in equal proportions the premium on the bonds required to be given by law by the tax collector and his deputies clerks and assistants to the Commonwealth

The taxing authorities other than the institution district shall in equal proportions pay the cost of stationery supplies printing notices postage telephone service office equipment and incidental expenses necessarily incurred in the conduct of the tax collector's office these expenses to be determined by a board consisting of one representative from each such taxing authority to be appointed by such taxing authority

Section 34 Compensation of Tax Collector in First Class Townships The township treasurer shall receive for his duties as treasurer and tax collector for the township a sum equal to five per centum of all township taxes received or collected by him and in addition thereto a sum equal to one per centum on all other moneys received or collected by him for the township unless a different rate or annual compensation shall be fixed by ordinance of the township commissioners finally adopted thirty days prior to his election Provided That in no case shall the total compensation of the treasurer as treasurer and tax collector for the township exceed the sum of ten thousand dollars The township treasurer as collector of township taxes shall be allowed such actual printing and postage expenses and shall be incurred in performing the duties prescribed in this act Such amounts shall be adjusted by the township auditor or controller as the case may be at the time of auditing the treasurer's account

The compensation of the township treasurer as collector of county and institution district taxes shall be fixed by the county commissioners and shall not exceed five per centum of the amount collected

The commission or compensation of the township treasurer as collector of school district taxes shall be fixed by the board of school directors and shall not exceed five per centum of the amount collected The total cost of such collection shall be reported annually to the Superintendent of Public Instruction and shall be published in his report

For the collection of county institution district and school taxes the tax collector shall be allowed by the respective taxing authorities actual and needful expenditures for printing postage books blanks and forms

Section 35 Compensation of Tax Collector in Boroughs and Townships of the Second Class The tax collector in boroughs and townships of the second class shall receive as compensation for the collection of county institution district borough and township taxes a commission on all such taxes to be fixed by the respective taxing authorities levying such taxes not exceeding five per centum of the amount collected In the case of school district taxes the commission or compensation of the tax collector shall be determined by the board of school directors and the total cost of such collection shall be reported annually to the Superintendent of Public Instruction and shall be published in his report

For the collection of county institution district school district borough and township taxes the tax collector shall be allowed by the respective taxing authorities actual and needful expenditures for printing postage books blanks and forms

Section 36 Compensation for Collection of Vocational School District Taxes The compensation of the collectors of vocational school district taxes shall be fixed by the board of directors of vocational schools

Section 37 Exonerations Taxing districts shall at all times make exonerations for uncollectible occupation poll and per capita taxes mistakes indigent persons unseated lands deaths removals et cetera as to them shall appear just and reasonable The chief clerk or secretary as the case may be of each taxing district shall enter in a book or books to be kept for that purpose the names of all persons exonerated together with the reason why the amount of the tax and date when made and give to the tax collector a certificate directed to the proper treasurer stating the nature of the tax and the amount exonerated in order to make settlement accordingly When a tax collector has been exonerated from the collection of any tax such action shall not in any way have the effect of discharging or limiting the liability of the taxable but all methods of enforcing collection of taxes shall continue as though no exoneration had been made

Section 38 Advertising Names of Persons Exonerated Taxing districts may at the expense of the district advertise once a week for not longer than three weeks in a newspaper of general circulation in the district the names of all persons who have been exonerated from the payment of their taxes

Section 39 Defaulting Tax Collectors Embezzlement Penalty If any person charged with the collection safekeeping or transfer of any taxes under this act shall convert or appropriate the moneys so collected or any part thereof to his own use in any way whatever or shall use by the way of investment in any kind of property or merchandise any portion of the money so collected by him and shall prove a defaulter or fail to pay over the same or any part at the time and place required by this act to the person legally authorized to demand and receive the same shall be guilty of embezzlement and every such tax collector and every other person aiding or abetting or being in any way accessory to such act and being thereof convicted shall be sentenced to undergo imprisonment not exceeding five years or to pay a fine not exceeding five thousand dollars or both at the discretion of the court

Section 40 Collection of Taxes by Sureties of Defaulting Collectors (a) When any tax collector shall default in the payment of the taxes charged on the duplicates either by embezzlement negligence or failure to collect such taxes within the time prescribed by this act it shall be lawful for the surety or sureties on his bond to demand from the tax collector the tax duplicates in which said sureties are interested and the tax collector shall turn over to his said sureties such duplicates of the various taxing districts for which he is collector

(b) If the tax collector shall fail neglect or refuse to turn over such duplicates upon demand made by his surety or sureties it shall be lawful for the surety or sureties to present a petition to the court of common pleas of the county in which such tax collector resides setting forth the fact that such collector has defaulted in making collections The court being satisfied that such default has been made shall make an order to compel the tax collector to turn over to his sureties the tax duplicates upon which the sureties are liable

(c) The holders of such duplicates shall have the right to appoint a collector to collect the taxes remaining unpaid upon such duplicates Any collector so appointed shall have all the authority and power under the warrant issued to the original collector vested by this act in any collector of taxes for the collection of such taxes The authorities issuing said warrants may issue an additional warrant to the collector of such delinquent taxes upon request of such sureties

(d) The provisions of any law extending the time or any warrant for the collection of taxes on duplicates shall likewise extend to the collection of taxes on such delinquent tax duplicates

(e) Whenever the surety or sureties on the bond of any defaulting tax collector shall undertake to collect delinquent taxes charged in any duplicate delivered to such defaulting tax collector by distress and sale of the goods and chattels of the delinquent or shall distrain on the goods and chattels of any person who shall allege that the taxes with which he stands charged have actually been paid or that such person whose goods and chattels have been distrained upon shall deny liability for such taxes then in either event the tax payer may petition the court of quarter sessions of the county for a stay of any such sale of goods and chattels distrained upon setting forth the reasons therefor

The court shall have power to stay such sale pending a hearing of the matter The court shall have power to fix a day for hearing of which due notice shall be given the surety or sureties of such defaulting tax collector as the court may prescribe

(f) If the court after hearing shall be of the opinion that a tax payer has actually paid such taxes or is not liable for the taxes with which he stands charged on the duplicate it shall direct satisfaction to be entered on such duplicate by the surety or sureties

(g) The surety or sureties on the bond of any such defaulting tax collector or any tax payer shall have the right upon demand made to have a jury pass upon the question whether or not a tax payer has paid taxes with which he stands charged and if the jury shall find such taxes have been so paid the court shall direct the surety or sureties to enter satisfaction on the duplicate

Section 41 Judgment on Liability of Collector of Taxes Appeals Execution (a) In all cases where in any settlement of the accounts of any tax collector the taxing district or the auditing authority thereof shall subject a tax collector to any liability a certificate under the hands and seals of the corporate authorities shall be filed in the office of the prothonotary of the court of common pleas of the county stating the amount due and unpaid by such tax collector Notice thereof shall be given by the taxing district by registered mail to such tax collector and his sureties

(b) It shall be the duty of the prothonotary to enter such certificate on his docket Such certificate shall from such entry have the same force and effect as a judgment of the court of common pleas and execution may be issued thereon as on judgments for the amount remaining unpaid at any time after the entry aforesaid

(c) Within thirty days of the date of such notice any tax collector or his sureties may appeal to the court of common pleas of the proper county from such judgment No such appeal shall be allowed by the court unless the appellant shall enter into good and sufficient bond with two sureties or a surety company in such amount as the court shall fix conditioned to prosecute such appeal and to pay such sum of money as shall appear to be due on the final determination of the proceedings on said appeal The court shall thereupon issue a rule on the taxing district to show cause why such judgment should not be opened or stricken from the record for reasons set forth in the petition An answer to any such petition and rule shall be filed by the taxing district within thirty days from the date of the service of the rule Service of the rule shall be made in such manner as the court may direct The issues joined on the petition and answer thereto shall be tried by the court and jury unless a jury trial shall be waived by both parties

(d) In case the appellant does not recover final judgment in court more favorable to him than the amount of the judgment he shall pay all costs that may accrue on his appeal but if he should recover in court a final judgment more favorable than the original judgment then the taxing district shall pay the costs that may accrue on such appeal

(e) If no appeal is entered or if an appeal is entered and no security given as herein required or if upon such appeal judgment is given against the tax collector in any amount execution may issue in like manner as on judgments for the amount due and recourse may be had against the sureties of such tax collector

Section 42 Penalty Any tax collector failing to comply with the provisions of section thirteen of this act and any tax collector treasurer or commissioner who violates any of the provisions of section fourteen of this act shall

be sentenced to pay a fine of not more than five hundred dollars or be sentenced to imprisonment for not more than six months or both at the discretion of the court

Section 43 Repeals The following acts and parts of acts and their amendments are hereby repealed to the extent hereinafter specified

(1) Sections eighteen nineteen and twenty of the act approved the eleventh day of April one thousand seven hundred ninety-nine (three Smith's Laws 392) entitled "An act to extend for a limited time an act entitled 'A further Supplement to the act entitled 'An act for making an artificial road from the city of Philadelphia to the borough of Lancaster and for other purposes'" absolutely

(2) Sections forty-one forty-six forty-seven forty-eight forty-nine fifty fifty-one and fifty-two of the act approved the fifteenth day of April one thousand eight hundred thirty-four (P. L. 509) entitled "An act relating to county rates and levies and township rates and levies" absolutely

(3) Section three of the act approved the twenty-eighth day of February one thousand eight hundred thirty-five (P. L. 45) entitled "A supplement to the act relating to county rates and levies and township rates and levies and to the act relating to counties and townships and county and township officers" absolutely

(4) Section eight of the act approved the twenty-seventh day of May one thousand eight hundred forty-one (P. L. 400) entitled "An act relating to the election of County Treasurers and for other purposes" absolutely

(5) Sections nineteen and twenty-one of the act approved the twenty-second day of April one thousand eight hundred forty-six (P. L. 486) entitled "An act to provide for the reduction of the public debt" absolutely

(6) The act approved the twenty-sixth day of March one thousand eight hundred sixty-seven (P. L. 45) entitled "An act relating to the powers of the legal representatives of deceased tax collectors in this Commonwealth" absolutely

(7) Sections three five six seven eight nine ten and twelve of the act approved the twenty-fifth day of June one thousand eight hundred eighty-five (P. L. 187) entitled "An act regulating the collection of taxes in the several boroughs and townships of this Commonwealth" absolutely

(8) The act approved the twenty-second day of May one thousand eight hundred ninety-five (P. L. 111 Number 83) entitled "An act to provide for the more speedy and effectual manner of collecting the road and poor taxes in the several boroughs and townships in this Commonwealth" absolutely

(9) Sections one and four of the act approved the twenty-fifth day of June one thousand eight hundred ninety-five (P. L. 296 Number 212) entitled "An act requiring tax collectors of townships and boroughs of the Commonwealth to give a numbered tax receipt from a book to be furnished by the county commissioners containing a correspondingly numbered stub and requiring a sheet setting forth name amount of tax paid and number of receipt to be sent twenty days before each election to the county commissioners for public inspection and to provide for punishment of tax collectors violating the provisions of this act" absolutely

(10) The act approved the ninth day of July one thousand eight hundred ninety-seven (P. L. 242) entitled "An act requiring the tax collectors of the several boroughs and townships of this Commonwealth to make monthly returns of the taxes collected by them and the amount outstanding upon their respective duplicates to the several authorities legally authorized to receive the said taxes and to borough councils and to pay over monthly the amounts so collected by them and providing a penalty for the violation of the same" absolutely

(11) Sections five hundred forty-five and five hundred forty-eight subsections (a) (b) and (c) of section five hundred fifty sections five hundred fifty-one five hundred fifty-two five hundred fifty-three five hundred fifty-four five hundred fifty-five five hundred fifty-six five hundred fifty-seven five hundred fifty-eight five hundred fifty-nine five hundred sixty-one and five hundred sixty-six of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" absolutely

(12) Sections one thousand eighty-one one thousand three hundred five one thousand three hundred six one thousand three hundred seven one thousand three hundred eight one thousand three hundred nine one thousand three hundred ten one thousand three hundred eleven one thousand three hundred twelve one thousand three hundred thirteen and one thousand three hundred fourteen thereof of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" absolutely

(13) The act approved the twelfth day of March one thousand nine hundred twenty-nine (P. L. 18 Number 13) entitled "An act regulating the collection of county taxes in cities and providing for discounts and penalties" absolutely

(14) The act approved the twenty-third day of April one thousand nine hundred twenty-nine (P. L. 634) entitled "An act to provide for the taking of tax duplicates by sureties on the bonds of delinquent or defaulting tax collectors and the appointment by such sureties of a collector for the collection of taxes due on such duplicates" absolutely

(15) The act approved the twenty-fifth day of April one thousand nine hundred twenty-nine (P. L. 776 Number 326) entitled "An act relating to the payment of taxes on seated and unseated lands by joint tenants tenants in common or coparceners" absolutely

(16) Sections two thousand five hundred fifty-six two thousand five hundred fifty-nine two thousand five hundred sixty two thousand five hundred sixty-one two thousand five hundred sixty-two two thousand five hundred sixty-three two thousand five hundred sixty-five two thousand five hundred sixty-six and two thousand five hundred sixty-seven of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" absolutely and section two thousand five hundred sixty-four thereof except in so far as it provides for the deposit of city moneys

(17) Sections eight hundred two one thousand seven hundred thirteen one thousand seven hundred fourteen one thousand seven hundred fifteen one thousand seven hundred sixteen one thousand seven hundred seventeen one thousand seven hundred eighteen and one thousand seven hundred nineteen of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" absolutely

(18) The act approved the twenty-fifth day of July one thousand nine hundred thirty-two (P. L. 10) entitled "An act authorizing counties cities boroughs towns townships school districts and poor districts to install by ordinance or resolution a system for the collection of taxes in instalments and specifying certain conditions and penalties in such cases" absolutely

(19) Section nine hundred nine of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" in so far as it relates to abatements and penalties and sections five hundred seventy-one nine hundred ten nine hundred eleven nine hundred twelve nine hundred thirteen nine hun-

dred fourteen nine hundred fifteen and nine hundred sixteen thereof absolutely

(20) The act approved the twelfth day of July one thousand nine hundred thirty-five (P. L. 713) entitled "An act authorizing the courts of quarter sessions to stay sales of goods and chattels distrained upon by sureties of defaulting tax collectors and providing a procedure to exonerate the sureties where delinquent taxpayers are unable to pay taxes and to direct satisfaction of the taxes charged in duplicates where it appears such taxes have been paid" absolutely

(21) The act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2780) entitled "An act relating to the settlements of accounts of collectors of county taxes providing for procedure in such cases and for appeals to courts of common pleas" absolutely

(22) Section three of the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2797) entitled "An act requiring collectors of city county borough town township school and poor district taxes to file certain reports with the quarter sessions court and the Department of Internal Affairs directing such department to prepare and furnish forms for such reports making such reports available for public inspection requiring all payments to such collectors for compensation and expenses to be by warrant or order prohibiting such collectors from deducting their compensation and expenses from public funds in their possession and making violating of the act a misdemeanor" absolutely

(23) The act approved the twentieth day of June one thousand nine hundred thirty-nine (P. L. 508) entitled "An act defining the rights powers and duties of collectors of county taxes except in counties of the second class and counties having local or special laws relating thereto and of collectors of city in cities of the third class borough town township school district and institution district taxes providing for the collection of such taxes by suit distraint and lien and sale of the chattels of taxables and of tenants on the real estate affected and from employers of delinquent taxables authorizing the appointment of deputies by the tax collectors defining certain defaults of tax collectors as embezzlements and imposing penalties" absolutely

(24) The act approved the twenty-fourth day of July one thousand nine hundred forty-one (P. L. 496) entitled "An act providing that taxes on unseated lands shall be collected and returned in the same manner and at the same time as taxes on seated lands" absolutely

(25) The act approved the thirteenth day of April one thousand nine hundred forty-three (P. L. 50) entitled "An act to amend the title and Section 1 of and to add Section 2.1 2.2 2.3 and 2.4 to the act approved the twenty-fourth day of July one thousand nine hundred forty-one (P. L. 496) entitled 'An act providing that taxes on unseated lands shall be collected and returned in the same manner and at the same time as taxes on seated lands' providing that in counties of the seventh and eighth classes taxes on unseated lands shall be returned by the tax levying authorities to the county commissioners and collected by the county treasurer" absolutely

Section 44 All other acts and parts of acts inconsistent herewith are hereby repealed

Section 45 This act shall become effective on the first day of January one thousand nine hundred and forty-six

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Kephart,	Stevenson,
Becker,	Ealy,	Klein,	Stiefel,
Berger,	Edmonds,	Leader,	Tallman,
Blass,	Farrell,	Letzler,	Taylor,
Bowers,	Geltz,	Mallery,	Thomas,
Carr,	Gourley,	Margie,	Troutman,
Chapman,	Haluska,	McCreesh,	Tyler,
Coleman,	Heyburn,	McGinnis,	Wade,
Cox,	Holland,	Rosenfeld,	Wagner,
Crider,	Homsher,	Ruth,	Walker,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Jones,	Snowden,	Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 577, on final passage, entitled:

An Act to amend section seven hundred eighth and to further amend clause (f) of section seven hundred thirty-one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending, revising, consolidating and changing the law relating thereto," by changing the time limitation for tagging big game, controlling the removal and transportation thereof, requiring report of such killing, and providing penalties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 281, as follows:

An Act to amend section two thousand twenty-two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" authorizing township commissioners to record certificates denying responsibility for certain roads streets lanes alleys or drainage facilities in connection therewith

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two thousand twenty-two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows

Section 2022 No Responsibility on Township where Plans not Approved If any road street lane or alley or any drainage facilities in conection therewith shall be opened constructed or dedicated for public use or travel except in strict accordance with plans approved as provided in this subdivision neither the township commissioners nor any public authorities shall place construct or operate any sewer drain water pipe or other facilities or do any work of any kind in or upon such road street lane or alley and neither the township commissioners nor any other public authorities shall have any responsibility of any kind with respect to any such road street lane alley or drainage facilities notwithstanding any use of the same by the public unless such road street lane alley or drainage facilities are accepted by ordinance

Provided however that nothing herein contained shall prevent the laying of trunk sewers drains water or gas mains if required by engineering necessity for the accommodation of other territory If any person shall open any road street lane or alley or any drainage facility in connection therewith without submitting and obtaining approval of plans as provided in section two thousand twenty of this act and if the township commissioners shall have no information that such road street lane or alley or drainage facility in connection therewith shall be intended for public use or travel the township commissioners may in their discretion file with the recorder of deeds of the county a certificate containing a description of the land served by such road street lane or alley or drainage facility in connection therewith and a statement that as the township commissioners have not approved such plans neither the township commissioners nor any other public authority shall have any responsibility to furnish any facilities or services with respect to such land or any responsibility of any kind with respect to such road street lane or alley or drainage facility in connection therewith The owner of such land shall be designated and indexed as grantor in the records of the office of the recorder of deeds and the township shall be designated and indexed as grantee therein It shall not be necessary for such certificate to be executed by any other party than the township commissioners filing the same Nothing herein contained shall be deemed to prevent the township commissioners from enforcing the provisions of this act in any case in which any such road street lane or alley or any drainage facility in connection therewith is intended for public use or travel

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Kephart,	Stevenson,
Becker,	Ealy,	Klein,	Stiefel,
Berger,	Edmonds,	Leader,	Tallman,
Blass,	Farrell,	Letzler,	Taylor,
Bowers,	Geltz,	Mallery,	Thomas,
Carr,	Gourley,	Margie,	Troutman,
Chapman,	Haluska,	McCreesh,	Tyler,
Coleman,	Heyburn,	McGinnis,	Wade,
Cox,	Holland,	Rosenfeld,	Wagner,
Crider,	Homsher,	Ruth,	Walker,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Jones,	Snowden,	Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 307, as follows:

An Act to further amend section two thousand five hundred four of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by further providing for the triennial assessment of taxable property

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two thousand five hundred four of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" as last amended by the act approved the twenty-fifth day of May one thousand nine hundred thirty-nine (P. L. 225) is hereby further amended to read as follows

Section 2504 Assessment of Property Duties of Assessors The assessor shall make or cause to be made during the year [of the triennial assessment for county purposes] one thousand nine hundred forty-five and every third year thereafter a full just equal and impartial assessment of all property taxable according to the laws of this Commonwealth for county purposes and all matters and things within the city subject by law to taxation for city purposes and a just and perfect list of all property exempt by law from taxation with a just valuation of the same But nothing hereinbefore contained shall be construed as making taxable for city purposes the classes of personal property which by law are made taxable exclusively for county purposes at the rate of four mills With his assessment he shall return such dimension description or quality of each lot or parcel of land as will be sufficient to identify the same together with the number and kind of improvements In all cases he shall value or cause to be valued the property at the actual value thereof In arriving at such value the price for which any property would separately bona fide sell or the price at which any property may bona fide actually have been sold shall be considered but shall not be controlling Instead such selling price estimated or actual shall be subject to revision by increase or decrease to accomplish equalization with other similar property within the taxing district It shall be the further duty of the assessor to return annually a list of all the inhabitants over twenty-one years of age

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Kephart,	Stevenson,
Becker,	Ealy,	Klein,	Stiefel,
Berger,	Edmonds,	Leader,	Tallman,
Blass,	Farrell,	Letzler,	Taylor,
Bowers,	Geltz,	Mallery,	Thomas,
Carr,	Gourley,	Margie,	Troutman,
Chapman,	Haluska,	McCreesh,	Tyler,
Coleman,	Heyburn,	McGinnis,	Wade,
Cox,	Holland,	Rosenfeld,	Wagner,
Crider,	Homsher,	Ruth,	Walker,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Jones,	Snowden,	Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that House Bill No. 317, on third reading, entitled:

An Act to amend Section one of an act approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 403) entitled "An act relating to the form execution revocation and interpretation of wills to nuncupative wills to the appointment of testamentary guardians to spendthrift trusts to forfeiture of devise or legacy in case of murder of testator to elections to take under or against wills and to the recording and registering of such elections and of decrees relative thereto and to the fees therefor" by authorizing members of or persons called for induction into the armed forces of the United States or of any allied or associated power who have attained the age of seventeen years to dispose of real and personal estate by will

be recommitted to the Committee on Judiciary General, for the purpose of making the necessary amendments.

Mr. THOMAS. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 338, as follows:

An Act to amend sections two seventeen eighteen twenty and twenty-six of the act approved the fourth day of June one thousand nine hundred and forty-three (P. L. 886) entitled "An act creating a Municipal Employes' Retirement System for the payment of retirement allowances to officers and employes of political subdivisions and institutions supported and maintained by them and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor imposing certain duties on the State Employes' Retirement Board and the actuary thereof providing the procedure whereby political subdivisions may join such system and imposing certain liabilities and obligations on such political subdivisions in connection therewith and as to certain existing retirement and pension systems and upon officers and employes of such political subdivisions and institutions supported and maintained by them providing certain exemptions from taxation execution attachment levy and sale and making an appropriation" changing certain definitions clarifying provisions relating to local pension and retirement systems changing the formulae for the ascertainment of contributions by members and by municipalities eliminating the provision requiring retirement at age seventy and reappropriating the unexpended balance of the prior appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections two seventeen eighteen twenty and twenty-six of the act approved the fourth day of June one thousand nine hundred and forty-three (P. L. 886) entitled "An act creating a Municipal Employes' Retirement System for the payment of retirement allowances to officers and employes of political subdivisions and institutions supported and maintained by them and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor imposing certain duties on the State Employes' Retirement Board and the actuary thereof providing the procedure whereby political subdivisions may join such system and imposing certain liabilities and obligations on such political subdivisions in connection therewith and as to certain existing retirement and pension systems and upon officers and employes of such political subdivisions and institutions supported and maintained by them providing certain exemptions from taxation execution attachment levy and sale and making a appropriation" is hereby amended to read as follows

Section 2 Definitions The following words and phrases unless a different meaning is plainly required by the context shall have the following meanings

"Board" the Municipal Employes' Retirement Board

"Municipality" a city borough town township county and institution district

"Municipal Employe" a person holding an office or position under a municipality or an institution supported and maintained by it in any capacity whatever employed and paid on a yearly or monthly or per diem basis or employed and paid by the municipality with its funds or through any separate institution supported and maintained through trustees or otherwise by it The term shall not include officers and employes paid wholly on a fee basis

"Member" a municipal employe who has become a member of the Municipal Employes' Retirement System established by this act

"Original Member" a municipal employe who was a municipal employe at the date the municipality by which he is employed joined the retirement system established by this act

"New Member" a municipal employe who first becomes a municipal employe after the date the municipality by which he is employed joined the retirement system established by this act

"Contributor" a municipal employe who has accumulated deductions standing to his credit in the member's account of the fund created by this act

"Beneficiary" a person who was a municipal employe but has retired and is receiving a retirement allowance as provided in this act

"Prior Service" all service as a municipal employe completed at the time the municipality by which he is or was employed elected to join the retirement system established by this act or the same municipality under a prior name or classification

"Superannuation Retirement Age" sixty years of age or upwards

"Final Salary" the average annual salary or compensation earned by a municipal employe and paid by the municipality during the last five years immediately preceding retirement or if not so long employed then the average annual salary or compensation paid during the whole period of such employment In computing final salary if the amount thereof shall exceed four thousand dollars ($4000) it shall for the purpose of this act be limited to four thousand dollars ($4,000)

"Accumulated Deductions" the total amount deducted from the salary or compensation of the contributor and paid over by the municipality or paid by the municipal employe or from any existing pension or retirement system directly into the retirement fund and credited to the member's account together with regular interest thereon

"Regular Interest" interest at two and one-half per cent per annum compounded annually and in case of interest earnings in excess of two and one-half per cent shall mean the interest actually earned on investments in any year

"Municipal Annuity" that portion of the retirement allowance derived from contributions made by the municipality

"Member's Annuity" that portion of the retirement allowance derived from the accumulated deductions of the municipal employe

"Retirement Allowance" the municipal annuity plus the member's annuity

"Fund" the Municipal Employes' Retirement Fund created by this act

Section 17 Existing Local Retirement Systems Where a municipality elects to join the retirement system established by this act and is then maintaining a retirement or pension system or systems covering its municipal employes in whole or in part those employes so covered and employes thereafter eligible to join such pension system shall not become members of the retirement system established by this act unless at the time the municipality elects to join the system the members of such existing retirement or pension system shall by the affirmative vote of seventy-five per centum of all the members thereof elect to be covered by the retirement system established by this act At any time thereafter within a period of three years after the municipality has elected to join the system but not thereafter the members of an

existing retirement or pension system may in like manner elect to join the system established by this act In any such case provision may be made for the transfer of the moneys and securities in its retirement or pension fund or funds in whole or in part to the fund established by this act Securities so transferred shall be only those acceptable to the board Securities not so acceptable shall be converted into cash and said cash transferred to the fund created by this act In any such transfer provision shall be made to credit to the accumulated deductions of each member at least the amount he has paid into the retirement or pension system of the municipality which moneys shall be credited against the prior service contributions of such member or a municipality may turn over to the retirement system created by this act any existing local pension system on a completely funded basis as to pensioners and pension credits of members related to prior service to the date of transfer or on a partially funded basis if the municipality either pays currently into the retirement system sufficient to cover its current share of unfunded pensions or shall agree to make such payments directly to beneficiaries as payments fall due

No liability on account of retirement allowances or pensions being paid from any retirement or pension fund of the municipality shall attach against the retirement fund created by this act except as provided in the agreement making a transfer of an existing system in accordance with this section The liability to continue payment of pensions not so transferred shall attach against the municipality which shall annually make appropriations from its tax revenues sufficient to pay the same In cases where employes covered by an existing retirement or pension system elect to joint the system created by this act the election to join shall be deemed to have been made at the time the municipality elected to join the system and the liabilities of the municipality shall be fixed accordingly

Section 18 Contributions by Members Consolidation of Credits Change of Employment Each member of the retirement system shall be required to contribute to the fund such per centum of his actual salary or compensation including fees where paid in part on a fee basis as shall be computed by the actuary to be approximately sufficient to procure for him on a superannuation retirement age a member's annuity of one [one-hundredth] one-hundred-thirtieth of his final salary for each year of service after the time the municipality by which he is employed joined the retirement system which contributions shall be paid into the fund by the municipality through pay roll deductions in such manner and at such times as the board may by rule and regulations determine

In order to increase his member's annuity each member shall also have the option to make contributions for his prior service Such contributions for prior service may be anticipated in whole or in part at the time the municipality joins the retirement system or payment thereof or of such part thereof as is not anticipated may be spread over a period of time by increasing the pay roll deduction of the member by at least one-third Where a member elects to contribute on account of his prior service his rate of contribution shall be calculated as of his age at the time he first entered the service of the municipality Provided however That any municipality may at the time it elects to join the system established by this act or at any time thereafter agree with the board to pay into the fund as a part of its liability under and in accordance with section fourteen hereof the moneys necessary to provide the member's contributions for prior service and in such case no contributions for prior service shall be made by the members

If the rate of contribution so computed shall exceed seven percentum of his earnable salary the member may request the board to be permitted to contribute at a lesser rate and if the board finds that there are reasons which justify such reduction then there shall be deducted seven per centum of his earnable salary

Where a municipal employe is employed by more than one municipality he shall be required to make contributions on account of the salary paid by each municipality In such cases the board shall provide for the consolidation of credits of the contributor and upon his retirement for a consolidated retirement allowance

Where a contributor leaves the employ of a municipality which is a member of the system and enters into the employ of another municipality which is also a member of the system his service credits shall remain unimpaired but in such cases the unpaid municipal liability for prior service shall be prorated by the board between the municipalities on an equitable bases

Section 20 Retirement for Superannuation Retirement for superannuation shall be as follows

(a) Any contributor who has reached superannuation retirement age may [and any contributor who has reached the age of seventy shall] retire for superannuation by filing with the board a written statement duly attested setting forth on what date he desires to be retired Said application shall make the superannuation retirement allowance effective on the date so specified if such application was filed in the offices of the board or deposited in the United States mail addressed to the board before the date specified in the application and before the death of the contributor But the date so specified in the application shall not be more than thirty days from the date of filing or the date the application was deposited in the mail

(b) On retirement for superannuation a contributor shall be entitled to a retirement allowance throughout his life which shall consist of

(1) A member's annuity which shall be the actuarial equivalent of his accumulated deductions and

(2) A municipal annuity which shall be equal to one [one-hundredth] one-hundred-thirtieth of his final salary (not exceeding however in any event a final salary of four thousand dollars ($4,000) for each year of total service and in addition thereto in the case of an original member one [one-hundredth] one-hundred-thirtieth of such final salary for each year of prior service if the municipality has paid or has obligated itself for the payment of the contributions of the member for his prior service

(c) In no event shall the municipal annuity exceed fifty per centum of the final salary

Section 26 Appropriation The sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby specifically appropriated and any balance thereof remaining at the end of the fiscal biennium May thirtieth one thousand nine hundred and forty-five is hereby reappropriated to the Department of State [for the two fiscal years commencing June first one thousand nine hundred and forty-three] for the use of the State Employes Retirement Board and the Municipal Employes' Retirement Board for the payment of the costs and expenses incident to the work of setting up the Municipal Employes' Retirement System created by this act including the payment of the compensation of the actuary in performing the duties required by this act for additional compensation of the secretary the compensation of additional employes required and for postage telephone telegraph supplies printing and traveling and other incidental expenses Provided however That the cost and expense of administering this act after the Municipal Employes' Retirement System shall become effective as provided in section eight hereof shall be paid by the municipalities as provided in section sixteen of this act from moneys paid into the State Treasury and credited to the current appropriation to the State Employes' Retirement Board

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Kephart,	Stevenson,
Becker,	Ealy,	Klein,	Stiefel,
Berger,	Edmonds,	Leader,	Tallman,
Blass,	Farrell,	Letzler,	Taylor,
Bowers,	Geltz,	Mallery,	Thomas,
Carr,	Gourley,	Margie,	Troutman,
Chapman,	Haluska,	McCreesh,	Tyler,
Coleman,	Heyburn,	McGinnis,	Wade,
Cox,	Holland,	Rosenfeld,	Wagner,
Crider,	Homsher,	Ruth,	Walker,
Crowe,	Jaspan,	Scarlett,	Wilson
Dent,	Jones,	Snowden,	Woodring

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 344, on third reading, entitled:

An Act to further amend section five hundred and forty of the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" further defining the duties of the secretary to the board of supervisors and providing for the preservation and turning over to the successor in office of township records and for the destruction of certain records

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 374, as follows:

An Act to fix the standard weights of containers for wheat and corn flours cornmeals hominy and hominy grits and to provide penalties for the violation of this act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 (1) The word "flour" as used in this act shall mean wheat flour self-rising wheat flour phosphated wheat flour bromated flour enriched flour enriched self-rising flour enriched bromated flour corn flour corn meals hominy and hominy grits

(2) The word "container" as used in this act shall mean any box bag bundle pack package jar can barrel or any other form of receptacle or vessel

(3) The term "person" when used in this act shall be construed to include any individual partnership unincorporated association corporation association agent firm cooperative society representative or employe thereof

(4) The word "department" when used in this act shall mean the Department of Internal Affairs of the Commonwealth

Section 2 It shall be unlawful for any person to pack for sale sell offer or expose for sale in this State flour except in containers of net avoirdupois weights of two (2) five (5) ten (10) twenty-five (25) fifty (50) and one hundred (100) pounds and multiples of one hundred (100) pounds Provided however That the provisions of this act shall not apply to (a) the retailing of flours meals hominy and hominy grits direct to the consumer from bulk stock or (b) the sale of flours and meals to commercial bakers or blenders or for export in containers of more than one hundred (100) pounds or (c) flours meals hominy and hominy grits packed in cartons the net contents of which are less than five (5) pounds or (d) the exchange of wheat for flour by mills grinding for toll

Section 3 It shall be the duty of the department and the inspectors of weights and measures of the several counties and cities to enforce the provisions of this act

Section 4 The secretary of the department shall have power to adopt and promulgate such rules and regulations not inconsistent with the provisions of this act as may be deemed necessary to carry into effect the intent and purpose of this act

Section 5 Any violation of this act shall constitute a misdemeanor and upon conviction the offender shall be fined not less than twenty-five dollars ($25) nor more than five hundred dollars ($500) for each offense

Section 6 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Kephart,	Stevenson,
Becker,	Ealy,	Klein,	Stiefel,
Berger,	Edmonds,	Leader,	Tallman,
Blass,	Farrell,	Letzler,	Taylor,
Bowers,	Geltz,	Mallery,	Thomas,
Carr,	Gourley,	Margie,	Troutman,
Chapman,	Haluska,	McCreesh,	Tyler,
Coleman,	Heyburn,	McGinnis,	Wade,
Cox,	Holland,	Rosenfeld,	Wagner,
Crider,	Homsher,	Ruth,	Walker,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Jones,	Snowden,	Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 382, on third reading, entitled:

An Act to amend section seven hundred two of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled, "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by authorizing such townships to regulate parking

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 425, as follows:

An Act authorizing individual co-fiduciaries in certain cases to consent to holding of investments in the names of their corporate co-fiduciaries' nominee and validating such consents heretofore given

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 An individual acting as co-fiduciary with a bank and trust company or trust company is hereby authorized with respect to investments received held or made by said bank and trust company or trust company and said individual as co-fiduciaries to consent to the holding of said investments in the name of a nominee of said bank and trust company or trust company to the same extent that said bank and trust company or trust company as a sole fiduciary would be authorized to hold such investments in the name of its nominee Any such consent heretofore given by an individual co-fiduciary is hereby validated

The term "fiduciary" as used herein shall mean an executor an administrator or a trustee of a trust created by will deed declaration of trust court order or other instrument a guardian of a minor or incompetent or a committee of the estate of a lunatic or habitual drunkard and the term "co-fiduciary" as used herein shall mean a person who is a co-executor a co-administrator or a co-trustee of a trust created by will deed declaration of trust court order or other instrument a co-guardian of a minor or incompetent or a co-committee of the estate of a lunatic or habitual drunkard

Section 2 Nothing contained herein shall be construed to authorize any fiduciary to consent to the doing of any act contrary to the directions in regard to investments contained in the will deed or other instrument under which such fiduciary is acting

Section 3 All acts and parts of acts inconsistent herewith are hereby repeated

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Kephart,	Stevenson,
Becker,	Ealy,	Klein,	Stiefel
Berger,	Edmonds,	Leader,	Tallman,
Blass,	Farrell,	Letzler,	Taylor,
Bowers,	Geltz,	Mallery,	Thomas,
Carr,	Gourley,	Margie,	Troutman,
Chapman,	Haluska,	McCreesh,	Tyler,
Coleman,	Heyburn,	McGinnis,	Wade,
Cox	Holland,	Rosenfeld,	Wagner,
Crider,	Homsher,	Ruth,	Walker,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Jones,	Snowden,	Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 446, as follows:

An Act to further amend section one thousand nine hundred two of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" exempting certain contracts from the provisions of said act regulating advertising and bidding for contracts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That section one thousand nine hundred two of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" as last amended by section one of the act approved the twenty-eighth day of April one thousand nine hundred forty-one (P. L. 27) is hereby further amended to read as follows

Section 1902 Regulations Concerning Contracts All work and materials required by any city of the third class or any department thereof where the amount exceeds the sum of five hundred dollars shall be furnished and performed under written contract and the contract shall be awarded and given to the lowest responsible bidder after advertising three times each publication on a different day in not more than two newspapers in accord with the provisions of section one hundred and nine of this act and the bids shall be opened until at least ten days have elapsed after the first advertisement Provided That the requirements of this section as to advertising and contracts and bidding and to the sum of five hundred dollars shall not apply (1) to contracts for any public utility service where the service is available only from one public utility and is to be provided by such utility under tariffs on file with the Pennsylvania Public Utility Commission or to (2) repairs of highways sewers and other public improvements or to (3) resurfacing or maintaining of highways or to (4) street and sewer cleaning or to (5) the collection of rubbish ashes and garbage or improvements repairs or maintenance of any kind made done and provided by the officers and employes of the city or to (6) any agreement with the Commonwealth whereby the city agrees to pay a portion of the cost of any improvement made under contract let by the Commonwealth or any department thereof (7) or where the State or county is a party or cooperates through its employes or the loan of its equipment with the city to a street repair maintenance or improvement or to (8) those made for any surety company bond or policy of insurance or to (9) those made for maintenance repairs or replacements for water electric light and other public works of the city provided they do not constitute new additions or enlargements of existing facilities and equipment or to (10) those where particular types models or pieces of equipment articles aparatus appliances vehicles or parts thereof new second-hand or rebuilt other than construction materials used in road improvement are required which are patented and manufacctured products and in case of purchase under this provision specifications shall not be required to be prepared nor a bond exacted And further provided That where the roadway of a street is to be paved originally and for the first time or reconstructed by putting down a new base or a sewer is to be constructed or grading done such work shall be done under written contract after advertising as provided in section one hundred and nine of this act and such contract shall be given to the lowest responsible bidder

The council shall by ordinance provide for and regulate the purchase of supplies and materials and the sale of personal property

The council may also by ordinance provide a contingent fund or funds for necessary repairs and incidental expenses not otherwise provided in the general appropriations and such funds may be expended without advertising for bids

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Kephart,	Stevenson,
Becker,	Ealy,	Klein,	Stiefel,
Berger,	Edmonds,	Leader,	Tallman,
Blass,	Farrell,	Letzler,	Taylor,
Bowers,	Geltz,	Mallery,	Thomas,
Carr,	Gourley,	Margie,	Troutman,
Chapman,	Haluska,	McCreesh,	Tyler,
Coleman,	Heyburn,	McGinnis,	Wade,
Cox,	Holland,	Rosenfeld,	Wagner,
Crider,	Homsher,	Ruth	Walker,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Jones,	Snowden,	Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 452, as follows:

An Act to add section two thousand three hundred twenty-two to the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by imposing upon the Department of Welfare the duty to investigate the subject of crime prevention and to stimulate develop and coordinate crime prevention activities in this Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article twenty-three of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" is hereby amended by adding thereto after section two thousand three hundred twenty-one a new section to read as follows

Section 2322 Crime Prevention The Department of Welfare shall have the power and its duty shall be

(a) To investigate the general subject of crime prevention in all of its phases with particular attention to the subject of the economic value to the Commonwealth of crime prevention

(b) To stimulate the various state departments to develop their facilities and methols to control the factors entering into delinquency and crime

(c) To visit study and evaluate conditions in communities throughout the Commonwealth and advise local agencies as to organization and development of needed programs

(d) To collate interpret and publicize statistics and reports relating to the problem of juvenile delinquency and crime

(e) To prepare and sponsor legislation bearing upon the many specific problems incident to crime prevention

(f) To take such other steps as may be necessary to procure such information and data as may be deemed helpful reduce and prevent crime

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Kephart,	Stevenson,
Becker,	Ealy,	Klein,	Stiefel,
Berger,	Edmonds,	Leader,	Tallman,
Blass,	Farrell,	Letzler,	Taylor,
Bowers,	Geltz,	Mallery,	Thomas,
Carr,	Gourley,	Margie,	Troutman,
Chapman,	Haluska,	McCreesh,	Tyler,
Coleman,	Heyburn,	McGinnis,	Wade,
Cox,	Holland,	Rosenfeld,	Wagner,
Crider,	Homsher,	Ruth,	Walker,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Jones,	Snowden,	Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 457, as follows:

An Act to permit the sale and purchase of imitation butter or oleomargarine for consumption by inmates and employes of charitable and penal institutions within the Commonwealth for a period of two years and suspending certain provisions of the law prohibiting such sales and purchase for the same period of time under certain circumstances requiring the keeping of records and the making of reports and providing penalties

Whereas The General Assembly of the Commonwealth of Pennsylvania has heretofore made a legislative finding of fact that "milk is the most necessary human food vital for the promotion of the public's health and for development of strength and vigor in the race" and

Whereas Butter produced from pure unadulterated milk has a recognized food value unequalled by any imitation product made from other substances and

Whereas By the Act of May 23 1893 (P. L. 112) the use or purchase by or the sale to or the furnishing to the

inmates of any charitable or penal institution in Pennsylvania of any article designed to take the place of butter produced from pure unadulterated milk or cream from the same or of any imitation or adulterated butter was prohibited and made unlawful and

Whereas Due to the present war effort and to the exportation of vast quantities of butter to our Allies there is a present shortage of butter and such charitable and penal institutions are presently unable to purchase adequate supplies of butter for the use of the inmates of such institutions and

Whereas It may become necessary for a limited period of time for such institutions to supplement the available supplies of butter through the purchase and use of imitation butter or oleomargarine

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The provisions of the act approved the twenty-third day of May one thousand eight hundred ninety-three (P. L. 112) are hereby modified and suspended as follows

(1) Any charitable or penal institution shall not use or furnish to its inmates any imitation butter or oleomargarine when adequate quantities of butter are available or obtainable from the usual sources of supply or from normal markets

(2) In the event adequate quantities of butter are not available in or obtainable from the usual sources of supply or from normal markets each such institution shall purchase all of the butter which is available or obtainable

(3) In the event of the rationing of butter as a part of the war effort any such institution shall purchase the full amount of butter apportioned to its inmates and to its employes residing within the institution

(4) In the event that adequate quantities of butter are not available in or obtainable from the usual sources of supply or from normal markets or through rationing any such institution may purchase sufficient quantities of imitation butter or oleomargarine to supplement the quantities of butter so available

(5) Each charitable or penal institution so purchasing imitation butter or oleomargarine shall keep full and accurate records of all purchases of imitation butter or oleomargarine showing the date and amount of such purchase the amount paid and the name and address of the person partnership or corporation from whom purchased Such record shall be open to the inspection of the Secretary of Agriculture or his designated representative

(6) The Secretary of Agriculture from time to time and for such periods of time as he may determine may require any charitable or penal institution other than a State-owned and State operated institution to report within the period of thirty days from the date of his request the amount of such purchases the source of such purchases the date of purchase and the price paid together with information of the total quantity of butter purchased during the same periods

Section 2 Any persons knowingly violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine not exceeding one thousand dollars ($1,000) or imprisonment not exceeding two (2) years for each offense or both at the discretion of the court

Section 3 This act is a temporary act and shall be effective only until the expiration of the session of the General Assembly of one thousand nine hundred forty-seven

Section 4 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Kephart,	Stevenson,
Becker,	Ealy,	Klein,	Stiefel,
Berger,	Edmonds,	Leader,	Tallman,
Blass,	Farrell,	Letzler,	Taylor,
Bowers,	Geltz,	Mallery,	Thomas,
Carr,	Gourley,	Margie,	Troutman,
Chapman,	Haluska,	McCreesh,	Tyler,
Coleman,	Heyburn,	McGinnis,	Wade,
Cox,	Holland,	Rosenfeld,	Wagner,
Crider,	Homsher,	Ruth,	Walker,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent	Jones,	Snowden,	Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 493, as follows:

An Act to repeal the special acts approved the twelfth day of March one thousand eight hundred sixty-six (P. L. 171) and the fourteenth day of February one thousand eight hundred sixty-seven (P. L. 207) relating to the fees of the sheriff prothonotary register recorder clerk of courts and district attorney in Washington County

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following special acts are hereby repealed absolutely

The act approved the twelfth day of March one thousand eight hundred sixty-six (P. L. 171) entitled "An act to increase the fees of certain county officers and district attorney in the county of Washington

The act approved the fourteenth day of February one thousand eight hundred sixty-seven (P. L. 207) entitled "An act in relation to the fees of certain county officers and district attorney in the county of Washington"

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Kephart,	Stevenson,
Becker,	Ealy,	Klein,	Stiefel,
Berger,	Edmonds,	Leader,	Tallman,
Blass,	Farrell,	Letzler,	Taylor,
Bowers,	Geltz,	Mallery,	Thomas,
Carr,	Gourley,	Margie,	Troutman,
Chapman,	Haluska,	McCreesh,	Tyler,
Coleman,	Heyburn,	McGinnis,	Wade,
Cox,	Holland,	Rosenfeld,	Wagner,
Crider,	Homsher,	Ruth,	Walker,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Jones,	Snowden,	Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 499, on third reading, entitled:

An Act to further amend the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487), entitled "An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," by revising and changing the provisions of said act relating to the times of registering electors, their enrollment as members of political parties, change of party enrollment, removal notices, and comparing and correcting the general and district registers.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 527, on third reading, entitled:

An Act to amend section four thousand three hundred one of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by further regulating the administration of the police pension fund

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 530, as follows:

An Act authorizing the Department of Justice to prescribe rules of practice for administrative departments departmental administrative boards and commissions independent administrative boards and commissions officers and other agencies of the Commonwealth authorizing such agencies to adopt rules providing for the appointment of an Administrative Rules Committee and fixing its powers and duties and imposing certain duties upon State officers and agencies

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Justice shall have the power to prescribe rules of practice and procedure to be followed in proceedings before any administrative department departmental administrative board or commission independent administrative board or commission officers or other agencies of this Commonwealth having statewide jurisdiction empowered to determine or affect private rights privileges immunities or obligations by regulation or adjudication except a court of record or a magistrate alderman or justice of the peace Such rules shall be consistent with the Constitution of this Commonwealth and shall neither abridge enlarge nor modify the substantive rights of any person nor the jurisdiction of any of the said administrative agencies nor in any way be in conflict with the provisions of any statute

Section 2 At the time of the adoption promulgation and publication of any rule the Department of Justice shall fix the effective date thereof which shall not be less than three months from the date of the adoption thereof except such rules and procedure as has already been establishel by the Department of Justice and are in effect which shall so continue from the date of the enactment hereof unless otherwise changed as provided herein Immediately after their adoption all rules shall be published in the Pennsylvania Register departmental bulletins and in each of the legal journals designated by the several courts of common pleas for the publication of legal notices

Section 3 Any administrative agency referred to in section one of this act may adopt additional rules for the conduct of its business which shall not be inconsistent with or in conflict with any rule prescribed or which may be prescribed by the Department of Justice

Section 4 The Department of Justice is hereby authorized to appoint an Administrative Rules Committee the members of which shall have been admitted to practice before the Supreme Court of Pennsylvania which shall assist the Department of Justice in the preparation revision promulgation publication and administration of the general rules

Section 5 It shall be the duty of every State officer and of every member of every administrative board or commission and of every other State agency to furnish to the Department of Justice or to the Administrative Rules Committee such statistics and information as may reasonably be requested concerning the administration of the business of their respective offices and the Department of Justice and Administrative Rules Committee shall afford every administrative department departmental administrative board or commission independent alministrative board or commission officer or other agency an opportunity to be heard before any rule is prescribed affecting such state agency

Section 6 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 7 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31

Becker,	Ealy,	Letzler,	Troutman,
Berger,	Edmonds,	Mallery,	Tyler,
Blass,	Farrell,	Scarlett,	Wade,
Carr,	Geltz,	Snowden,	Wagner,
Chapman,	Heyburn,	Stevenson,	Walker,
Crider,	Homsher,	Tallman,	Wilson,
Crowe,	Jones,	Taylor,	Woodward,
DiSilvestro,	Kephart,	Thomas,	

NAYS—16

Barr,	Gourley,	Klein,	Rosenfeld,
Coleman,	Haluska,	Leader,	Ruth,
Cox,	Holland,	McCreesh,	Stiefel,
Dent,	Jaspan,	McGinnis,	Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 544, as follows:

An Act to regulate the sale and possession of penicillium (penicillin) and its derivatives preparations and compounds in the interest of public health

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The drug known as penicillium (penicillin) and any of its derivatives preparations or compounds of the same shall not be sold at retail or dispensed to any person except upon the written prescription of a duly licensed physician dentist or veterinarian compounded or dispensed by a registered pharmacist or under the immediate personal supervision of a registered pharmacist and no pharmacist shall dispense any such drug without affixing to the container in which the drug is sold or dispensed a label bearing the name and address of the pharmacist the date compounded and the consecutive number of the prescription under which it is recorded in his prescription files together with the name of the physician dentist or veterinarian prescribing it Provided That the provisions of this section of this act shall not apply to a duly licensed physician dentist or veterinarian Provided however That they keep a record of the amount of such drugs purchased and a dispensing record showing the date name of the quantity of the drugs dispensed and the name and address of the patient No physician dentist or veterinarian shall dispense any such drug without affixing to the container in which the drug is sold or dispensed a label bearing the name and address of the dispenser the date dispensed the name and address of the patient and the directions for the use of the drug by the patient

Section 2 No manufacturer pharmacist jobber dealer in drugs or any other person shall sell or have in his possession any penicillium (penicillin) or its derivatives preparations or compounds of the same unless the container bears a label securely attached thereto stating conspicuously the specific name of the drug and the proportion of amount thereof Such label shall not be necessary when such a drug is dispensed by a pharmacist upon a prescription or dispensed by a physician dentist or veterinarian and the container is labeled in the manner described in section one hereof

Section 3 The provisions of this act shall be enforced by the Department of Health of the Commonwealth of Pennsylvania

Section 4 Any person who shall violate or fail to comply with any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not less than twenty-five dollars ($25.00) nor more than fifty dollars ($50.00) for the first offense not less than fifty dollars ($50.00) nor more than one hundred dollars ($100.00) for the second offense and not less than one hundred dollars ($100.00) nor more than five hundred dollars ($500.00) for the third and each subsequent offense If the violation is by a corporation copartnership or association the officers and directors of such corporation or the members of such copartnership or association their agents and employes with guilty knowledge of the fact shall be deemed guilty of a violation of the provisions of this act to the same extent as though said violation were committed by them personally

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Edmonds,	Leader,	Tallman,
Berger,	Farrell,	Letzler,	Taylor,
Blass,	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	Margie,	Troutman,
Carr,	Haluska,	McCreesh,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 548, on third reading, entitled:

An Act providing that when the contract of a fiduciary is made by him or approved by court inadequacy of price or an offer to deal on other terms shall not relieve the fiduciary of his obligation or constitute ground for any court to set aside the contract or to refuse to enforce it

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 573, entitled:

An Act to further amend section one of the act approved the fourth day of June one thousand nine hundred fifteen (P. L. 828) entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations co-partnership associations and joint-stock associations providing the manner of collecting such tax and prescribing penalties" by modifying the rates of tax imposed by the said act

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. DENT. Mr. President, I do not want to delay the session but I ask my colleagues to vote "no" on this bill because on page 2 there is an amendment which was inserted in the bill which changes the formula upon which the tax is based on the sale of stocks, removing the words "face value" and inserting the words "market value," which works to the advantage, of course, of the certificate holders up to where the market value becomes the face value and then the face value becomes the basis for the tax.

Mr. President, if the market value is good enough to be used when the market value is less than the face value, then certainly in fairness the tax ought to be based upon market value when it is greater than the face value. It looks like a one-way ticket, whereby the face value is only used as a ceiling and the market value is used as the floor, and I say that the bill is bad legislation and ought to be voted down.

And the question recurring,

Will the Senate agree to the bill on third reading?

BILL OVER IN ORDER

Mr. BARR. Mr. President, I ask unanimous consent that Senate Bill No. 573, on third reading, entitled:

An Act to further amend section one of the act, approved the fourth day of June, one thousand nine hundred fifteen (P. L. 828), entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock, and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations, co-partnership associations, and joint-stock associations; providing the manner of collecting such tax, and prescribing penalties," by modifying the rates of tax imposed by the said act.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 574, as follows:

An Act to amend section three of the act approved the fourth day of June one thousand nine hundred and fifteen (P. L. 828) entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations co-partnership associations and joint-stock associations providing the manner of collecting such tax and prescribing penalties" by providing an alternative method of collection of such tax

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the fourth day of June one thousand nine hundred and fifteen (P. L. 828) entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations co-partnership associations and joint-stock associations providing the manner of collecting such tax and prescribing penalties" is hereby amended to read as follows

Section 3 The payment of the tax imposed by section one shall be evidenced by an adhesive stamp or stamps affixed as follows In the case of a sale or transfer where the evidence of the transaction is shown only by the books of the corporation co-partnership association or joint-stock company the stamp shall be placed upon such books and the person making or effectuating such sale or transfer shall procure and furnish to the corporation copartnership association or joint-stock company the requisite stamps and the corporation co-partnership association or joint-stock company shall affix and cancel the same Where the transaction is effected by the delivery or transfer of a certificate the stamp or stamps shall be placed upon the surrendered certificate and canceled and in cases of an agreement to sell or where the sale is effected by delivery of the certificate assigned in blank there shall be made and delivered by the seller to the buyer a bill or memorandum of such sale to which the stamp provided for by this act shall be affixed and cancelled Every such bill or memorandum of sale or agreement to sell shall show the date of the transaction which it evidences the names of the seller the stock to which it relates and the number of shares thereof All such bills or memoranda of sale shall bear a number upon the face thereof and no more than one such bill or memorandum of sale made by the seller on any given day shall bear the same number The aforesaid identification number of the bill or memorandum of sale shall in all cases be entered and recorded in a book of account to be kept for the purpose and no further tax is hereby imposed upon the delivery of the certificate of stock or upon the actual issue of a new certificate when the original certificate of stock is accompanied by the duly stamped memorandum of sale as herein provided Notwithstanding any other provisions of this section the tax imposed by section one may be paid in the case of a sale delivery or transfer executed or effected within the Commonwealth of Pennsylvania by any member of any securities exchange within this State which is registered with the Securities and Exchange Commission of the United States to such securities exchange or to a clearing corporation affiliated with such exchange by the person firm association or corporation executing or effecting such sale delivery or transfer without the use of the stamp or stamps prescribed by this section In such event a written report shall be made to such exchange or affiliated clearing corporation for each business day by each such person firm association or corporation showing the amount of tax payable on all such sales deliveries or transfers Provided however with respect to sales deliveries or transfers cleared through such affiliated clearing corporation the report of such sales deliveries or transfers may be made on behalf of such clearing person firm association or corporation by such affiliated clearing corporation A record shall be made by such exchange or affiliated clearing corporation for each business day showing the amount of tax payable by each such person firm association or corporation on all sales deliveries or transfers reported by or on behalf of such person firm association or corporation The amount of tax shown to be due by each such person firm association or corporation by such reports and records shall be paid for the account of the Commonwealth of Pennsylvania to such exchange or affiliated clearing corporation and shall be remitted at least monthly by such exchange or affiliated clearing corporation to the Department of Revenue of the Commonwealth of Pennsylvania together with a report in such form as may be prescribed by the Secretary of Revenue All reports and records herein directed to be made or obtained shall be preserved for such period as the Secretary of Revenue may prescribe The payment of the tax through an exchange or affiliated clearing corporation on each sale transfer or delivery as hereinbefore provided shall be evidenced by a certification in such form and manner as the Secretary of Revenue may prescribe In the event that collection of the tax is effected without the use of stamps as hereinbefore provided all of the provisions of the Act of Assembly of June four one thousand nine hundred fifteen (P. L. 828) as amended not inconsistent with this section shall apply

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Kephart,	Stevenson,
Becker,	Ealy,	Klein,	Stiefel,
Berger,	Edmonds,	Leader,	Tallman,
Blass,	Farrell,	Letzler,	Taylor,
Bowers,	Geltz,	Mallery,	Thomas,
Carr,	Gourley,	Margie,	Troutman,
Chapman,	Haluska,	McCreesh,	Tyler,
Coleman,	Heyburn,	McGinnis,	Wade,
Cox,	Holland,	Rosenfeld,	Wagner,
Crider,	Homsher,	Ruth,	Walker,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Jones,	Snowden,	Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill 607, as follows:

An Act to amend the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 637) entitled "An act providing that the terms of constables hereafter elected in cities of the second second class A and third classes boroughs and townships shall be for six years" by extending the terms of constables hereafter elected in incorporated towns to six years

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 637) entitled "An act providing that the terms of constables hereafter elected in cities of the second second class A and third classes boroughs and townships shall be for six years" is hereby amended to read as follows

Section 1 The terms of constables hereafter elected in cities of the second second class A and third classes boroughs incorporated towns and townships shall be for six years Whenever a constable shall be appointed by the court as provided by existing laws the constable so appointed shall serve for the unexpired term

Section 2 All acts and parts of acts inconsistent herewith are hereby repealed

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Edmonds,	Leader,	Tallman,
Berger,	Farrell,	Letzler,	Taylor,
Blass,	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	Margle,	Troutman,
Carr,	Haluska,	McCreesh,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

BILLS OVER IN ORDER

Mr. WOODRING. Mr. President, I ask unanimous consent that House Bill No. 662, on third reading, entitled:

An Act to promote interstate cooperation for the conservation and protection of water resources in the Delaware River Basin

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 696, on third reading, entitled:

An Act to further amend sections one two three and four of the act approved the twenty-first day of May one thousand nine hundred thirty-seven (P. L. 787) entitled as amended, "An act authorizing subject to approval of the court of common pleas the compromise or reduction of tax and municipal claims on real property purchased by any county city borough town school district or poor district at any sale for the nonpayment of taxes or municipal claims and the reconveyance or private sale of such property" requiring such reconveyance and private sale to have the approval of the municipality or municipalities having a majority interest therein

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 719, as follows:

An Act to amend section one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 558) entitled "An act authorizing the Department of Property and Supplies to sell and convey a lot or piece of land in Delaware County" correcting an erroneous measurement

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 558) entitled "An act authorizing the Department of Property and Supplies to sell and convey a lot or piece of land in Delaware County" is hereby amended to read as follows

Section 1 The Department of Property and Supplies with the approval of the Governor is hereby authorized and empowered to sell and convey for such consideration as may be agreed upon and to make and execute a deed conveying an unimproved lot or piece of ground in the Township of Middletown County of Delaware being bounded and described as follows

Beginning at a point on the line of lands of the School District in the Township of Middletown a corner of lands of John L Booth and wife at the distance of two hundred forty-eight and forty one-hundredths feet [seventy-four and twenty-one and one-hundredths feet] measured South forty-nine degrees thirty minutes West from the center line of the Edgmont or Middletown Road which last said point is a corner common to the lands of the School District and of the said John L Booth and wife thence by said lands South forty-nine degrees thirty minutes West One hundred ninety-nine and seventy-three one-hundredths feet more or less to a point thence North thirty-seven degrees thirty minutes West One hundred fifty-four and seventy-seven one-hundredths feet thence North fifty-two degrees thirty minutes East One hundred ninety-nine and seventy-three one-hundredths feet to a corner of lands of the Pennsylvania Department of Highways and John L Booth and wife thence by the latter South thirty-seven degrees thirty minutes East One hundred forty-four and three tenths feet to the point and place of beginning

The deed of conveyance to the purchaser thereof shall be prepared by the Attorney General and shall be executed by the Secretary of Property and Supplies in the name of the Commonwealth of Pennsylvania The price received as the purchase price of said plot of ground shall be paid into the General Fund of the State Treasury

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Edmonds,	Leader,	Tallman,
Berger,	Farrell,	Letzler,	Taylor,
Blass,	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	Margie,	Troutman,
Carr,	Haluska,	McCreesh,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 756, as follows:

An Act to reenact and amend clause XIII of section one thousand five hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by providing for the furnishing of street lighting by contact with lighting companies upon petition of property owners in villages and for the assessment and collection of the costs and maintenance thereof upon property benefited thereby and validating petitions of property owners contracts entered into between townships and lighting companies taxes levied to pay the costs and maintenance of lighting service and the collection receipt and payment out of the revenues therefrom notwithstanding such petitions were filed contracts entered into and taxes levied collected and paid out under unconstitutional laws validating agreements and understandings between townships and lighting companies to continue lighting service pending the enactment of valid laws regulating and providing for the expenditure of moneys arising from special lighting taxes and authorizing the payment of the costs and expenses of maintaining lighting service until valid laws are enacted to collect charges from property owners benefited thereby out of the township tax and the creation and transfer of moneys to a special account for such purposes at any time notwithstanding the prior adoption of the budget and authorizing any light and power company to apply the net rate and to waive the gross rate or to grant discounts and to waive penalties in the same manner as if payments had been made by the township within the time required by the contract and the company's schedules or tariffs

Whereas the Supreme Court in the case of Manheim Twp v Workman 350 Pa 168 held unconstitutional clause two section 386 of the General Township Act of July 14 1917 (P. L. 840) which authorized contracts for lighting service in villages in townships of the second class and for the levy of a tax upon the assessed value of real estate in such villages to raise revenue to pay for such service The court held that the moneys to be raised to pay for such a service should have been imposed on property according to the foot front rule and

Whereas the reasons given by the court in said opinion are also applicable to existing contracts for lighting service entered into under clause XIII of section 1502 of the First Class Township Law approved May 24 1931 (P. L. 1206) and to tax levies made pursuant to such provisions and

Whereas certain taxes have been collected under existing law to pay for lighting service the revenues from which are held in the treasuries of such townships and are available for the payment of lighting service rendered subsequent to said decision of the court at the request of citizens and of public authorities if such payments are validated by law and

Whereas public necessity required the continuation of said public utility service until provision could be made by law validating existing contracts entered into in good faith and the taxes levied and collected pursuant to such unconstitutional provisions and the payment out of such tax moneys and for the enactment of laws for the assessment of charges for street lighting service according to the foot front rule therefore

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause XIII of section one thousand five hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" is hereby reenacted and amended to read as follows

Section 1502 The corporate powers of townships of the first class shall be vested in the board of township commissioners The board shall have power

XIII Lighting [Tax] Assessments On the petition of the owners of a majority of the lineal feet frontage along any highway or portion thereof in any village within the township to enter into contracts with electric gas or other lighting companies to light and illuminate the streets highways and other public places in said village with electric light gas light or other illuminant

[The township commissioners may levy for the maintenance of said lights an annual special tax upon all the property including factories and places of business abutting upon said highways based upon the assessment for county purposes Such tax shall be collected in the same manner as other taxes The township treasurer shall receive the same commission as on other township taxes] The township commissioners shall annually assess or cause to be assessed the cost and expense of the maintenance of said lights by an equal assessment on all property benefited by such lighting in proportion to the number of feet the same fronts on the street or highway or portion thereof to be lighted The township commissioners may provide for an equitable reduction from the frontage of lots at intersections or where from the peculiar or pointed shape of lots an assessment of the full frontage would be in unequitable No such [tax shall be levied] assessment shall be made against any farm land but vacant lots between built-up sections whether tilled or untilled shall not be deemed to be farm lands Provided however That the assessment per front foot against vacant lots shall be only twenty-five percentum (25%) of the assessment per foot front against property with improvements thereon All such assessments for street lighting shall be filed with the township treasurer who shall give thirty days written or printed notice that the assessments are due and payable stating the due date to each party assessed either by service on the owner of the property or by mailing such notice to the owner at his last known post office address The township treasurer shall be entitled to the same commission for the collection of such assessments as he is entitled to by law for the collection of the township tax If the assessments or any of them remain unpaid at the expiration of a period not exceeding ninety day the exact time to be fixed by the township commissioners they shall be placed in the hands of the township solicitor for collection The solicitor shall collect the same together with five percentum (5%)

as attorney's commission and interest from the date such assessments were due by a municipal claim filed against the property of the delinquent owner in like manner as municipal claims are by law filed and collected Where an owner has two or more lots against which there is an assessment for the same year all such lots shall be embraced in one claim [The] All assessments when collected shall be paid over to the township treasurer who shall receive and shall keep all such [taxes] assessments collected for lighting the highways in a separate account and pay out the same only upon orders signed by the president or vice president of the township commissioners attested by the secretary or assistant secretary The treasurer shall make a report to the auditor or controller of the township annually

Section 2 (a) All petitions by owners of property heretofore filed with township commissioners under the provisions of clause II of section 386 of The General Township Act approved July fourteen one thousand nine hundred seventeen (P. L. 840 or) of clause XIII of section 1502 of The First Class Township Law approved June twenty-fourth one thousand nine hundred thirty-one (P. L. 1206) and the amendments thereto to enter into contract with electric gas or other lighting companies to illuminate the streets and highways and other public places in villages with electric light gas light or other illuminant all contracts heretofore entered into by township commissioners with such lighting companies pursuant to such petitions all annual taxes heretofore levied by township commissioners based upon the assessment for county purposes for the maintenance of such lights the collection and receipts of such taxes and any payment heretofore made out of the revenues derived therefrom for the maintenance of lighting service under the provisions of said acts are hereby ratified confirmed and validated notwithstanding the unconstitutionality of the provisions of said clause II of section 386 of The General Township Act approved July fourteenth one thousand nine hundred seventeen (P. L. 840) and clause XIII of section 1502 of The First Class Township law approved June twenty-fourth one thousand nine hundred thirty-one (P. L. 1206) under which such petitions were filed contracts entered into and taxes levied collected and paid out

(b) All agreements and understandings heretofore entered into between township commissioners and lighting companies for the furnishing or the continuation as a public necessity of lighting service until such time as valid laws could be enacted and provision made for the collection of charges from property owners for such purposes are hereby ratified confirmed and validated

(c) All tax moneys heretofore collected under the provisions of such unconstitutional laws and now held in separate accounts in the treasury of any township of the first class shall be used and expended by township commissioners only for maintenance of lighting service heretofore or hereafter furnished by a lighting company and the payment out of such moneys for such purposes are hereby ratified confirmed and validated Such tax moneys shall be expended only in and for the district and for the purpose for which levied and collected

(d) In case insufficient revenues are available in the separate accounts of a township for the payment of the maintenance of lighting service heretofore or hereafter furnished by a lighting company until such time as valid laws are enacted to pay for such services and payments are received thereunder then and in such case the township commissioners shall pay any deficiency so existing out of the township tax For such purposes the township commissioners may by resolution make such transfer from one tax account to another tax account or create a new tax account and transfer moneys into such new account and appropriate the moneys in such account to pay accrued liabilities for the maintenance of lighting service at any time after the budget for the year has been adopted and the appropriation measures put into effect

(e) Any electric light and power company which shall receive payment under and in accordance with the provisions of this section for service rendered prior to the effective date of this act in any lighting district shall have power to apply the net rate to such payments and to waive the gross rate or to grant discounts on such payments and to waive penalties imposed thereon by the contract heretofore entered into with a township and which is validated by the provisions of this act or by its schedules or tariffs in the same manner and with like effect as if such payments or any of them had been made within the time required by such contract or such schedules or tariffs and the application of such net rate and the waiving of such gross rate or the granting of such discounts and the waiving of such penalties shall not be deemed a violation of the schedule or tariffs of such company on file with the Pennsylvania Public Utility Commission

(f) Nothing contained in this section shall be construed to apply to proceedings pending in the courts of this Commonwealth

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Edmonds,	Leader,	Tallman,
Berger,	Farrell,	Letzler,	Taylor,
Blass,	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	Margie,	Troutman,
Carr,	Haluska,	McCreesh,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 942, as follows:

An Act to amend the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 439) entitled "An act authorizing the Governor of the Commonwealth of Pennsylvania with the advice of the Attorney General and the approval of certain members of the General Assembly for a limited period of time to suspend or modify laws either in whole or in part under certain circumstances during the existence of the present war" by extending the effective period of the act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 439) entitled "An act authorizing the Governor of the Commonwealth of Pennsylvania with the advice of the Attorney General and the approval of certain members of the General Assembly for a limited period of time to suspend or modify laws either in whole or in part under certain circumstances during the existence of the present war" is hereby amended to read as follows

Section 5 This act shall become effective the day following the adjournment of the present session of the

General Assembly and shall remain in force and effect until sixty days after the first Tuesday in January one thousand nine hundred and [forty-five] forty-seven

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Klein,	Stiefel,
Becker,	Edmonds,	Leader,	Tallman,
Berger,	Farrell,	Letzler,	Taylor,
Blass,	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	Margie,	Troutman,
Carr,	Haluska,	McCreesh,	Tyler,
Chapman	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,

NAYS—1

Ealy

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS ON SECOND READING CALENDAR

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 1, on second reading, entitled:

An Act to amend the title and certain sections, and to add certain new sections to the act approved the twenty-second day of June, one thousand nine hundred thirty-seven, (P. L. 1987), entitled "An act to preserve and improve the purity of the water of the Commonwealth for the protection of the public health, animal and aquatic life, and for industrial consumption, and recreation; empowering and directing the creation of indebtedness or the issuing of non-debt revenue bonds by political subdivisions to provide works to abate pollution; providing protection of water supply; providing for the jurisdiction of courts, magistrates, aldermen and justices of the peace in the enforcement thereof; and providing additional remedies for abating pollution of waters; imposing certain penalties; and repealing certain acts", by changing the definitions of "establishment" and "industrial waste" by changing requirement of notice to discontinue discharges of industrial waste by changing penalties for violations and requiring prosecutions to be instituted or approved by the Attorney General by prohibiting the discharge of silt into any waters of the Commonwealth and regulating the discharge of acid mine drainage into waters thereof authorizing the Sanitary Water Board to establish standards of purity and to determine the time for compliance with the provisions of the act in certain cases and requiring the Board's approval of plans for opening reopening or extending coal mines, by authorizing the acquisition by purchase or condemnation or otherwise by the Sanitary Water Board of easements or right of ways and the acquisition or construction of pipes conduits drains or tunnels and pumps and pumping equipment and providing for the payment of the costs thereof by the Commonwealth

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 40, on second reading, entitled:

An Act to amend or further amend the title and sections one, five, seven, nine and ten of the act approved the eighth day of June, one thousand nine hundred seven (P. L. 496), entitled "An act to establish a Board of Commissioners of Navigation for the river Delaware and its navigable tributaries; regulating their jurisdiction over ships, vessels, and boats, and wharves, piers, bulkheads, docks, slips, and basins; and exempting cities of the first class from certain of its provisions; and making an appropriation therefor," changing the membership of the Navigation Commission for the Delaware River and its navigable tributaries; and excepting the Port of Chester from certain provisions of said act

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 108, entitled:

An Act to provide assistance for Typhoid Fever carriers and persons having typhoid fever carriers in their households and imposing certain responsibilities upon the Secretary of Health, and the Secretary of Public Assistance and the Secretary of Welfare in connection therewith.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 134, entitled:

An Act to further amend section eleven of the act, approved the thirteenth day of May, one thousand nine hundred twenty-seven (P. L. 988), entitled "An act providing for and regulating the State registration of nurses and licensed attendants, the annual recording of registration certificates; and regulating the profession of nursing; and repealing certain existing laws," by setting forth specific grounds for the suspension or revocation of certificates of registration of registered nurses and licensed attendants; and providing for the reissue of such certificates.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 157, entitled:

An Act authorizing cities of the third class with the approval of the court of common pleas to accept less than the full amount of municipal claims filed as a lien against real estate in compromise settlements thereof

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 167, entitled:

An Act to amend section four of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 340) entitled "An act empowering cities of the third class boroughs incorporated towns and townships to cooperate with each other through joint agreements in the exercise of their governmental powers duties and functions relating to the public health recreation zoning and municipal planning" authorizing employing retaining and contracting for planning engineers consultants and professional planning services.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 170, on second reading, entitled:

An Act to amend section seven hundred one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" abolishing capital punishment in the case of murder of the first degree

be recommitted to the Committee on Judiciary General.

Mr. SNOWDEN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. COX. Mr. President, at the time this bill came out of committee we had an understanding that it would remain on the Calendar for the purpose of determining the wishes of the people of Pennsylvania, and then, before anything definite was done about voting on the bill, there would be a meeting of the Committee on Judiciary General.

I am honor-bound, of course, because I did agree not to oppose recommitment of this bill. I believe, however, that before we execute a bill to prevent execution that we should be permitted to defend the bill.

I understand that the Legislative Correspondents Association is having a dinner this evening, and for that reason everything has been done today to expedite the business of the Senate so that we could get through quickly. For that reason I am going to ask the Majority Leader of the Senate to rescind his motion and permit this bill to go over in its order so that I can speak in defense of this bill on the floor of the Senate tomorrow. I was prepared yesterday to speak on the bill but at the request of the Majority Leader the bill went over in its order without my objection.

MOTION TO RECOMMIT WITHDRAWN

Mr. HEYBURN. Mr. President, in deference to the wishes of the gentleman from Allegheny, Senator Cox, I withdraw my motion to recommit this bill.

Mr. SNOWDEN. Mr. President, I withdraw my seconding of the motion to recommit.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 170, on second reading, entitled:

An Act to amend section seven hundred one of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," abolishing capital punishment in the case of murder of the first degree

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 191, entitled:

An Act to amend sections three seven and fifteen and further to amend sections one and eight of the act approved the eleventh day of July one thousand nine hundred seventeen (P. L. 758) entitled "An act for the protection of the public health by regulating the possession control dealing in giving away delivery dispensing administering prescribing and use of certain drugs and keeping records thereof by regulating the use of drugs in the treatment of the drug habit by providing for the revocation and suspension of licenses of physicians dentists veterinarians pharmacists druggests and registered nurses for certain causes and by providing for the enforcement of this act and penalties" further defining the words "physician" and "drug" specifying certain information to be disclosed on labels of narcotic prescriptions requiring that narcotics be kept in the original container requiring the disclosure of certain information to physician by patient conferring certain authority upon professional licensing boards and providing additional penalties

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 239, entitled:

An Act to promote the public welfare and to protect mental defectives by prescribing circumstances under which selective sterilization of certain types of individuals may be performed without civil or criminal liability; and providing penalties.

And said bill having been read at length the second time,

On the question,

Will the Senate agree to the bill on second reading?

Mr. McCREESH. Mr. President, Senate Bill 239 in my estimation is really a very important bill and it should be considered before we vote on it. This bill, Mr. President, as I get it, allows untrained doctors to perform illegal operations perhaps on young women in the State of Pennsylvania.

Some years ago we had a case something similar to that in the city of New York, I think it was, where a mother and a doctor decided they would put a girl in a hospital and have her sterilized, for the purpose of get-

ting her money—it was a very wealthy estate—then afterwards, I forget just what happened, but I do remember that at the trial the mother and the girl and the doctor in particular cried and hollered for fair play and to please not send them away this time.

For a good many years, Mr. President, I have been on the floor of this Senate here and every two years this bill jumps up at you like a Japanese would out of a foxhole. Just about the last week of the session, when the Governor is asking us to please get out of here, you find this kind of legislation jumping up. I really do not know where the Senators find the bill or who gives them charge of the bill. Nobody has ever asked me to present such a bill, but I do have a lot of people who have told me that the bill should never come up. I hope that some day they will ask me to present the bill, and that will be the last of the bill.

So, Mr. President, I ask that this bill go over in its order until Monday. I just saw it on my Calendar today and I have not had time to study it yet.

BILLS OVER IN ORDER

Mr. McCREESH. Mr. President, I ask unanimous consent that Senate Bill No. 239, on second reading, entitled:

An Act to promote the public welfare and to protect mental defectives by prescribing circumstances under which selective sterilization of certain types of individuals may be performed without civil or criminal liability; and providing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 240, on second reading, entitled:

An Act providing for local referendums in wards of cities of the first class before public parks may be diverted to other use

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 296, on second reading, entitled:

An Act providing that taxes levied by political subdivisions of the Commonwealth on real estate of service persons shall not bear interest or be subject to penalties; and providing for abatement of certain accrued interest and penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 321, on second reading, entitled:

An Act to amend the title and section one of the act approved the eleventh day of May one thousand eight hundred ninety-nine (P. L. 289) entitled "An act providing for the payment to the county or counties of the moneys or bonus which any foreign railway corporation is required to pay into the State Treasury for the right to pass through the said county or counties and by which payment such foreign railway corporation is relieved from local taxation" by providing for payments to counties irrespective of whether relief from payment of local taxes results from payment of the bonus

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 360, entitled:

An Act to amend the title and section two of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 340), entitled "An act empowering cities of the third class, boroughs, incorporated towns and townships, to co-operate with each other through joint agreements in the exercise of their governmental powers, duties and functions relating to the public health, recreation, zoning and municipal planning," by extending the power of municipalities to co-operate in the exercise of their powers, duties and functions.

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. STEVENSON offered the following amendment:

Amend section 2, page 2, line 19, by striking out the word "provisios" and inserting in the place thereof the word "provisions."

It was agreed to.

The section was agreed to as amended.

The third section and title were read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 387, entitled:

An Act to further amend section fourteen of the act approved the nineteenth day of March one thousand nine hundred nine (P. L. 46) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" by further regulating grounds for refusal revocation or suspension of the right to practice as osteopaths in the State of Pennsylvania.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. HOMSHER offered the following amendments:

Amend page 3, section 1, line 7, by striking out with bold face brackets after the word "conduct" and before the word "or" the symbol: "[[]"; Amend page 3, section 1, line 8, by striking out after the word "misleading" and before the word "fraudulent" the word: "[or]";

Amend page 3, section 1, line 8, by inserting after the word "fraudulent" and before the word "advertising" the following: "or unethical"; Amend page 3, section 1, line 8, by striking out after the word "advertising", the

balance of the line, as follows: "[in the practice as de-]"; Amend page 3, section 1, line 9, by striking out before the word "including" the words "[termined by the board]]"; Amend page 3, section 1, line 11, by striking out after the word "exploitation", the balance of the line, as follows: "[false misleading or deceptive advertising]"; Amend page 3, section 1, by striking out lines 12 to 21, inclusive; Amend page 3, section 1, line 22, by striking out at the beginning of the line, before the word "Provided", the following: "[publications or advertising medium].

They were agreed to.

The section was agreed to as amended.

The section section and title were read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

On the question,

Will the Senate agree to the bill on second reading?

BILL OVER IN ORDER

Mr. HOMSHER. Mr. President, I ask unanimous consent that Senate Bill No. 387, on second reading, entitled:

An Act to further amend section fourteen of the act approved the nineteenth day of March, one thousand nine hundred nine (P. L. 46), entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania; to provide for the establishment of a State Board of Osteopathic Examiners; to define the powers and duties of said Board of Osteopathic Examiners; to provide for the examining and licensing of osteopaths in this State; and to provide penalties for the violation of this act," by further regulating grounds for refusal, revocation, or suspension of the right to practice as osteopaths in the State of Pennsylvania

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 412, entitled:

An Act to amend subdivision five of the Compact contained in the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1664) entitled "An act to ratify and adopt a compact or agreement negotiated by commissioners designated by the Governor of the Commonwealth of Pennsylvania and commissioners designated by the Governor of the State of Ohio relative to the development use and control of the Pymatuning Lake and the State owned land surrounding said lake for fishing hunting recreational and park purposes" so as to permit the operation on portions thereon of boats equipped with motors of six horsepower or less

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WOODRING offered the following amendments:

Amend Section 1, Page 2, line 23, by striking out the word "providing" and inserting in lieu thereof the word "provided"; Amend Section 1, Page 2, line 25, by inserting after the word "motor" the following: "not in excess of six horse power".

They were agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. WOODRING offered the following amendment:

Amend the title, next to the last line of said title by striking out the words "the operation or portions thereon" and inserting in lieu thereof the words "on portions of said lake the operation".

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 475, on second reading, entitled:

An Act requiring cities boroughs towns and townships to notify adjacent political subdivisions of proposed streets roads and highways leading into them

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 500, on second reading, entitled:

An Act to further amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849), entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts judges, prothonotaries. sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legislation", by revising and changing the provisions of said act relating to the times of registering electors, their enrollment as members of political parties, change of party enrollment, removal notices, and comparing and correcting the general and district registers

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 501, on second reading, entitled:

An Act to further amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 814), entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct

of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," by revising and changing the provisions of said act relating to the times of registering electors, their enrollment as members of political parties, change of party enrollment, removal notices, comparing and correcting general and district registers, preparing preliminary street lists and street lists

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 502, on second reading, entitled:

An Act to further amend the act, approved the thirtieth day of March, one thousand nine hundred thirty-seven (P. L. 115), entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents, certain public service companies, persons, firms, and corporations operating vehicles for moving furniture and household goods, and boards of school directors; and imposing penalties", by revising and changing the provisions of said act relating to the times of registering electors, and comparing and correcting the general and district registers

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 503, on second reading, entitled:

An Act to further amend the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1132), entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties", by revising and changing the provisions of said act relating to the times of registering electors, their enrollment as members of political parties, change of party enrollment, removal notices, comparing and correcting general and district registers, preparing preliminary street lists and street lists

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 507, on second reading, entitled:

An Act to further amend section eight hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" regulating contracts and purchases by townships and prescribing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 548, on second reading, entitled:

An Act relating to chattel mortgages on any chattel or chattels of any kind or description including among other things livestock poultry farm machinery farm equipment and crops grown growing or to be grown designating the operation and effect of the lien of such mortgages providing for the filing indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states regulating the assignment release satisfaction and extension of the lien of such mortgages prescribing methods of foreclosure defining defaults and violations and fixing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WOODWARD. Mr. President, I have perhaps not the honor but the pleasure of moving to recommit Senate Bill 567 to the excellent committee on Municipal Government. I think that does not mean the end of the bill—it is coming back—but it gives me an opportunity to explain my reason for trying to recommit this bill.

Briefly, ever since I have been in this Senate I have been very much opposed to what I call raids on the treasury by the Firemen's Relief Association. I know if you want to be a successful politician it is well to be friendly with the fire house—I understand that—but it seems to me indefensible for the Firemen's Relief Association or the Policemen's Relief Association to come here to Harrisburg and raid funds that belong in the general treasury.

According to Senator Wade, who knows everything about insurance, $16,000,000 is paid to Pennsylvania under the two per cent tax on premiums of these foreign insurance companies. The firemen first took one-half of the premium on foreign fire insurance and now they take it all. In the good old days this money went to every subdivision of Pennsylvania, and it was amusing to read the annual report of the Firemen's Relief Association and the list, page after page, of all the municipalities in this state that got $5.15 and $3.85, whether there were any firemen there or not, and the money was used by the subdivision

for any old purpose whatever. The then president of the Firemen's Relief Association confided to me that the money was sometimes used for firemen's balls, parades, picnics or what not. I know in one case there had not been any accident to any fireman for years and years and the contribution of the state simply piled up in the trust company.

That is all ancient history, I know, but the policemen, of course, are taking on the two per cent premium on foreign casualty insurance. Of course, the romance is that the firemen take the fire and the policemen take the casualty. The big opportunity is the premium on foreign life insurance. I am wondering who will benefit by this money that is paid to the state. Of course, the only sense in my remark is that while this is an evil—these men may deserve some money, but they ought to do it in the right way, come to Harrisburg and make out their case and get an appropriation out of the General Fund. This money belongs in the General Fund.

BILL RECOMMITTED

Mr. WOODWARD. Mr. President, I move that Senate Bill No. 567, on second reading, entitled:

An Act to further amend section two of the act, approved the twenty-eighth day of June, one thousand eight hundred and ninety-five (P. L. 408), entitled "A supplement to the twenty-fourth section of an act, entitled 'An act to provide revenue by taxation, approved the seventh day of June, one thousand eight hundred and seventy-nine,' approved the first day of June, one thousand eight hundred and eighty-nine, amending the twenty-fourth section, by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth," by providing a method for the allocation of the tax on premiums of foreign fire insurance companies to cities, boroughs, towns and townships for firemen's relief fund associations uses

be recommitted to the Committee on Municipal Government.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 570, entitled:

A Joint Resolution proposing an amendment to article nine, section eight, of the Constitution of the Commonwealth of Pennsylvania.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

HOUSE BILL No. 527 CALLED UP

Mr. STEVENSON. Mr. President, on page 7 of the Calendar, House Bill No. 527, went over in its order. I would like to call it up at this time for consideration.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 527, entitled:

An Act to amend section four thousand three hundred one of the act approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto," by further regulating the administration of the police pension fund.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. STEVENSON. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Line 6, Page 2, by inserting after the word "shall" and before the word "be" the words "at all times" and by inserting after the word "direction" and before the world "of" the worls "and control"; Amend Line 7, Page 2, by striking out the word "or" and inserting in the place thereof the words "but may be" and further amend Line 7 by striking out the word "direction" and inserting in the place thereof the word "custody"; Amend Line 17, Page 2, by striking out the words "the directors" and inserting in the place thereof the words "a corporate custodian"; Amend Line 19, Page 2, by striking out the entire line.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing on final passage.

SENATE BILL No. 296 CALLED UP

Mr. BARR. Mr. President, I desire to call up, from page 16 of the Calendar, Senate Bill No. 296, for consideration at this time.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 296, entitled:

An Act providing that taxes levied by political subdivisions of the Commonwealth on real estate of service persons shall not bear interest or be subject to penalties and providing for abatement of certain accrued interest and penalties

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. BARR offered the following amendment:

Amend Section 1, Page 2, Line 1, by inserting after

the word "accrued" the following words: "during such service."

It was agreed to.

The section was agreed to as amended.

The second section and title were read and agreed to.

And said bill having been read at length and agreed to, as amended,

On the question,

Will the Senate agree to the bill on second reading?

BILL OVER IN ORDER

Mr. BARR. Mr. President, I ask unanimous consent that Senate Bill No. 296, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

SENATE BILL No. 502 CALLED UP

Mr. KEPHART. Mr. President, on page 13 of the Calendar, I call up Senate Bill No. 502, for consideration at this time.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 502, entitled:

An Act to further amend the act, approved the thirtieth day of March, one thousand nine hundred thirty-seven (P. L. 115), entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commission, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents, certain public service companies, persons, firms, and corporations operating vehicles for moving furniture and household goods, and boards of school directors; and imposing penalties" by revising and changing the provisions of said act relating to the times of registering electors, and comparing and correcting the general and district registers.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendment:

Amend page 5 by inserting between lines 12 and 13 the following "Section 2 This act shall remain in effect until the termination of hostilities in the present war and for six months thereafter The termination of hostilities in the present war shall be the time proclaimed as such by the President of the United States or the date specified as such in a concurrent resolution of the two houses of Congress".

It was agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendment:

Amend Section 2, page 5, line 13 by striking out the figure "2" and inserting in lieu thereof the figure "3".

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended,

On the question,

Will the Senate agree to the bill on second reading?

BILL OVER IN ORDER

Mr. KEPHART. Mr. President, I ask unanimous consent that Senate Bill No. 502, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

REPORT FROM COMMITTEE

Mr. CRIDER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CRIDER, from the Committee on Judiciary Special, reported as amended, Senate Bill No. 591, entitled:

An Act to amend the act approved the seventeenth day of July, one thousand nine hundred thirty-five (P. L. 1092) entitled, "An act defining fraternal benefit societies and their status; authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected, and regulating such benefits and collections; providing for the organization and incorporation of such societies and for their supervision, regulation, and examination by the Insurance Commissioner, and for the admission of foreign societies; designating tables of mortality as a basis for rates of contribution; requiring all societies to make annual and other reports; and appointing the Insurance Commissioner as attorney for service of process; providing penalties for any violation of the act; exempting such societies from taxation and certain other societies from its provisions; and requiring beneficial associations, other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner; and repealing existing laws," by authorizing the bringing of suits against domestic fraternal benefit societies in counties in which they maintain subordinate lodges and where claimant resides and providing for the service of process on the Insurance Commissioner as attorney therefore.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. EALY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. EALY, from the Committee on Executive Nominations reported with a favorable recommendation the following nominations, made by His Excellency, the Governor of the Commonwealth, which were laid over for one day under the rules:

MEMBERS OF THE STATE BOARD OF OPTOMETRICAL EXAMINERS

Commonwealth of Pennsylvania.
Governor's Office, Harrisburg, January 2, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate, the following:

Stanley A. Brown, Reading, from May 23, 1944, for the term of four years, and until his successor is qualified.

A. M. Peters, Danville, from May 23, 1944, for the term of four years, and until his successor is qualified.

A. T. Liachowitz, Mahanoy City, from May 23, 1944, for the term of four years, and until his successor is qualified.

Robert W. Shepard, Erie, from May 23, 1944, for the term of four years, and until his successor is qualified.

EDWARD MARTIN.

BILLS ON FIRST READING

Mr. HEYBURN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. SCARLETT. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 199, entitled:

An Act to further amend section one of the act, approved the sixteenth day of May, one thousand nine hundred twenty-three (P. L. 207), entitled "An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances, and for water rents or rates, sewer rates, and lighting rates; for the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; the distribution of the proceeds of such sales, and the redemption of the property therefrom; for the lien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed, within six months before the passage of this act; and for the procedure on tax and municipal claims filed under other and prior acts of Assembly," by adding certain claims of Municipal Authorities in the definition of "municipal claim" and further amending the definition of "municipality" to include county institutions districts, and bodies politic or corporate created as Municipal Authorities.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 208, entitled:

An Act to further amend Section one of the act approved the fifteenth day of July, one thousand eight hundred ninety-seven (P. L. 292), entitled "An act to provide revenue by taxation," by modifying the procedure for the collection and payment of tax.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 209, entitled:

An Act to further amend section one of the act, approved the thirteenth day of June, one thousand nine hundred seven (P. L. 640), entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act, entitled 'An act to provide for the incorporation and regulation of certain corporation,' approved April twenty-ninth, one thousand eight hundred and seventy-four, and the supplements thereto; for the insurance of owners of real estate, mortgages, and others interested in real estate, from loss by reason of defective titles, liens, and encumbrances; and of companies entitled to the benefits of, and of companies having any of the powers of, companies entitled to the benefits of an act, entitled 'An act conferring upon certain fidelity, insurance, safety deposit, trust, and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act, entitled "An act to provide for the incorporation and regulation of certain corporations," approved April twenty-ninth, Anno Domini one thousand eight hundred and seventy-four, and of the supplements thereto,' approved June twenty-seventh, one thousand eight hundred and ninety-five, commonly known as title insurance or trust companies" by reducing the rate of said tax and modifying the procedure for the collection and payment of said tax.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 223, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" and known as The Fiscal Code by authorizing the Commonwealth of Pennsylvania to petition for a resettlement of claims against the Commonwealth by the Auditor General and State Treasurer and to petition for a review of settlements by the Board of Finance and Revenue and to appeal from the decisions of the Board of Finance and Revenue to the Court of Common Pleas of Dauphin County

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 413, entitled:

An Act to amend section one of the act approved the twenty-sixth day of May, one thousand nine hundred forty-three (P. L. 607) entitled "An act authorizing administrative boards within the Department of Public Instruction, for the duration of the present war, to admit to examination and grant licenses or registration to certain applicants who are less than twenty-one, but not less than twenty years of age," by reducing temporarily the age limit of persons who may take Pennsylvania State pharmacy examinations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 461, entitled:

An Act concerning devises bequests or gifts in trust for the care and maintenance of cemeteries cemetery lots in perpetuity trustees and substituted trustees thereof sureties of said trustees excess income from said funds and the investment of such trust funds accounts of said trustees approving actions and proceedings prior to this act and repealing conflicting laws.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 474, entitled:

An Act providing for the granting of certificates of licensure to practice professions or work at any trade or occupation in this Commonwealth for which licenses are issued by any State board or other State agency to certain persons who served in the miliary or naval forces of the United States.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 563, entitled:

An Act prohibiting the sale of surplus property as defined in the Federal Surplus Property Act of 1944 by or to certain persons using words or names indicating an official relationship with the United States government making exceptions in certain cases and imposing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 591, entitled:

An Act to amend the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contributions requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from it provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" by authorizing the bringing of suits against domestic fraternal benefit societies in counties in which they maintain subordinate lodges and where claimant resides and providing for the service of process on the Insurance Commissioner as attorney therefore

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 604, entitled:

An Act providing for and regulating the contractural powers of school districts during the period of the present wars in which the United States is engaged and until six months after proclamation by the President of the United States that hostilities in such wars have ceased

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 611, entitled:

An Act to further amend the act approved the first day of July, one thousand nine hundred thirty-seven (P. L. 2603), entitled "An act relating to vocational education; creating vocational school districts for the purpose of conducting systems of vocational schools, departments or classes; providing for their government; prescribing their powers and duties; conferring powers and imposing duties on school districts and on the State Board for Vocational Education; and providing for referendum in certain cases," limiting the taxing power of vocational school districts; and providing for determining the question of establishing vocational schools, departments or classes by the directors of the school district or the several school districts constituting the vocational school district.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 621, entitled:

An Act to further amend paragraph (d) and to amend paragraph (f) of section one thousand two hundred five of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled; "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by further regulating the employment, dismissal, suspension, demotion and retirement of professional employes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 625, entitled:

An Act to amend section ten of the act, approved the third day of May, one thousand nine hundred thirty-three (P. L. 242), entitled "An act to promote the public Health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture; defining beauty culture, and regulating beauty culture shops, schools, students, apprentices, teachers, managers and operators; conferring powers and duties upon the Department of Public Instruction; providing for appeals to certain courts by applicants and licensees; and providing penalties," by further regulating the number of apprentices in beauty shops.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 688, entitled:

An Act to further amend section twenty-one of the act, approved the sixth day of August, one thousand nine hundred forty-one (P. L. 861), entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth; establishing the 'Pennsylvania Board of Parole'; conferring and defining its jurisdiction, duties, powers and functions, including the supervision of persons placed upon probation in certain designated cases; providing for the method of appointment of its members; regulating the appointment, removal and discharge of its officers, clerks and employes; dividing the Commonwealth into administrative districts for purposes of parole; fixing the salaries of members of the board and of certain other officers and employes thereof; making violations of certain provisions of this act misdemeanors; providing penalties therefor; and for other cognate purposes, and making an appropriation," empowering the Board of Parole to grant paroles to convicted persons before the expiration of their minimum sentence with the consent of the sentencing judge or the Pardon Board.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 695, entitled:

An Act to amend Section eight hundred one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any part thereof that are or may be inconsistent therewith" providing for special meetings of school directors under jurisdiction of county superintendents

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 721, entitled:

An Act to amend section ten and to further amend section twelve of the act approved the twelfth day of May one thousand nine hundred twenty-five (P. L. 603) entitled "An act concerning conditional sales and to make uniform the law relating thereto" by changing the fees to which the filing officer shall be entitled in counties of the second class

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 789, entitled:

An Act validating county treasurers' sales of unseated lands heretofore made where such sales were held under laws not at that time applicable to such lands.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 791, entitled:

An Act to further amend section two of the act approved the ninth day of March, one thousand eight hundred forty-seven (P. L. 278), entitled "An act in relation to the sales of unseated lands in the several counties of this Commonwealth," by providing that the cost of advertising such sales shall be paid out of the proceeds of the sale.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 805, entitled:

An Act to amend Article VIII of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it unlawful to injure tap or make unauthorized connections with telegraph and telephone facilities to receive or send communications by means of such unauthorized connections or to induce such actions by another and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 898, entitled:

An Act conferring the power to administer oaths on minute clerks in the Court of Common Pleas or the Courts of Quarter Sessions of the Peace Oyer and Terminer and General Jail Delivery in counties of the second class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 917, entitled:

An Act to validate certain acknowledgments and to regulate the effect thereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. HEYBURN. Mr. President, I move that the Senate do now adjourn until Wednesday, April 4, 1945, at 4:00 o'clock p. m., Eastern War Time.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:20 o'clock p. m., Eastern War Time until Wednesday, April 4, 1945, at 4:00 o'clock p. m., Eastern War Time.

HOUSE OF REPRESENTATIVES

TUESDAY, April 3, 1945.

The House met at 1 p. m.
The SPEAKER (Ira T. Fiss) in the Chair.

PRAYER

The Chaplain, Rev. Lester C. Updegrove, offered the following prayer:

We stand in Thy presence, O Lord, and anew, we pledge ourselves to Thee. Take us, our strength, our means, our all, us and our land, for Thine. We dedicate this country which Thou hast given us to an unselfish patriotism. Work out in her what purposes Thou wilt. Give us willing and patient hearts and hands till Thou shalt create in all nations Thy chosen pattern of Christian government and Christian liberty. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Monday, April 2, 1945.

The Clerk proceeded to read the Journal of Monday, April 2, 1945, when, on motion of Mr. GORE, unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILL INTRODUCED AND REFERRED

By Messrs. FLEMING and LAUGHNER.

HOUSE BILL No. 1274.

An Act making an appropriation to the Pennsylvania Post-War Planning Commission for the purpose of making a survey of the Port of Pittsburgh, and providing for the same as a post-war project.

Referred to the Committee on Appropriations.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 284.

An Act to amend section one of the act, approved the twenty-sixth day of May, one thousand nine hundred forty-three (P. L. 270), entitled "An act appropriating moneys received from the Federal Government for housing and maintaining naval, military, or other personnel, at the Soldiers' and Sailors' Home at Erie, to the Department of Military Affairs for the maintenance and operation of said home," by including moneys received for the housing and maintaining of certain discharged service men.

Referred to the Committee on Military Affairs.

SENATE BILL No. 341.

An Act to repeal, except as to counties of the first class, clause (b) 1 of section one of the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 415), entitled "An act relating to the qualification, jurisdiction, powers, and duties of registers of wills, and regulating proceedings before said registers, and the costs thereof, the effects of their acts, and appeals therefrom"

Referred to the Committee on Judiciary General.

SENATE BILL No. 418.

An Act authorizing the common pleas judges and the county commissioners jointly to create medical clinics for the examination of certain persons convicted of the commission of a crime prior to the sentencing thereof as a means of decreasing the number of habitual offenders; providing for the creation of joint medical clinics among the several counties; and imposing the costs of maintaining and operating such clinics upon the county or counties creating the same.

Referred to the Committee on Judiciary General.

RESOLUTION FOR CONCURRENCE

Senate Concurrent Resolution Serial No. 124.

Referred to the Committee on Education.

JOINT RESOLUTION ADOPTED BY STATE OF NEVADA

The SPEAKER laid before the House a Joint Resolution adopted by the State of Nevada, memorializing Congress of the United States to amend the Social Security Law to provide increased payment to old age Pensioners.

(For resolution see Appendix)

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. SOLLENBERGER asked and obtained permission for the Committee on Education to meet during the session of the House.

LEAVE OF ABSENCE

By consent of the House leave of absence was granted as follows:

Mr. Dague for Mr. KRISE for the remainder of the week because of illness.

COMMITTEE REPORTS

Mr. HOFFMAN from the Committee on Public Health and Sanitation reported as committed House Bill No. 149, entitled:

An Act to amend section four hundred six of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-seven, (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissoners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws", providing for the maintenance of persons suffering from contagious diseases in counties and cities of the first and second classes.

Mr. MAHANY from the Committee on Judiciary General reported as committed House Bill No. 210, entitled:

An Act to amend section seven of the act, approved the sixteenth day of July, one thousand nine hundred forty-one (P. L. 400), entitled "An act to protect the debtors, obligors or guarantors of debt for which judgments are entered or may be entered, and owners of real property affected thereby, and others indirectly liable for the payment thereof, by prescribing the method of fixing the fair market value of such property sold on execution, and limiting the amount collectible thereafter on such judgments;" providing for the discharge of obligations secured by the bond, mortgage or other evidence of indebtedness on which real property is sold, and for satisfaction of judgments entered thereon.

Mr. TAHL from the Committee on Municipal Corporations reported as committed House Bill No. 217, entitled:

An Act to further amend the title and the act, approved the sixteenth day of May, one thousand nine hundred thirty-five (P. L. 176), entitled as amended "An act requiring cities of the second, second A, and third class to allow members of the police departments, twenty-four consecutive hours of rest each week, and fourteen days vacation each year, except in emergency cases," extending the provisions of said act to cities, boroughs, incorporated towns and townships.

Mr. ROOT from the Committee on Judiciary General reported as committed House Bill No. 391, entitled:

An Act making voidable releases of claims for personal injuries or death, given within thirty days and providing for the avoidance of the same.

Mr. SALUS from the Committee on City and County—First Class reported as committed House Bill No. 1036, entitled:

An Act relating to the rate of pay for policemen, firemen and park guards in cities of the first class; providing for a system whereby policemen, firemen and park guards of cities of the first class, who shall enter or who shall have entered the military service during the present hostilities, shall be paid upon honorable discharge and reentry into the police, fire or park guard service, at the same rate of pay as if they had actually served on the police force, fire bureau or park guard force of cities of the first class during the years, months or days they were in the military service.

Mr. ROOT from the Committee on Judiciary General reported as committed House Bill No. 1119, entitled:

An Act to add subsection (d) to section eight of the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 363), entitled "An act relating to the organization, jurisdiction, and procedure of the orphans' courts; the powers and duties of the judges thereof; and appeals therefrom," authorizing the clerk of the orphans' court to invest certain moneys in the custody of the court.

Mr. PROPERT from the Committee on Municipal Corporations reported as committed House Bill No. 1195, entitled:

An Act to amend section ten of the act, approved the fourth day of June, one thousand nine hundred forty-three (P. L. 886), entitled "An act creating a Municipal Employes' Retirement System for the payment of retirement allowances to officers and employes of political subdivisions and institutions supported and maintained by them, and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor; imposing certain duties on the State Employes' Retirement Board and the actuary thereof; providing the procedure whereby political subdivisions may join such system, and imposing certain liabilities and obligations on such political subdivisions in connection therewith, and as to certain existing retirement and pension systems, and upon officers and employes of such political subdivisions and institutions supported and maintained by them; providing certain exemptions from taxation, execution, attachment, levy and sale; and making an appropriation," including any service as a member of the General Assembly in the period of service of a contributor upon his making certain back payments.

Mr. MOSER from the Committee on Judiciary General reported as committed Senate Bill No. 172, entitled:

An Act providing for the appointment of guardian in inter vivas deeds or gifts or under insurance or annunity policies.

Mr. GREER from the Committee on Judiciary General reported as committed Senate Bill No. 300, entitled:

An Act to further amend sections twenty-five, twenty-six, and thirty-six of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1237), entitled "An act affecting marital relations; prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages; and amending, revising, and consolidating the law relating thereto," by providing that libels in divorce may be presented, subpoenas awarded and masters appointed by, a judge at chambers.

Mr. COULSON from the Committee on Public Health and Sanitation reported as amended House Bill No. 1017, entitled:

An Act to protect the public health and safety by requiring registration with and the securing of permits from the State Board of Pharmacy by persons, copartnerships associations and corporations engaged in the manufacture or production of drugs and medical supplies regulating the manufacture of drugs and medical supplies as herein defined prohibiting the manufacture possession or sale of adultered or misbranded drugs and medical supplies prescribing permits providing for inspections and the suspension and revocation of permits conferring powers on the State Board of Pharmacy and courts and providing penalties.

Mr. HERING from the Committee on Education, reported as committed Senate Concurrent Resolution Serial No. 124.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate of Pennsylvania, April 2, 1945.

Whereas, There is present before the Legislature in the various committees of the House of Representatives and the Senate, legislation dealing with public school problems, and

Whereas, Said legislation has been the subject of controversy and speculation as to amounts of monies involved and necessary for the carrying out of the provisions of the bills as introduced, therefore be it

Resolved (if the House of Representatives concur), That the State School Commission and the Director of the Budget, present to the House of Representatives and the Senate on or before Wednesday afternoon, April 4th at three o'clock, a summary of comparative cost entailed in the various school bills now in the various committees in the House and Senate.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

DEMOCRATIC CAUCUS

Mr. COHEN asked and obtained unanimous consent of the House to hold a meeting of the Democratic Caucus in the Old House Caucus Room during the session of the House.

SENATE MESSAGES

The Clerk of the Senate, Mr. Steinfeld, being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence 9, 293, 342, 457, 459, 465, 519, 527, 523, 538, 539, 579.

House Bills concurred in by Senate 204, 420, 470, 483, 771, 780.

Amended House Bill returned for concurrence 472.

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 204.

An Act to amend sections fourteen and twenty of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 414), entitled "An act relating to vital statistics and to make uniform the law with reference thereto," by changing the conditions under which information or records may be furnished and certified copies of birth certificates shall be issued.

HOUSE BILL No. 420.

An Act to amend the act approved the twelfth day of May, one thousand nine hundred and forty-three (P. L. 259), entitled "An act providing for the payment by the State Treasurer, of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies, to the treasurers of the several cities, boroughs, towns and townships, and for the payment thereof into police pension funds, and in certain cases into the Municipal Employes' Retirement System, and in certain other cases into the State Employes' Retirement Fund, for certain purposes," by providing for allocation and distribution of such moneys and further prescribing their use.

HOUSE BILL No. 470.

An Act to further amend section four of the act approved the eighth day of May one thousand nine hundred nine (P. L. 470) entitled "An act to prevent the manufacture and sale of adulterated or misbranded drugs defining the word 'drug' prescribing penalties for violation of this act and the method of its enforcement" by further defining what shall constitute misbranding of drugs

HOUSE BILL No. 493.

A Supplement to the act approved the fourth day of June one thousand nine hundred and forty-three (Appropriation Acts page fifty-nine) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-three" providing for a deficiency in the appropriation made by said act to the Department of the Auditor General for the fiscal biennium ending May thirty-first one thousand nine hundred and forty-five.

HOUSE BILL No. 771.

An Act to further amend clause (b) section six of the act approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" by conferring the authority to issue writs of habeas corpus in desertion and nonsupport cases.

HOUSE BILL No. 780.

An Act to further amend section six of the act approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" by extending jurisdiction to cases for support of illegitimate children where the putative father admits parentage.

With the information that the Senate has passed the same without amendment.

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 143.

An Act to amend clause (a) of section six hundred twenty-one and one-tenth of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by further regulating group, accident and health insurance

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 438, entitled:

An Act authorizing cities, boroughs, incorporated towns and townships to abate certain interest charges and penalties added to municipal claims imposed or assessed for certain improvements; prohibiting the sale of real property for the nonpayment of such claims for a certain period; preserving the liens of such claims; and providing for the extention thereof.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 880, entitled:

An Act providing for the condemnation of lands by nonprofit hospitals incorporated under the laws of this Commonwealth and prescribing the procedure therefor

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

BILL RECOMMITTED

Mr. McKINNEY. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary General for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1002, entitled:

An Act providing for vocational rehabilitation for disabled individuals by the State Board of Vocational Education; authorizing cooperation with other departments and agencies and reciprocal agreements with other States; requiring cooperation with the Federal Government; making the State Treasurer custodian and disbursement agent of Federal vocational rehabilitation funds; prohibiting misuse of vocational rehabilitation lists and records; limiting political activity by persons engaged in the administration of vocational rehabilitation; and prescribing penalties.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 432, entitled:

An Act to amend section nine of the act, approved the twenty-fifth day of May, one thousand nine hundred and thirty-three (P. L. 1050,), entitled, "An act creating and establishing a fund for the care, maintenance and relief of aged, retired and disabled employes of the bureau of fire in cities of the second class, creating a board for the management thereof; providing the mode and manner of payment to beneficiaries; and for the care and disposition of its funds; and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created," by changing the amount and method of contributions for, and payment of, death benefits.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 53, entitled:

An Act concerning the ascertainment of principal and income and the apportionment of receipts and expenses among tenants and remaindermen; and to make uniform the law with reference thereto

The first section was read.

On the question,

Will the House agree to the section?

BILL POSTPONED

Mr. SALUS. Mr. Speaker, I move that this bill be placed on the postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 827, entitled:

An Act realting to the liabilities of elected and appointed officers of the various political subdivisions; providing for the forfeiture of their office; and imposing penalties for certain actions and omissions.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1001, entitled:

An Act to further amend section two hundred two, to add section one thousand three hundred seven point one, and to repeal section two thousand two hundred nine of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," designating the State Council of Education as the State Board of Vocational Education for certain purposes; and transferring the administration of vocational rehabilitation from the Department of Labor and Industry to the State Board of Vocational Education.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 986, as follows:

An Act to further amend section ten of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," including any

service as a member of the General Assembly in the period of service of a contributor upon his making certain back payments.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 314, entitled:

An Act relating to officers and employes of the Senate and House of Representatives providing for and fixing the compensation of an additional employe changing the compensation of certain existing employes and making an appropriation therefor and for contingent expenses

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 639, entitled:

An Act to amend section four of the act, approved the first day of June, one thousand nine hundred and thirty-three (P. L. 1409), entitled as amended "An act authorizing the creation of State mining commissions, with judicial powers, to have exclusive jurisdiction with certain exceptions over the mining of coal within or under land, easements or right of ways purchased, condemned or otherwise acquired by the Commonwealth, and over the assessment and award of benefits, improvements, and damages for coal required to be left in place by reason of the obligation to furnish support for land, easements or right of ways purchased, condemned or otherwise acquired by the Commonwealth, whether the damages are payable by the Commonwealth or a county or a municipality; authorizing counties and municipalities to enter into agreements to indemnify or reimburse the Commonwealth for damages to its lands, easements or right of ways caused by the removal of coal under or adjacent thereto; waiving vertical and lateral support therefor under certain conditions; reserving the right to acquire absolute vertical and lateral support; reserving the power to establish detours for the removal of coal underlying State highways; providing for appeals to the courts of common pleas from orders assessing damages for coal required to be left in place," by waiving under certain conditions where no damages are payable vertical or lateral support to all lands, easements and right of ways purchased, condemned or otherwise acquired by the Commonwealth.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 652, entitled:

An Act to further amend section four hundred four and to amend section four hundred five of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance; amending, revising and consolidating the law, providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by changing requirements relating to the investment of the capital reserves and surplus of mutual and stock life insurance companies organized under the laws of this Commonwealth, and creating a new Section, 405.1 relating to investment restrictions.

The first section was read.

On the question,

Will the House agree to the section?

Mr. KLINE offered the following amendments:

Amend sec. 1 (sec. 404), page 3, line 1, by striking out the light-face bracket after the word "or".

Amend sec. 1 (sec. 404), page 3, line 6, by inserting after the word "purchase]" the following: "District of Columbia or Canada or of any State or Territory of the United States] and in farm loan bonds issued by Federal Land Banks."

Amend sec. 1 (sec. 404), page 3, line 7, by striking out the word "issues" and inserting in lieu thereof "issued".

Amend sec. 1 (sec. 404), page 3, line 10, by striking out the word "issues" and inserting in lieu thereof "issued".

They were agreed to.

The section was agreed to as amended.

The second and third sections and title were separately read and agreed to.

And said bill having been read at length the second time, and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILL ON FINAL PASSAGE

BILL PASSED OVER

There being no objection

House Bill No. 581, Printer's No. 380,

was passed over at the request of the SPEAKER.

BILL NOT ON FILE

The SPEAKER. House Bill No. 685, Printer's No. 454, amended bill on final passage is not on file and will therefore be passed over.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection

House Bill No. 717, Printer's No. 332,
Senate Bill No. 72, Printer's No. 7,
Senate Bill No. 113, Printer's No. 124,
Senate Bill No. 195, Printer's No. 72,
House Bill No. 1110, Printer's No. 361,
House Bill No. 411, Printer's No. 377 and
House Bill No. 100, Printer's No. 383,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 852, as follows:

An Act to further amend section six of the act approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" providing for the transfer of cases of support in fornication and bastardy cases from the court of quarter session to the county court of Allegheny county

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six of the act approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" as last amended by the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 515) is hereby further amended by adding at the end thereof a new clause to read as follows

Section 6 The court hereby created shall have jurisdiction

* * * * *

(g) In all cases of support where the defendant has pleaded guilty to a charge of fornication and bastardy in the court of quarter sessions the jurisdiction shall be transferred from the court of quarter sessions to the county courts of Allegheny county for the purpose of making and enforcing the support order

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Madigan,	Riley,
Baker,	Gaffney,	Mahany,	Robertson,
Barrett,	Gallagher,	Matthews,	Root,
Barton,	Gardner,	McAtee,	Rose,
Baumunk,	Getchey,	McClester,	Royer,
Bentley,	Gibson,	McCormack,	Rudisill,
Bentzel,	Goodling,	McDowell,	Salus,
Boies,	Gore,	McKinney,	Scanlon,
Bonawitz,	Grant,	McLanahan,	Schuster,
Boney,	Green,	McMillen,	Serrill,
Boorse,	Greer,	McNair,	Shaffer,
Boory,	Guthrie,	McNally,	Shoemaker,
Bower,	Gyger,	Mihm,	Skale,
Brancato,	Haberlen,	Mikula,	Sloan,
Breisch,	Hall,	Miller,	Smith,
Brice,	Hamilton,	Milliken,	Snider,
Brown,	Hare,	Mills,	Snyder,
Brunner, C. H.,	Haudenshield,	Modell,	Sollenberger,
Brunner, P. A.,	Heatherington,	Mooney,	Sorg,
Cadwalader,	Helm,	Moore, C. E.,	Stank,
Chervenak,	Hennihan,	Moore, W. J.,	Stockham,
Chudoff,	Hering,	Moran,	Stonier,
Cohen,	Herman,	Moser,	Stuart,
Coleman,	Hersch,	Munley,	Swope,
Cook,	Hewitt,	Murray, M. L.,	Tahl,
Cooper,	Hoffman,	Murray, P. G.,	Tate,
Corrigan,	Hoggard,	Myhan,	Tittle,
Costa,	Howells,	Nagel,	Trachtman,
Coulson,	Hunter,	Nelson,	Trent,
Coyle,	Huntley,	O'Brien,	Trout,
Cullen,	James,	O'Connor,	Turbett,
Dague,	Jones,	O'Dare,	Turner,
Dalrymple,	Kennedy,	O'Donnell,	Varallo,
Dennison,	Kirley,	O'Neill,	Verona,
Depuy,	Kline,	Owens,	Wachhaus,
Dillon,	Kolankiewicz,	Pentrack,	Wagner,
Dix,	Komorofski,	Petrosky,	Waterhouse,
Dougherty,	Kurtz,	Pettigrew,	Watkins,
Duffy,	Lane,	Pickens,	Weiss,
Dye,	Laughner,	Polaski,	Welsh,
Elder,	Lee,	Polen,	Wescott,
Elish,	Leisey,	Powers,	White,
Erb,	Leonard,	Propert,	Wood, L. H.,
Ewing,	Levy,	Readinger,	Wood, N.,
Finnerty,	Lichtenwalter,	Reagan,	Worley,
Flack	Loftus,	Reese, D. P.,	Wright,
Fleming,	Longo,	Reese, R. E.,	Yeakel,
Foor,	Lopez,	Regan,	Yester,
Fox	Lovett,	Reidenbach,	Fiss,
Freed,	Lyons,	Reilly,	Speaker.
Frost,	Madden,	Reynolds,	

NAYS—0

NOT VOTING—2

Greenwood. Hoopes.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 853, Printer's No. 401 and

House Bill No. 915, Printer's No. 402

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 59, as follows:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-one P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by providing rest periods sick leave hospital and medical expenses and extra compensation in certain cases for police in counties of the second class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subdivision (q) of article three of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as last amended by the act approved the fourth day of May one thousand nine hundred forty-three (P. L. 159) is hereby further amended by adding after section three hundred thirty point twenty-two the following new sections to read as follows

Section 330.23 Every member of the police force of counties of the second class shall have at least twenty-four consecutive hours of rest in each calendar week except in emergency cases for the suppression of riots or tumults or the preservation of the public peace in times of war riot conflagration or public celebration No such member shall be required to work more than eight consecutive hours in any twenty-four hours except in the aforesaid cases of emergency Every such member shall be allowed one day's vacation for each month of service for the first twelve months of service and thereafter an annual vacation of not less than fourteen days and he shall be allowed an annual sick leave of not less than fourteen days all without any deduction or diminution of salary or compensation as fixed by the salary board of the county

Section 330.24 Every member of the police force for counties of the second class who may be injured or become sick through the performance of his duties and by reason thereof is temporarily incapacitated from performing his duties shall be paid by the county by which he is employed his full rate of salary as fixed by the salary board of such county until the disability arising therefrom has ceased All medical and hospital bills incurred in connection with any such injury or sickness shall be paid by such county All benefits under the Workmen's Compensation Law which shall be received or collected by any such member during the period he has received salary for temporary disability shall be paid over to the county and paid into the treasury thereof If any such payment or payments shall not be so made by such member of such police force the amount so directed to be paid to the county shall be deducted from any salary which shall then or thereafter become due and owing to such member

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Madigan,	Riley,
Baker,	Gaffney,	Mahany,	Robertson,
Barrett,	Gallagher,	Matthews,	Root,
Barton,	Gardner,	McAtee,	Rose,
Baumunk,	Getchey,	McClester,	Royer,
Bentley,	Gibson,	McCormack,	Rudisill,
Bentzel,	Goodling,	McDowell,	Salus,
Boles,	Gore,	McKinney,	Scanlon,
Bonawitz,	Grant,	McLanahan,	Schuster,
Boney,	Green,	McMillen,	Serrill,
Boorse,	Greer,	McNair,	Shaffer,
Boory,	Guthrie,	McNally,	Shoemaker,
Bower,	Gyger,	Mihm,	Skale,
Brancato,	Haberlen,	Mikula,	Sloan,
Breisch,	Hall,	Miller,	Smith,
Brice,	Hamilton,	Milliken,	Snider,
Brown,	Hare,	Mills,	Snyder,
Brunner, C. H.,	Haudenshield,	Modell,	Sollenberger,
Brunner, P. A.,	Heatherington,	Mooney,	Sorg,
Cadwalader,	Helm,	Moore, C. E.,	Stank,
Chervenak,	Hennihan,	Moore, W. J.,	Stockham,
Chudoff,	Hering,	Moran,	Stonier,
Cohen,	Herman,	Moser,	Stuart,
Coleman,	Hersch,	Munley,	Swope,
Cook	Hewitt,	Murray, M. L.,	Tahl,
Cooper,	Hoffman,	Murray, P. G.,	Tate,
Corrigan,	Hoggard,	Myhan,	Tittle,
Costa,	Howells,	Nagel,	Trachtman,
Coulson,	Hunter,	Nelson,	Trent,
Coyle,	Huntley,	O'Brien,	Trout,
Cullen,	James,	O'Connor,	Turbett,
Dague,	Jones,	O'Dare,	Turner,
Dalrymple,	Kennedy,	O'Donnell,	Varallo,
Dennison,	Kirley,	O'Neill,	Verona,
Depuy,	Kline,	Owens,	Wachhaus,
Dillon,	Kolankiewicz,	Pentrack,	Wagner,
Dix,	Komorofski,	Petrosky,	Waterhouse,
Dougherty,	Kurtz,	Pettigrew,	Watkins,
Duffy,	Lane,	Pickens,	Weiss,
Dye,	Laughner,	Polaski,	Welsh,
Elder,	Lee,	Polen,	Wescott,
Elish,	Leisey,	Powers,	White,
Erb,	Leonard,	Propert,	Wood, L. H.,
Ewing,	Levy,	Readinger,	Wood, N.,
Finnerty,	Lichtenwalter,	Reagan,	Worley,
Flack	Loftus,	Reese, D. P.,	Wright,
Fleming,	Longo,	Reese, R. E.,	Yeakel,
Foor,	Lopez,	Regan,	Yester,
Fox	Lovett,	Reidenbach,	Fiss,
Freed,	Lyons,	Reilly,	Speaker.
Frost,	Madden,	Reynolds,	

NAYS—0

NOT VOTING—2

Greenwood, Hoopes,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 418, as follows:

An Act to add section three hundred twenty-four and one-tenth to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by providing for the refund of employe contributions after retirement in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended by adding immediately after section three hundred twenty-four a new section to read as follows

Section 324.1 Refund of Contributions After Retirement If any county employe receiving a retirement allowance shall die before he or she has received total retirement allowance payments equal to the total amount of contributions made by such employe to the retirement fund the difference between the total of the retirement allowance payments and the total of the amount of contributions paid into the retirement fund by such employe shall upon demand in writing be paid to such employe's personal representatives or to such person or persons as are legally entitled thereto out of the fund

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Madigan,	Riley,
Baker,	Gaffney,	Mahany,	Robertson,
Barrett,	Gallagher,	Matthews,	Root,
Barton,	Gardner,	McAtee,	Rose,
Baumunk,	Getchey,	McClester,	Rudisill,
Bentley,	Gibson,	McCormack,	Royer,
Bentzel,	Goodling,	McDowell,	Salus,
Boles,	Gore,	McKinney,	Scanlon,
Bonawitz,	Grant,	McLanahan,	Schuster,
Boney,	Green,	McMillen,	Serrill,
Boorse,	Greer,	McNair,	Shaffer,
Boory,	Guthrie,	McNally,	Shoemaker,
Bower,	Gyger,	Mihm,	Skale,
Brancato,	Haberlen,	Mikula,	Sloan,
Breisch,	Hall,	Miller,	Smith,
Brice,	Hamilton,	Milliken,	Snider,
Brown,	Hare,	Mills,	Snyder,
Brunner, C. H.,	Haudenshield,	Modell,	Sollenberger,
Brunner, P. A.,	Heatherington,	Mooney,	Sorg,
Cadwalader,	Helm,	Moore, C. E.,	Stank,
Chervenak,	Hennihan,	Moore, W. J.,	Stockham,
Chudoff,	Hering,	Moran,	Stonier,
Cohen,	Herman,	Moser,	Stuart,
Coleman,	Hersch,	Munley,	Swope,
Cook,	Hewitt,	Murray, M. L.,	Tahl,
Cooper,	Hoffman,	Murray, P. G.,	Tate,
Corrigan,	Hoggard,	Myhan,	Tittle,
Costa,	Howells,	Nagel,	Trachtman,
Coulson,	Hunter,	Nelson,	Trent,
Coyle,	Huntley,	O'Brien,	Trout,
Cullen,	James,	O'Connor,	Turbett,
Dague,	Jones,	O'Dare,	Turner,
Dalrymple,	Kennedy,	O'Donnell,	Varallo,
Dennison,	Kirley,	O'Neill,	Verona,
Depuy,	Kline,	Owens,	Wachhaus,
Dillon,	Kolankiewicz,	Pentrack,	Wagner,
Dix,	Komorofski,	Petrosky,	Waterhouse,
Dougherty,	Kurtz,	Pettigrew,	Watkins,
Duffy,	Lane,	Pickens,	Weiss,
Dye,	Laughner,	Polaski,	Welsh,
Elder,	Lee,	Polen,	Wescott,
Elish,	Leisey,	Powers,	White,
Erb,	Leonard,	Propert,	Wood, L. H.,
Ewing,	Levy,	Readinger,	Wood, N.,
Finnerty,	Lichtenwalter,	Reagan,	Worley,
Flack,	Loftus,	Reese, D. P.,	Wright,
Fleming,	Longo,	Reese, R. E.,	Yeakel,
Foor,	Lopez,	Regan,	Yester,
Fox,	Lovett,	Reidenbach,	Fiss,
Freed,	Lyons,	Reilly,	Speaker.
Frost,	Madden,	Reynolds,	

NAYS—0

NOT VOTING—2

Greenwood, Hoopes,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 752, as follows:

An Act to amend section two of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 415) entitled "An act relating to the qualification jurisdiction powers and duties of registers of wills and regulating proceedings before said registers and the costs thereof the effects of their acts and appeals therefrom" by providing for the appointment of additional deputy registers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 415) entitled "An act relating to the qualification jurisdiction powers and duties of registers of wills and regulating proceedings before said registers and the costs thereof the effects of their acts and appeals therefrom" is hereby amended to read as follows

Section 2 Every register shall appoint and keep a deputy or deputies not to exceed two in number to officiate in his absence for whose conduct he and his sureties shall be accountable and such deputy or deputies shall be capable in law to take the probate of wills and testamentary papers and to grant letters testamentary and of administration and to do whatever else by law appertains to the office of register

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Madden,	Reynolds,
Baker,	Gaffney,	Madigan,	Riley,
Barrett,	Gallagher,	Mahany,	Robertson,
Barton,	Gardner,	Matthews,	Root,
Baumunk,	Getchey,	McAtee,	Rose,
Bentley,	Gibson,	McClester,	Royer,
Bentzel,	Goodling,	McCormack,	Rudisill,
Boies,	Gore,	McDowell,	Salus,
Bonawitz,	Grant,	McKinney,	Scanlon,
Boney,	Green,	McLanahan,	Schuster,
Boorse,	Greer,	McMillen,	Serrill,
Boory,	Guthrie,	McNair,	Shaffer,
Bower,	Gyger,	McNally,	Shoemaker,
Brancato,	Haberlen,	Mihm,	Skale,
Breisch,	Hall,	Mikula,	Sloan,
Brice,	Hamilton,	Miller,	Smith,
Brown,	Hare,	Milliken,	Snider,
Brunner, C. H.,	Haudenshield,	Mills,	Snyder,
Brunner, P. A.,	Heatherington,	Modell,	Sollenberger,
Cadwalader,	Helm,	Mooney,	Sorg,
Chervenak,	Hennihan,	Moore, C. E.,	Stank,
Chudoff,	Hering,	Moore, W. J.,	Stockham,
Cohen,	Herman,	Moran,	Stonier,
Coleman,	Hersch,	Moser,	Stuart,
Cook,	Hewitt,	Munley,	Swope,
Cooper,	Hoffman,	Murray, M. L.,	Tahl,
Corrigan,	Hoggard,	Murray, P. G.,	Tate,
Costa,	Howells,	Myhan,	Tittle,
Coulson,	Hunter,	Nagel,	Trachtman,
Coyle,	Huntley,	Nelson,	Trent,
Cullen,	James,	O'Brien,	Trout,
Dague,	Jones,	O'Connor,	Turbett,
Dalrymple,	Kennedy,	O'Dare,	Turner,
Dennison,	Kirley,	O'Donnell,	Varallo,
Depuy,	Kline,	O'Neill,	Verona,
Dillon,	Kolankiewicz,	Owens,	Wachhaus,
Dix,	Komorofski,	Pentrack,	Wagner,
Dougherty,	Kurtz,	Petrosky,	Waterhouse,
Duffy,	Lane,	Pettigrew,	Watkins,
Dye,	Laughner,	Pickens,	Weiss,
Elder,	Lee,	Polaski,	Welsh,
Elish,	Leisey,	Polen,	Wescott,
Erb,	Leonard,	Powers,	White,
Ewing,	Levy,	Propert,	Wood, L. H.,
Finnerty,	Lichtenwalter,	Readinger,	Wood, N.,
Flack,	Loftus,	Reagan,	Worley,
Fleming,	Longo,	Reese, D P.,	Wright,
Foor,	Lopez,	Reese, R. E.,	Yeakel,
Fox,	Lovett,	Regan,	Yester,
Freed,	Lyons,	Reidenbach,	Fiss,
Frost,		Reilly,	Speaker.

NAYS—0

NOT VOTING—2

Greenwood, Hoopes,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 977, as follows:

An Act to amend the act approved the seventeenth day of April one thousand eight hundred seventy-eight (P. L. 26) entitled "A supplement to an act entitled 'An act for the regulation and government of the Northampton county prison' approved the tenth day of May Anno Domini one thousand eight hundred and seventy-one" by fixing the compensation of prison inspectors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the seventeenth day of April one thousand eight hundred seventy-eight (P. L. 26) entitled "A supplement to an act entitled 'An act for the regulation and government of the Northampton county prison' approved the tenth day of May Anno Domini one thousand eight hundred and seventy-one" is hereby amended to read as follows

Section 1 Be it enacted &c That hereafter the secretary of the board of inspectors of the Northampton county prison shall receive for his services as inspector and officer not more than the sum of [one hundred and fifty] five hundred dollars per annum and the prison inspectors shall each receive a salary of three hundred dollars per annum which salary shall be paid them out of the county treasury

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Andrews,	Fullerton,	Madigan,	Reynolds,
Baker,	Gaffney,	Mahany,	Riley,
Barrett,	Gallagher,	Matthews,	Robertson,
Barton,	Gardner,	McAtee,	Root,
Baumunk,	Getchey,	McClester,	Rose,
Bentley,	Gibson,	McCormack,	Royer,

Bentzel,	Goodling,	McDowell,	Rudisill,
Boies	Gore,	McKinney,	Salus,
Bonawitz,	Grant,	McLanahan,	Scanlon,
Boney,	Green,	McMillen,	Schuster,
Boorse,	Greer,	McNair,	Serrill,
Boory,	Guthrie,	McNally,	Shaffer,
Bower,	Gyger,	Mihm,	Shoemaker,
Brancato,	Haberlen,	Mikula,	Skale,
Breisch,	Hall,	Miller,	Sloan,
Brice,	Hamilton,	Milliken,	Smith,
Brown,	Hare,	Mills,	Snider,
Brunner, C. H.,	Haudenshield,	Modell,	Snyder,
Brunner, P. A.,	Heatherington,	Mooney,	Sollenberger,
Cadwalader,	Helm,	Moore, C. E.,	Sorg,
Chervenak,	Hennihan,	Moore, W. J.,	Stank,
Chudoff,	Hering,	Moran,	Stockham,
Cohen,	Herman,	Moser,	Stonier,
Coleman,	Hersch,	Munley,	Stuart,
Cook,	Hewitt,	Murray, M. L.,	Swope,
Cooper,	Hoffman,	Murray, P. G.,	Tahl,
Corrigan,	Hoggard,	Myhan,	Tate,
Costa,	Howells,	Nagel,	Tittle,
Coulson,	Hunter,	Nelson,	Trachtman,
Coyle,	Huntley,	O'Brien,	Trent,
Cullen,	James,	O'Connor,	Trout,
Dague,	Jones,	O'Dare,	Turbett,
Dalrymple,	Kennedy,	O'Donnell,	Turner,
Dennison,	Kirley,	O'Neill,	Varallo,
Depuy,	Kline,	Owens,	Verona,
Dillon,	Kolankiewicz,	Pentrack,	Wachhaus,
Dix,	Komorofski,	Petrosky,	Wagner,
Dougherty,	Kurtz,	Pettigrew,	Waterhouse,
Duffy,	Lane,	Pickens,	Watkins,
Dye,	Laughner,	Polaski,	Weiss,
Elder,	Lee,	Polen,	Welsh,
Elish,	Leisey,	Powers,	Wescott,
Erb,	Leonard,	Propert,	White,
Ewing,	Levy,	Readinger,	Wood, L. H.,
Finnerty,	Lichtenwalter,	Reagan,	Wood, N.,
Flack	Loftus,	Reese, D. P.,	Wright,
Fleming,	Longo,	Reese, R. E.,	Yeakel,
Foor,	Lopez,	Regan,	Yester,
Fox,	Lovett,	Reidenbach,	Fiss,
Freed,	Lyons,	Reilly,	Speaker.
Frost,	Madden,		

NAYS—1

Worley,

NOT VOTING—2

Greenwood, Hoopes,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 1124, Printer's No. 406 and

House Bill No. 211, Printer's No. 388

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 136, as follows:

An Act to amend section one of the act approved the sixth day of May one thousand nine hundred forty-three (P. L. 190) entitled "An act authorizing in certain cases the renewal of old motor vehicle operators' licenses for persons honorably discharged from the armed forces of the United States or from any women's organization officially connected therewith without a learner's permit examination or additional fee and while in such service the operation of motor vehicles without renewal of operator's license and the temporary suspension of existing laws requiring the same" by providing that honorably discharged veterans may make application for renewal of old motor vehicle operators' licenses for a period of one year from the date of honorable discharge in certain cases and authorizing such applications also to be certified by and sworn to before a notary public

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the sixth day of May one thousand nine hundred forty-three (P. L. 190) entitled "An act authorizing in certain cases the renewal of old motor vehicle operators' licenses for persons honorably discharged from the armed forces of the United States or from any women's organization officially connected therewith without a learner's permit examination or additional fee and while in such service the operation of motor vehicles without renewal of operators' license and the temporary suspension of existing laws requiring the same" is hereby amended to read as follows

Section 1 Any person serving in the armed forces of the United States or in any women's organization officially connected therewith during any part of the war in which the United States is now engaged and who shall have had a Pennsylvania motor vehicle operator's license issued to him or her for the license year immediately preceding his or her entrance into such military service may have upon his or her honorable discharge from such service and for a period of one year thereafter a renewal of such operator's license in the same manner as annual renewals of operators' licenses are made without being required to secure a learner's permit take an examination or pay any fee other than such as may be required by law for the annual renewal of an operator's license if he or she shall satisfy the following requirements

(1) He or she shall have an honorable discharge from the service

(2) Application for the operator's license shall be made within [sixty days] one year after the date of such honorable discharge

(3) He or she is not physically or mentally incapacitated at the time of the application for renewal

(4) In the event that his or her certificate of honorable discharge reveals that injuries were sustained during service the application must be accompanied by the certificate of a licensed physician that the applicant is physically and mentally able to operate a motor vehicle

(5) Each application shall be sworn to before a magistrate alderman notary public or justice of the peace who shall certify thereon that he has seen and examined the applicant's certificate of honorable discharge and that it is dated less than [sixty days] one year before the application was made

(6) His or her previous operator's license has not been revoked or suspended unless in case of suspensions the period of suspension has expired

Section 2 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Madigan,	Riley,
Baker,	Gaffney,	Mahany,	Robertson,
Barrett,	Gallagher,	Matthews,	Root,
Barton,	Gardner,	McAtee,	Rose,
Baumunk,	Getchey,	McClester,	Royer,
Bentley,	Gibson,	McCormack,	Rudisill,
Bentzel,	Goodling,	McDowell,	Salus,
Boies,	Gore,	McKinney,	Scanlon,
Bonawitz,	Grant,	McLanahan,	Schuster,
Boney,	Green,	McMillen,	Serrill,
Boorse,	Greer,	McNair,	Shaffer,

Boory,	Guthrie,	McNally,	Shoemaker,
Bower,	Gyger,	Mihm,	Skale,
Brancato,	Haberlen,	Mikula,	Sloan,
Breisch,	Hall,	Miller,	Smith,
Brice,	Hamilton,	Milliken,	Snider,
Brown,	Hare,	Mills,	Snyder,
Brunner, C. H.,	Haudenshield,	Modell,	Sollenberger,
Brunner, P. A.,	Heatherington,	Mooney,	Sorg,
Cadwalader,	Helm,	Moore, C. E.,	Stank,
Chervenak,	Hennihan,	Moore, W. J.,	Stockham,
Chudoff,	Hering,	Moran,	Stonier,
Cohen,	Herman,	Moser,	Stuart,
Coleman,	Hersch,	Munley,	Swope,
Cook	Hewitt,	Murray, M. L.,	Tahl,
Cooper,	Hoffman,	Murray, P. G.,	Tate,
Corrigan,	Hoggard,	Myhan,	Tittle,
Costa,	Howells,	Nagel,	Trachtman,
Coulson,	Hunter,	Nelson,	Trent,
Coyle,	Huntley,	O'Brien,	Trout,
Cullen,	James,	O'Connor,	Turbett,
Dague,	Jones,	O'Dare,	Turner,
Dalrymple,	Kennedy,	O'Donnell,	Varallo,
Dennison,	Kirley,	O'Neill,	Verona,
Depuy,	Kline,	Owens,	Wachhaus,
Dillon,	Kolankiewicz,	Pentrack,	Wagner,
Dix,	Komorofski,	Petrosky,	Waterhouse,
Dougherty,	Kurtz,	Pettigrew,	Watkins,
Duffy,	Lane,	Pickens,	Weiss,
Dye,	Laughner,	Polaski,	Welsh,
Elder,	Lee,	Polen,	Wescott,
Elish,	Leisey,	Powers,	White,
Erb,	Leonard,	Propert,	Wood, L. H.,
Ewing,	Levy,	Readinger,	Wood, N.,
Finnerty,	Lichtenwalter,	Reagan,	Worley,
Flack	Loftus,	Reese, D. P.,	Wright,
Fleming,	Longo,	Reese, R. E.,	Yeakel,
Foor,	Lopez,	Regan,	Yester,
Fox	Lovett,	Reidenbach,	Fiss,
Freed,	Lyons,	Reilly,	Speaker.
Frost,	Madden,	Reynolds,	

NAYS—0

NOT VOTING—2

Greenwood, Hoopes,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 749, as follows:

An Act to amend section eight hundrel ninety-two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" permitting and protecting the sale of American War Mothers' carnations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eight hundred ninety-two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" is hereby amended to read as follows

Section 892 Illegal Sale of Veterans' Flowers Whoever imitates sells or offers to sell the labeled artificial flowers of the American Legion Veterans of Foreign Wars Spanish-American War Veterans American War Mothers and Disabled American Veterans of the World War namely the poppy the buddy poppy carnation American War Mothers' carnation and the forget-me-not except on the day or days designated or appointed by the respective veterans' organizations to conduct such sales shall upon conviction in a summary proceeding be sentenced to pay a fine of not more than fifty dollars ($50) and in default of the payment of such fine and costs shall be sentenced to imprisonment for ten (10) days

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Madigan,	Riley,
Baker,	Gaffney,	Mahany,	Robertson,
Barrett,	Gallagher,	Matthews,	Root,
Barton,	Gardner,	McAtee,	Rose,
Baumunk,	Getchey,	McClester,	Royer,
Bentley,	Gibson,	McCormack,	Rudisill,
Bentzel,	Goodling,	McDowell,	Salus,
Boies,	Gore,	McKinney,	Scanlon,
Bonawitz,	Grant,	McLanahan,	Schuster,
Boney,	Green,	McMillen,	Serrill,
Boorse,	Greer,	McNair,	Shaffer,
Boory,	Guthrie,	McNally,	Shoemaker,
Bower,	Gyger,	Mihm,	Skale,
Brancato,	Haberlen,	Mikula,	Sloan,
Breisch,	Hall,	Miller,	Smith,
Brice,	Hamilton,	Milliken,	Snider,
Brown,	Hare,	Mills,	Snyder,
Brunner, C. H.,	Haudenshield,	Modell,	Sollenberger,
Brunner, P. A.,	Heatherington,	Mooney,	Sorg,
Cadwalader,	Helm,	Moore, C. E.,	Stank,
Chervenak,	Hennihan,	Moore, W. J.,	Stockham,
Chudoff,	Hering,	Moran,	Stonier,
Cohen,	Herman,	Moser,	Stuart,
Coleman,	Hersch,	Munley,	Swope,
Cook	Hewitt,	Murray, M. L.,	Tahl,
Cooper,	Hoffman,	Murray, P. G.,	Tate,
Corrigan,	Hoggard,	Myhan,	Tittle,
Costa,	Howells,	Nagel,	Trachtman,
Coulson,	Hunter,	Nelson,	Trent,
Coyle,	Huntley,	O'Brien,	Trout,
Cullen,	James,	O'Connor,	Turbett,
Dague,	Jones,	O'Dare,	Turner,
Dalrymple,	Kennedy,	O'Donnell,	Varallo,
Dennison,	Kirley,	O'Neill,	Verona,
Depuy,	Kline,	Owens,	Wachhaus,
Dillon,	Kolankiewicz,	Pentrack,	Wagner,
Dix,	Komorofski,	Petrosky,	Waterhouse,
Dougherty,	Kurtz,	Pettigrew,	Watkins,
Duffy,	Lane,	Pickens,	Weiss,
Dye,	Laughner,	Polaski,	Welsh,
Elder,	Lee,	Polen,	Wescott,
Elish,	Leisey,	Powers,	White,
Erb,	Leonard,	Propert,	Wood, L. H.,
Ewing,	Levy,	Readinger,	Wood, N.,
Finnerty,	Lichtenwalter,	Reagan,	Worley,
Flack,	Loftus,	Reese, R. E.,	Wright,
Fleming,	Longo,	Reese, D. P.,	Yeakel,
Foor,	Lopez,	Regan,	Yester,
Fox,	Lovett,	Reidenbach,	Fiss,
Freed,	Lyons,	Reilly,	Speaker.
Frost,	Madden,	Reynolds,	

NAYS—0

NOT VOTING—2

Greenwood, Hoopes,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 854, Printer's No. 429 and

House Bill No. 969, Printer's No. 417

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1038, as follows:

An Act to add sections six hundred thirty and six hundred thirty-one to Article VI of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" authorizing township to pay expenses of delegates attending conventions of certain municipal officers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article VI of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" is hereby amended by adding at the end thereof a new subtitle and sections to read as follows

(d) Municipal Conventions

Section 630 Attendance at Municipal Conventions Authorized Each township may send one township officer as a delegate to any annual convention of municipal finance officers municipal planning commissioners chiefs of police township secretaries township managers and officers of municipality authorities who shall be selected by the commissioners of the township of which he is a commissioner or officer

Section 631 Expenses of Delegates Paid by Township The actual and reasonable expenses of the delegates shall be paid by the township

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Madigan,	Riley,
Baker,	Gaffney,	Mahany,	Robertson,
Barrett,	Gallagher,	Matthews,	Root,
Barton,	Gardner,	McAtee,	Rose,
Baumunk,	Getchey,	McClester,	Royer,
Bentley,	Gibson,	McCormack,	Rudisill,
Bentzel,	Goodling,	McDowell,	Salus,
Boies,	Gore,	McKinney,	Scanlon,
Bonawitz,	Grant,	McLanahan,	Schuster,
Boney,	Green,	McMillen,	Serrill,
Boorse,	Greer,	McNair,	Shaffer,
Boory,	Guthrie,	McNally,	Shoemaker,
Bower,	Gyger,	Mihm,	Skale,
Brancato,	Haberlen,	Mikula,	Sloan,
Breisch,	Hall,	Miller,	Smith,
Brice,	Hamilton,	Milliken,	Snider,
Brown,	Hare,	Mills,	Snyder,
Brunner, C. H.,	Haudenshield,	Modell,	Sollenberger,
Brunner, P. A.,	Heatherington,	Mooney,	Sorg,
Cadwalader,	Helm,	Moore, C. E.,	Stank,
Chervenak,	Hennihan,	Moore, W. J.,	Stockham,
Chudoff,	Hering,	Moran,	Stonier,
Cohen,	Herman,	Moser,	Stuart,
Coleman,	Hersch,	Munley,	Swope,
Cook,	Hewitt,	Murray, M. L.,	Tahl,
Cooper,	Hoffman,	Murray, P. G.,	Tate,
Corrigan,	Hoggard,	Myhan,	Tittle,
Costa,	Howells,	Nagel,	Trachtman,
Coulson,	Hunter,	Nelson,	Trent,
Coyle,	Huntley,	O'Brien,	Trout,
Cullen,	James,	O'Connor,	Turbett,
Dague,	Jones,	O'Dare,	Turner,
Dalrymple,	Kennedy,	O'Donnell,	Varallo,
Dennison,	Kirley,	O'Neill,	Verona,
Depuy,	Kline,	Owens,	Wachhaus,
Dillon,	Kolankiewicz,	Pentrack,	Wagner,
Dix,	Komorofski,	Petrosky,	Waterhouse,
Dougherty,	Kurtz,	Pettigrew,	Watkins,
Duffy,	Lane,	Pickens,	Weiss,
Dye,	Laughner,	Polaski,	Welsh,
Elder,	Lee,	Polen,	Wescott,
Elish,	Leisey,	Powers,	White,
Erb,	Leonard,	Propert,	Wood, L. H.,
Ewing,	Levy,	Readinger,	Wood, N.,
Finnerty,	Lichtenwalter,	Reagan,	Worley,
Flack,	Loftus,	Reese, D. P.,	Wright,
Fleming,	Longo,	Reese, R. E.,	Yeakel,
Foor,	Lopez,	Regan,	Yester,
Freed,	Lovett,	Reidenbach,	Fiss,
Fox	Lyons,	Reilly,	Speaker.
Frost,	Madden,	Reynolds,	

NAYS—0

NOT VOTING—2

Greenwood, Hoopes,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1189, as follows:

An Act to further amend the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities regulating the sale thereof and providing penalties for violation hereof" defining further words and terms used herein further regulating the sale of commodities authorizing the Secretary of Internal Affairs to adopt rules and regulations to carry into effect the provisions of the act and granting additional powers to inspectors of weights and measurers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one and two of the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities regulating the sale thereof and providing penalties for violation hereof" are hereby amended to read as follows

Section 1 Be it enacted &c That the word "commodity" as used in this act shall [be taken to] mean any thing goods wares merchandise compound mixture or preparation products of manufacture of any tangible personal property which may be lawfully kept sold or offered for sale

The words "liquid commodity" as used in this act shall mean anything fluid or in the liquid state and not mixed with solids

The words "dry commodity" as used in this act shall mean any other commodity sold or offered for sale not in liquid or fluid state at the time of sale

The words "liquid measure" as used in this act shall mean the standard United States gallon of 231 cubic inches or binary sub-multiple thereof quart pint or gill

The words "dry measure" as used in this act shall mean the standard United States bushel of 2150.42 cubic inches or sub-multiple thereof peck quart or pint

The word "weight" as used in this act shall mean the United States standard avoirdupois pound or ounce

The word "package" as used in this act shall mean everything containing one or more than one unit of any commodity tied or bound together or put up in box bag pack bundle container bottle jar can or any other form of receptacle or vessel not considered as an approved measure except cases cartoons crates bundles or bales used for bulk shipping or storage Provided That enclosed packages are marked as to weight measure or numerical count

The word "department" as used in this act shall mean the Department of Internal Affairs

The word "person" as used in this act shall be construed to include any individual firm partnership unincorporated association corporation association agent representative or employe thereof

Section 2 (1) All liquid commodities when sold in bulk or from bulk shall be sold by weight or liquid measure All dry commodities when sold in bulk or from bulk shall be sold by weight dry measure or numerical count unless otherwise designated to be sold in a special manner No dry commodities shall be sold by liquid measure [dry commodities in car load lots may be sold by weight]

(2) All meat and meat products poultry and poultry products except eggs shall be sold by weight only eggs may be sold by numerical count

(3) Wood used for fuel shall be sold by weight or by the cord of 128 cubic feet or fraction thereof and accompanied by a statement or invoice certifying the amount sold

Section 2 Said act is hereby amended by adding after section two two new sections to read as follows

Section 2.1 All commodities not considered as packages within the meaning of the act or labeled as to net contents at the time of sale shall be counted measured or weighed in full view of the purchaser at the time of sale and on weighting or measuring devices as approved by the department and inspected as to accuracy by the several State county and city inspectors of weights and measures and statement of result of such count measure or weight to be made to the purchaser by the person making the sale

Section 2.2 Any dry commodity sold in bulk must be accompanied by a statement of weight

Section 3 Section three of said act is hereby amended to read as follows

Section 3 [It shall be unlawful to use a measure without a bottom in selling any commodity] If commodities are sold by dry or liquid measure only measures as approved by provisions of the act approved the fifth day of May one thousand nine hundred twenty-one (P. L. 389) entitled "An act to regulate and control the manufacture sale offering for sale giving away and use of weights and measures and of weighing and measuring devices in the Commonwealth of Pennsylvania providing for the approval and disapproval of such weights measures and devices by the Bureau of Standards and prescribing penalties" shall be used

Section 4 Section four of said act as last amended by the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1259) is hereby further amended to read as follows

Section 4 [It shall be unlawful in] No person selling any commodity [to] shall use any measure unless the same shall have thereon marked in a conspicuous place and in distinct letters and figures the capacity thereof If such measure be of the capacity of one-half bushel or less it shall be marked in terms of dry measure or of one-half gallon or less it shall be marked in terms of [dry or] liquid measure [respectively] If the measure be of the capacity of over one-half bushel it shall be marked in the terms of a bushel or over one-half gallon it shall be marked in terms of a [bushel or] gallon [respectively] liquid measure Provided however That containers bottles or jars used for the sale of milk [or] cream [shall be regarded] or any other commodity and considered as measures within the meaning of this act and shall be in all respects subject to all rules and regulations heretofore or hereafter made by the Department of Internal Affairs as to reasonable variations and tolerances

Section 5 Section five of said act is hereby amended to read as follows

Section 5 [It shall be unlawful for any person firm or corporation with intent to defraud]

[(1) To] No person shall sell or offer for sale any commodity [on the container of which is marked any false statement respecting the kind number quantity weight or measure of such commodity or of any part thereof or respecting the place or country where such commodity was manufactured or produced or respecting the quality or grade of such commodity] in any other manner than by weight measure or numerical count

[(2) To orally or otherwise represent that any commodity offered for sale in bulk to which no name or trade mark shall be attached is the manufacture or production of some other than the actual manufacturer or producer Provided that nothing in this act is to be construed as applying to drugs medicines chemicals or pharmaceutical or proprietary preparations used as medicine nor to toilet preparations]

Section 6 Section six of said act as last amended by the act approved the eighth day of May one thousand nine hundred thirty-one (P. L. 105) is hereby further amended to read as follows

Section 6 Whenever any commodity named in this section shall be sold by the bushel and free from any foreign matter the bushel [shall consist of the number of pounds herein stated and wherever sold in the subdivisions of the bushel the number of pounds] of such commodity shall consist of the [fractional part of the] respective number of pounds [as are] herein set forth [for the bushel] namely

Alfalfa seed sixty pounds
Apples forty-five pounds
Apples dried twenty-five pounds
Barely forty-eight pounds
Beans dried sixty pounds
Beans castor (shelled) forty-six pounds
Beans (green or wax) thirty-two pounds
Beets fifty-six pounds
Blue-grass seed fourteen pounds
Bran twenty pounds
Broom-corn seed fifty pounds
Buckwheat forty-eight pounds
Cabbage fifty pounds
Carrots fifty pounds
Cement one hundred pounds
Charcoal twenty pounds
Cherries with stems fifty-six pounds
Cherries stemmed sixty-four pounds
Chestnuts hulled fifty pounds
Clover-seed sixty pounds
Coal anthracite seventy-five pounds
Coal bituminous eighty pounds
Coal stone eighty pounds
Coke forty pounds
Corn shelled fifty-six pounds
Corn ear (husked) seventy pounds
Corn-meal fifty pounds
Cranberries thirty-two pounds
Cucumbers forty-eight pounds
Currants forty pounds
Flaxseed fifty-six pounds
Gooseberries forty pounds
Grapes forty-eight pounds
Hair (plastering) eighty pounds
Hemp-seed forty-four pounds
Herd's-grass forty-five pounds
Hickory nuts fifty pounds
Hominy sixty pounds
Horseradish fifty pounds
Hungarian grass seed fifty pounds
Kaffir corn fifty-six pounds
Lentils sixty pounds
Lime eighty pounds
Linseed fifty-six pounds
Malt thirty-eight pounds
Millet fifty pounds
Oats thirty-two pounds
Onions fifty pounds
Onion sets twenty-eight pounds
Orchard grass seed fourteen pounds
Parsnips fifty pounds
Peaches forty-eight pounds
Peaches dried (pealed) thirty-eight pounds
Peaches dried (unpealed) thirty-three pounds

Peanuts twenty-two pounds
Pears fifty pounds
Peas green (unshelled) twenty-eight pounds
Peas dried sixty pounds
Plums sixty-four pounds
Potatoes sixty pounds
Potatoes sweet fifty-four pounds
Quinces forty-eight pounds
Rape-seed fifty pounds
Raspberries forty-eight pounds
Redtop grass seed fourteen pounds
Rice rough forty-five pounds
Rutabagas sixty pounds
Rye fifty-six pounds
Ryemeal fifty pounds
Salt (coarse) eighty-five pounds
Salt (ground) sixty-two pounds
Sand one hundred pounds
Shorts twenty pounds
Sorghum-seed fifty pounds
Spelt forty pounds
Spinach twelve pounds
Strawberries forty-eight pounds
Timothy-grass seed forty-five pounds
Tomatoes fifty-six pounds
Turnips fifty-six pounds
Walnuts (common) fifty pounds
Wheat sixty pounds

Provided That when any fruits or vegetables named in this section are sold in Pennsylvania [standard] approved containers or measures which are the original [packages] unbroken containers or measures and are filled in accordance with good commercial practices and free from any foreign matter such fruits and vegetables shall be exempt from the provision of this section

Section 7 Section seven of said act is hereby amended to read as follows

Section 7 [If] No person shall distribute or sell or have in his possession with intent to distribute or sell any commodity in package form unless the net quantity of the contents shall be plainly and conspicuously marked on the outside of the package in terms of weight measure or numerical count Provided however That reasonable variations shall be permitted and tolerances [and also exemptions as to small packages shall] may be established by rules and regulations made by the [Chief of the Pennsylvania Bureau of Standards] department Before any tolerances are granted producers and manufacturers of commodities must make written application for a tolerance to the department and must furnish proof that the use value of the commodity will not be affected by the granting of the tolerance Exempt from marking as to net content contained shall be

(a) All packages sold as liquid commodities containing less than one ounce liquid measure

(b) All packages sold as dry commodities containing less than one ounce avoirdupois

(c) All packages selling for five cents or less

Section 8 Said act is hereby amended by adding thereto after section seven a new section to read as follows

Section 7.1 The Secretary of Internal Affairs shall have power to adopt and promulgate such rules and regulations not inconsistent with the provisions of this act as may be deemed necessary to carry into effect the intent and purpose of this act

Section 9 Section eight of said act as amended by the act approved the nineteenth day of May one thousand nine hundred twenty-three (P. L. 278) is hereby further amended to read as follows

Section 8 [Each] Any person [firm or corporation that] who shall violate any of the provisions of this act shall [be guilty of a misdemeanor and] upon summary conviction thereof before any alderman magistrate or justice of the peace of the proper county be sentenced for the first offense [shall be fined not] to pay a fine of not less than twenty-five dollars ($25.00) or more than [twenty-five dollars upon conviction] fifty dollars ($50.00) and costs of prosecution and in default of payment thereof shall undergo imprisonment for ten (10) days and for the second offense [such person firm or corporation shall] be [fined] sentenced to pay a fine of not less than [twenty-five dollars nor] fifty dollars ($50.00) or more than one hundred dollars and costs of prosecution and in default hundred dollars ($100.00) and costs of prosecution and in default of payment thereof shall undergo imprisonment for twenty (20) days and [upon conviction] for the third [and each subsequent] offense [such person firm or corporation] shall be [fined] sentenced to pay a fine of not less than one hundred dollars ($100.00) [nor] or more than two hundred [and fifty] dollars ($200.00) and costs of prosecution and in default thereof shall undergo imprisonment for thiry (30) days and for a fourth or subsequent offense shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less, than two hundred dollars ($200.00) or more than three hundred dollars ($300.00) or suffer imprisonment for not more than six (6) months or both All fines collected under the provisions of this act shall be paid to the treasurer of the respective city or county in which the offense was committed

Section 10 Section nine of said act is hereby amended to read as follows

Section 9 It shall be the duty of the department and the proper city and county inspectors of weights and measures to enforce the provisio s of this act who may examine commodities sold or offered for sale and test or inspect them for correct weight measure or count Without formal warrant they may enter any place of business or stop any vendor peddler dealer or other person selling or offering commodities for sale for the purpose of ascertaining whether the provisions of this act have been complied with Such State city or county inspectors may seize for use as evidence and hold until final disposition by the court any commodity package or other article sold or offered for sale contrary to the provisions of this act No retailer shall be prosecuted for having in his possession or offering for sale any article of merchandise which he has purchased in good faith for resale and which is packed in sealed unbroken and undamaged original packages or containers because of a shortage in weight as marked thereon Provided That such shortage does not exceed twice the tolerance granted or permitted by the department under section seven of this act for such commodity except such articles of merchandise which have been packed or packaged by said retailer Said inspectors shall mark or seal as condemned any article commodity or package which does not comply with the tolerance specifications in section even or any other provisions of this act and said commodity shall not be sold or offered for sale until it has been relabeled to comply with the provisions of this act and the condemnation mark or seal removed by the inspector who originally marked it condemned or a properly authorized official of the jurisdiction where the condemnation was made

Section 11 This act shall become effective the first day of .....

.....

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Madigan,	Riley,
Baker,	Gaffney,	Mahany,	Robertson,
Barrett,	Gallagher,	Matthews,	Root,
Barton,	Gardner,	McAtee,	Rose,
Baumunk,	Getchey,	McClester,	Royer,
Bentley,	Gibson,	McCormack,	Rudisill,
Bentzel,	Goodling,	McDowell,	Salus,
Boies,	Gore,	McKinney,	Scanlon,
Bonawitz,	Grant,	McLanahan,	Schuster,
Boney,	Green,	McMillen,	Serrill,

Boory,	Greer,	McNair,	Shaffer,
Boorse,	Guthrie,	McNally,	Shoemaker,
Bower,	Gyger,	Mihm,	Skale,
Brancato,	Haberlen,	Mikula,	Sloan,
Breisch,	Hall,	Miller,	Smith,
Brice,	Hamilton,	Milliken,	Snider,
Brown,	Hare,	Mills,	Snyder,
Brunner, C. H.,	Haudenshield,	Modell,	Sollenberger,
Brunner, P. A.,	Heatherington,	Mooney,	Sorg,
Cadwalader,	Helm,	Moore, C. E.,	Stank,
Chervenak,	Hennihan,	Moore, W. J.,	Stockham,
Chudoff,	Hering,	Moran,	Stonier,
Cohen,	Herman,	Moser,	Stuart,
Coleman,	Hersch,	Munley,	Swope,
Cook,	Hewitt,	Murray, M. L.,	Tahl,
Cooper,	Hoffman,	Murray, P. G.,	Tate,
Corrigan,	Hoggard,	Myhan,	Trachtman,
Costa,	Howells,	Nagel,	Tittle,
Coulson,	Hunter,	Nelson,	Trent,
Coyle,	Huntley,	O'Brien,	Trout,
Cullen,	James,	O'Connor,	Turbett,
Dague,	Jones,	O'Dare,	Turner,
Dalrymple,	Kennedy,	O'Donnell,	Varallo,
Dennison,	Kirley,	O'Neill,	Verona,
Depuy,	Kline,	Owens,	Wachhaus,
Dillon,	Kolankiewicz,	Pentrack,	Wagner,
Dix,	Komorofski,	Petrosky,	Waterhouse,
Dougherty,	Kurtz,	Pettigrew,	Watkins,
Duffy,	Lane,	Pickens,	Weiss,
Dye,	Laughner,	Polaski,	Welsh,
Elder,	Lee,	Polen,	Wescott,
Elish,	Leisey,	Powers,	White,
Erb,	Leonard,	Propert,	Wood, L. H.,
Ewing,	Levy,	Readinger,	Wood, N.,
Finnerty,	Lichtenwalter,	Reagan,	Worley,
Flack,	Loftus,	Reese, D. P.,	Wright,
Fleming,	Longo,	Reese, R. E.,	Yeakel,
Foor,	Lopez,	Regan,	Yester,
Fox,	Lovett,	Reidenbach,	Fiss,
Freed,	Lyons,	Reilly,	Speaker.
Frost,	Madden,	Reynolds,	

NAYS—0

NOT VOTING—2

Greenwood, Hoopes,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

Senate Bill No. 63, Printer's No. 134,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1201, as follows:

An Act authorizing townships of the second class to appropriate out of general road funds and out of special funds for future road and sewer construction and development a sum each year not to exceed one mill for the purpose of preparing plans and engineering for road and sewer projects scheduled for future development and providing for the ultimate payment of the cost thereof by assessment against real estate benefited

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The supervisors of any township of the second class are hereby authorized to employ an engineer or engineers and to contract for the preparation of preliminary plans and engineering necessary for surveying the need for and planning the construction of public roads bridges sanitary sewers storm sewers sanitary disposal systems municipal water or public incinerators within the township which in the opinion of the township supervisors may be constructed at some future time or times to the advantage of the residents of the township and the general public

Section 2 The cost of such preliminary engineering expense may at the discretion of the township supervisors be paid for either out of general funds or out of special funds accumulated for future road and sewerage improvement or partly out of general funds or partly out of such special funds subject to the limitation however that there shall not be expended in any one year sums exceeding one mil of assessed valuation of such township

Section 3 Whenever a road or sewerage project ultimately shall have been approved and constructed there shall be included in the project costs assessable against real estate benefited by such improvement in accordance with existing law governing the assessment of benefits such sum as the township supervisors shall deem to be a reasonable portion of the cost of preliminary engineering entering into the project

Section 4 Out of monies collected from such assessments the township supervisors shall reimburse the several funds with the amounts expended therefrom pursuant to the provisions of this act

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Madigan,	Riley,
Baker,	Gaffney,	Mahany,	Robertson,
Barrett,	Gallagher,	Matthews,	Root,
Barton,	Gardner,	McAtee,	Rose,
Baumunk,	Getchey,	McClester,	Royer,
Bentley,	Gibson,	McCormack,	Rudisill,
Bentzel,	Goodling,	McDowell,	Salus,
Boles,	Gore,	McKinney,	Scanlon,
Bonawitz,	Grant,	McLanahan,	Schuster,
Boney,	Green,	McMillen,	Serrill,
Boorse,	Greer,	McNair,	Shaffer,
Boory,	Guthrie,	McNally,	Shoemaker,
Bower,	Gyger,	Mihm,	Skale,
Brancato,	Haberlen,	Mikula,	Sloan,
Breisch,	Hall,	Miller,	Smith,
Brice,	Hamilton,	Milliken,	Snider,
Brown,	Hare,	Mills,	Snyder,
Brunner, C. H.,	Haudenshield,	Mooney,	Sollenberger,
Brunner, P. A.,	Heatherington,	Modell,	Sorg,
Cadwalader,	Helm,	Moore, C. E.,	Stank,
Chervenak,	Hennihan,	Moore, W. J.,	Stockham,
Chudoff,	Hering,	Moran,	Stonier,
Cohen,	Herman,	Moser,	Stuart,
Coleman,	Hersch,	Munley,	Swope,
Cook,	Hewitt,	Murray, M. L.,	Tahl,
Cooper,	Hoffman,	Murray, P. G.,	Tate,
Corrigan,	Hoggard,	Myhan,	Tittle,
Costa,	Howells,	Nagel,	Trachtman,
Coulson,	Hunter,	Nelson,	Trent,
Coyle,	Huntley,	O'Brien,	Trout,
Cullen,	James,	O'Connor,	Turbett,
Dague,	Jones,	O'Dare,	Turner,
Dalrymple,	Kennedy,	O'Donnell,	Varallo,
Dennison,	Kirley,	O'Neill,	Verona,
Depuy,	Kline,	Owens,	Wachhaus,
Dillon,	Kolankiewicz,	Pentrack,	Wagner,
Dix,	Komorofski,	Petrosky,	Waterhouse,
Dougherty,	Kurtz,	Pettigrew,	Watkins,
Duffy,	Lane,	Pickens,	Weiss,
Dye,	Laughner,	Polaski,	Welsh,
Elder,	Lee,	Polen,	Wescott,
Elish,	Leisey,	Powers,	White,
Erb,	Leonard,	Propert,	Wood, L. H.,
Ewing,	Levy,	Readinger,	Wood, N.,
Finnerty,	Lichtenwalter,	Reagan,	Worley,
Flack,	Loftus,	Reese, D. P.,	Wright,
Fleming,	Longo,	Reese, R. E.,	Yeakel,
Foor,	Lopez,	Regan,	Yester,
Fox,	Lovett,	Reidenbach,	Fiss,
Freed,	Lyons,	Reilly,	Speaker.
Frost,	Madden,	Reynolds,	

NAYS—0

NOT VOTING—2

Greenwood, Hoopes,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1211, as follows:

An Act to further amend section six hundred sixteen of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further prescribing the time when certain penalties imposed under the said act shall become effective

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six hundred sixteen of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 616 Right of Appeal to Court from Suspension Any person whose operator's license or learner's permit has been suspended or who has been deprived of the privilege of applying for an operator's license or learners' permit under the provisions of this act shall have the right to file a petition within thirty (30) days thereafter for a hearing in the matter in the court of common pleas of the county in which the operator or permittee resides and such court is hereby vested with jurisdiction and it shall be its duty to set the matter down for hearing upon thirty (30) days' written notice to the secretary and thereupon to take testimony and examine into the facts of the case and to determine whether the petitioner is subject to suspension of operator's license or learner's permit or whether he may be deprived of the privilege of applying for an operator's license or learner's permit by the secretary under the provisions of this act

Any suspension of an operator's license or learner's permit and any denial of the privilege of applying for an operator's license or learner's permit made under the provisions of this act shall not take effect until after the time fixed by this section for the taking of an appeal has expired or if an appeal is taken until the same has been heard and disposed of by the Commonwealth

Section 2 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 3 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Madigan,	Riley,
Baker	Gaffney,	Mahany,	Robertson,
Barrett,	Gallagher,	Matthews,	Root,
Barton,	Gardner,	McAtee,	Rose,
Baumunk,	Getchey,	McClester,	Royer,
Bentley,	Gibson,	McCormack,	Rudisill,
Bentzel,	Goodling,	McDowell,	Salus,
Boles,	Gore,	McKinney,	Scanlon,
Bonawitz,	Grant,	McLanahan,	Schuster,
Boney,	Green,	McMillen,	Serrill,
Boorse,	Greer,	McNair,	Shaffer,
Boory,	Guthrie,	McNally,	Shoemaker,
Bower,	Gyger,	Mihm,	Skale,
Brancato,	Haberlen,	Mikula,	Sloan,
Breisch,	Hall,	Miller,	Smith,
Brice,	Hamilton,	Milliken,	Snider,
Brown,	Hare,	Mills,	Snyder,
Brunner, C. H.,	Haudenshield,	Modell,	Sollenberger,
Brunner P. A.,	Heatherington,	Mooney,	Sorg,
Cadwalader,	Helm	Moore, C. E.,	Stank,
Chervenak,	Hennihan,	Moore, W. J.,	Stockham,
Chudoff,	Hering,	Moran,	Stonier,
Cohen,	Herman,	Moser,	Stuart,
Coleman,	Hersch,	Munley,	Swope,
Cook	Hewitt,	Murray, M. L.,	Tahi,
Cooper,	Hoffman,	Murray, P. G.,	Tate,
Corrigan,	Hoggard,	Myhan,	Trachtman,
Costa,	Howells,	Nagel,	Tittle,
Coulson,	Hunter,	Nelson,	Trent,
Coyle,	Huntley,	O'Brien,	Trout,
Cullen,	James,	O'Connor,	Turbett,
Dague,	Jones,	O'Dare,	Turner,
Dalrymple,	Kennedy,	O'Donnell,	Varallo,
Dennison,	Kirley,	O'Neill,	Verona,
Depuy,	Kline,	Owens,	Wachhaus,
Dillon,	Kolanklewicz,	Pentrack,	Wagner,
Dix,	Komorofski,	Petrosky,	Waterhouse,
Dougherty,	Kurtz,	Pettigrew,	Watkins,
Duffy,	Lane,	Pickens,	Weiss,
Dye,	Laughner,	Polaski,	Welsh,
Elder,	Lee,	Polen,	Wescott,
Elish,	Leisey	Powers,	White,
Erb,	Leonard,	Propert,	Wood, L. H.,
Ewing,	Levy,	Readinger,	Wood, N.,
Finnerty,	Lichtenwalter,	Reagan,	Worley,
Flack,	Loftus,	Reese, D. P.,	Wright,
Fleming,			

Foor,	Longo,	Reese, R. E.,	Yeakel,
Fox,	Lopez,	Regan,	Yester,
Freed	Lovett,	Reynolds,	Fiss,
Frost,	Lyons,	Reidenbach,	Speaker.
	Madden,	Reilly,	

NAYS—0

NOT VOTING—2

Greenwood, Hoopes,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 84, as follows:

An Act concerning the powers and duties of policemen appointed by the Delaware River Joint Toll Bridge Commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All policemen appointed by the Delaware River Joint Toll Bridge Commission when in uniform are hereby authorized and empowered to make arrests on view and without warrant on Sunday or any other day for crimes misdemeanors and offences of any character or for disorder or breach of the peace or violations of any rules and regulations adopted by the Delaware River Joint Toll Bridge Commission committed within the jurisdiction of this Commonwealth on any bridge owned by or under the control of the said Delaware River Joint Toll Bridge Commission or on the approaches thereto or on any other property owned by or under the control of such commission In addition such policemen shall have all the powers conferred by law on police officers or constables in the enforcement of laws and the apprehension of violators

Any person so arrested shall be conducted by the officer to the nearest available alderman justice of the peace or magistrate of the political subdivision in which the arrest is made or if there is no such official available to the nearest available alderman justice of the peace or magistrate of any adjoining political subdivision

Section 2 This act shall become effective upon the enactment of legislation by the State of New Jersey which has an effect in New Jersey similar to this

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Madigan,	Riley,
Baker,	Gaffney,	Mahany,	Robertson,
Barrett,	Gallagher,	Matthews,	Root,
Barton,	Gardner,	McAtee,	Rose,
Baumunk,	Getchey,	McClester,	Royer,
Bentley,	Gibson,	McCormack,	Rudisill,
Bentzel,	Goodling,	McDowell,	Salus,
Boies,	Gore,	McKinney,	Scanlon,
Bonawitz,	Grant,	McLanahan,	Schuster,
Boney,	Green,	McMillen,	Serrill,
Boorse,	Greer,	McNair,	Shaffer,
Boory,	Guthrie,	McNally,	Shoemaker,
Bower,	Gyger,	Mihm,	Skale,
Brancato,	Haberlen,	Mikula,	Sloan,
Breisch,	Hall,	Miller,	Smith,
Brice,	Hamilton,	Milliken,	Snider,
Brown,	Hare,	Mills,	Snyder,
Brunner, C. H.,	Haudenshield,	Modell,	Sollenberger,
Brunner, P. A.,	Heatherington,	Mooney,	Sorg,
Cadwalader,	Helm,	Moore, C. E.,	Stank,
Chervenak,	Hennihan,	Moore, W. J.,	Stockham,
Chudoff,	Hering,	Moran,	Stonier,
Cohen,	Herman,	Moser,	Stuart,
Coleman,	Hersch,	Munley,	Swope,
Cook,	Hewitt,	Murray, M. L.,	Tahl,
Cooper,	Hoffman,	Murray, P. G.,	Tate,
Corrigan,	Hoggard,	Myhan,	Tittle,
Costa,	Howells,	Nagel,	Trachtman,
Coulson,	Hunter,	Nelson,	Trent,
Coyle,	Huntley,	O'Brien,	Trout,
Cullen,	James,	O'Connor,	Turbett,
Dague,	Jones,	O'Dare,	Turner,
Dalrymple,	Kennedy,	O'Donnell,	Varallo,
Dennison,	Kirley,	O'Neill,	Verona,
Depuy,	Kline,	Owens,	Wachhaus,
Dillon,	Kolankiewicz,	Pentrack,	Wagner,
Dix,	Komorofski,	Petrosky,	Waterhouse,
Dougherty,	Kurtz,	Pettigrew,	Watkins,
Duffy,	Lane,	Pickens,	Weiss,
Dye,	Laughner,	Polaski,	Welsh,
Elder,	Lee,	Polen,	Wescott,
Elish,	Leisey,	Powers,	White,
Erb,	Leonard,	Propert,	Wood, L. H.,
Ewing,	Levy,	Readinger,	Wood, N.,
Finnerty,	Lichtenwalter,	Reagan,	Worley,
Flack	Loftus,	Reese, D P.,	Wright,
Fleming,	Longo,	Reese, R. E.,	Yeakel,
Foor,	Lopez,	Regan,	Yester,
Fox,	Lovett,	Reidenbach,	Fiss,
Freed,	Lyons,	Reilly,	Speaker.
Frost,	Madden,	Reynolds,	

NAYS—0

NOT VOTING—2

Greenwood, Hoopes,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 250, as follows:

An Act to further amend section two thousand three hundred nineteen of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by changing the name "Western State Psychiatric Hospital" to "Western State Psychiatric Institute and Clinic"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two thousand three hundred nineteen of the act approved the ninth day of April one thou-

sand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Exeecutive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1865) is hereby further amended to read as follows

Section 2319 New Pennsylvania Industrial School Maximum Security State Prison and [Western State Psychiatric Hospital] Western State Psychiatric Institute and Clinic Upon the erection construction and completion of the new Pennsylvania Industrial School the Maximum Security State Prison and the [Western State Psychiatric Hospital] Western State Psychiatric Institute and clinic pursuant to law the Department of Welfare shall manage and control the same and shall have such powers and duties with respect thereto as are provided by law

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Madigan,	Riley,
Baker,	Gaffney,	Mahany,	Robertson,
Barrett,	Gallagher,	Matthews,	Root,
Barton,	Gardner,	McAtee,	Rose,
Baumunk,	Getchey,	McClester,	Royer,
Bentley,	Gibson,	McCormack,	Rudisill,
Bentzel,	Goodling,	McDowell,	Salus,
Boies,	Gore,	McKinney,	Scanlon,
Bonawitz,	Grant,	McLanahan,	Schuster,
Boney,	Green,	McMillen,	Serrill,
Boory,	Greer,	McNair,	Shaffer,
Boorse,	Guthrie,	McNally,	Shoemaker,
Bower,	Gyger,	Mihm,	Skale,
Brancato,	Haberlen,	Mikula,	Sloan,
Breisch,	Hall,	Miller,	Smith,
Brice,	Hamilton,	Milliken,	Snider,
Brown,	Hare,	Mills,	Snyder,
Brunner C. H.,	Haudenshield,	Modell,	Sollenberger,
Brunner P. A.,	Heatherington,	Mooney,	Sorg,
Cadwalader,	Helm,	Moore, C. E.,	Stank,
Chervenak,	Hennihan,	Moore, W. J.,	Stockham,
Chudoff,	Hering,	Moran,	Stonier,
Cohen,	Herman,	Moser,	Stuart,
Coleman,	Hersch,	Munley,	Swope,
Cook,	Hewitt,	Murray, M. L.,	Tahl,
Cooper,	Hoffman,	Murray, P. G.,	Tate,
Corrigan,	Hoggard,	Myhan,	Tittle,
Costa,	Howells,	Nagel,	Trachtman,
Coulson,	Hunter,	Nelson,	Trent,
Coyle,	Huntley,	O'Brien,	Trout,
Cullen,	James,	O'Connor,	Turbett,
Dague,	Jones,	O'Dare,	Turner,
Dalrymple,	Kennedy,	O'Donnell,	Varallo,
Dennison,	Kirley,	O'Neill,	Verona,
Depuy,	Kline,	Owens,	Wachhaus,
Dillon,	Kolankiewicz,	Pentrack,	Wagner,
Dix,	Komorofski,	Petrosky,	Waterhouse,
Dougherty,	Kurtz,	Pettigrew,	Watkins,
Duffy,	Lane,	Pickens,	Weiss,
Dye,	Laughner,	Polaski,	Welsh,
Elder,	Lee,	Polen,	Wescott,
Elish,	Leisey,	Powers,	White,
Erb,	Leonard,	Propert,	Wood L. H.,
Ewing,	Levy,	Readinger,	Wood, N.,
Finnerty,	Lichtenwalter,	Reagan,	Worley,
Flack,	Loftus,	Reese, D. P.,	Wright,
Fleming,	Longo,	Reese, R. E.,	Yeakel,
Foor,	Lopez,	Regan,	Yester,
Fox,	Lovett,	Reidenbach,	Fiss,
Freed,	Lyons,	Reilly,	Speaker.
Frost,	Madden,	Reynolds,	

NAYS—0

NOT VOTING—2

Greenwood, Hoopes,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 251, as follows:

An Act to amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 1199 No. 324) entitled "An act for the acceptance of a site from the University of Pittsburgh and for surveys and the preparation of preliminary plans and estimates for a Western State Psychiatric Hospital providing for the erection construction and equipment of said hospital when appropriations are made available and for its management by the Department of Welfare" by changing the name "Western State Psychiatric Hospital" to "Western State Psychiatric Institute and Clinic"

The General Assembly of the Commonwealth of Pennsylvania sylvania hereby enacts as follows

Section 1 Sections one and two of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 1199 No. 324) entitled "An act for the acceptance of a site from the University of Pittsburgh and for surveys and the preparation of preliminary plans and estimates for a Western State Psychiatric Hospital providing for the erection construction and equipment of said hospital when appropriations are made available and for its management by the Department of Welfare" are hereby amended to read as follows

Section 1 Be it enacted &c That the Department of Property and Supplies is hereby authorized to acquire in the name of the Commonwealth by gift from the University of Pittsburgh a suitable site for a [Western State Psychiatric Hospital] Western State Psychiatric Institute and Clinic on the campus of or in the neighborhood of the University of Pittsburgh

The said department shall upon the acquisition of said site proceed with preliminary surveys plans and estimates for the construction and equipment of a [Western State Psychiatric Hospital] Western State Psychiatric Institute and Clinic and for the improvement of the grounds connected therewith in the manner provided by the Administrative Code of 1929 Such plans be subject to approval by the Department of Welfare The cost of such preliminary surveys plans and estimates shall be payable out of current maintenance funds of the Department of Property and Supplies but shall not exceed the sum of twenty-five thousand dollars ($25,000)

Section 2 The Department of Property and Supplies shall proceed as soon as funds are made available therefor by appropriation with the erection construction and equipment of said [Western State Psychiatric Hospital] Western State Psychiatric Institute and Clinic which shall be sufficient to accommodate at least one hundred and fifty psychiatric patients and at least two hundred daily visits of psychiatric out-patients

Upon the completion of said hospital it shall be turned over to the Department of Welfare for management and the care maintenance and treatment of psychiatric patients selected by the Department of Welfare and for research and the training of medical and other personnel in mental diseases mental defects and their complications The superintendent of such hospital shall at all times be a physician of experience in the treatment of mental disease and mental defect

Section 2 Section four of said act as added thereto by the act approved the nineteenth day of June one thousand nine hundred thirty-nine (P. L. 440) is hereby amended to read as follows

Section 4 All patients who are classified as private or full pay patients transferred from the State-owned mental hospitals to the [Western State Psychiatric Hospital] Western State Psychiatric Institute and Clinic shall pay only the per capita cost of maintenance which they paid at the hospital from which transferred or which applies to the hospital serving the district in which such patients have a legal residence

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Madigan,	Riley,
Baker,	Gaffney,	Mahany,	Robertson,
Barrett,	Gallagher,	Matthews,	Root,
Barton,	Gardner,	McAtee,	Rose,
Baumunk,	Getchey,	McClester,	Royer,
Bentley,	Gibson,	McCormack,	Rudisill,
Bentzel,	Goodling,	McDowell,	Salus,
Boles,	Gore,	McKinney,	Scanlon,
Bonawitz,	Grant,	McLanahan,	Schuster,
Boney,	Green,	McMillen,	Serrill,
Boorse,	Greer,	McNair,	Shaffer,
Boory,	Guthrie,	McNally,	Shoemaker,
Bower,	Gyger,	Mihm,	Skale,
Brancato,	Haberlen,	Mikula,	Sloan,
Breisch,	Hall,	Miller,	Smith,
Brice,	Hamilton,	Milliken,	Snider,
Brown,	Hare,	Mills,	Snyder,
Brunner, C. H.,	Haudenshield,	Modell,	Sollenberger,
Brunner, P. A.,	Heatherington,	Mooney,	Sorg,
Cadwalader,	Helm,	Moore, C. E.,	Stank,
Chervenak,	Hennihan,	Moore, W. J.,	Stockham,
Chudoff,	Hering,	Moran,	Stonier,
Cohen,	Herman,	Moser,	Stuart,
Coleman,	Hersch,	Munley,	Swope,
Cook,	Hewitt,	Murray, M. L.,	Tahl,
Cooper,	Hoffman,	Murray, P. G.,	Tate,
Corrigan,	Hoggard,	Myhan,	Tittle,
Costa,	Howells,	Nagel,	Trachtman,
Coulson,	Hunter,	Nelson,	Trent,
Coyle,	Huntley,	O'Brien,	Trout,
Cullen,	James,	O'Connor,	Turbett,
Dague,	Jones,	O'Dare,	Turner,
Dalrymple,	Kennedy,	O'Donnell,	Varallo,
Dennison,	Kirley,	O'Neill,	Verona,
Depuy,	Kline,	Owens,	Wachhaus,
Dillon,	Kolankiewicz,	Pentrack,	Wagner,
Dix,	Komorofski,	Petrosky	Waterhouse,
Dougherty,	Kurtz,	Pettigrew,	Watkins,
Duffy,	Lane,	Pickens,	Weiss,
Dye,	Laughner,	Polaski,	Welsh,
Elder,	Lee,	Polen,	Wescott,
Elish,	Leisey,	Powers,	White,
Erb,	Leonard,	Propert,	Wood, L. H.,
Ewing,	Levy,	Readinger,	Wood, N.,
Finnerty,	Lichtenwalter,	Reagan,	Worley,
Flack,	Loftus,	Reese D P.,	Wright,
Fleming,	Longo,	Reese R E.,	Yeakel,
Foor,	Lopez,	Regan,	Yester,
Fox,	Lovett,	Reidenbach,	Fiss,
Freed,	Lyons,	Reilly,	Speaker.
Frost,	Madden,	Reynolds,	

NAYS—0

NOT VOTING—2

Greenwood. Hoopes.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 386, as follows:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by permitting departments boards or commissions to make transfers of surplus products of the soil meats, livestock timber or other materials raised or grown upon or taken from property of the Commonwealth or their by-products to other State agencies and receive credit to their appropriation under certain conditions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred eleven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1865) is hereby further amended to read as follows

Section 511 Sale and Transfer of Surplus Products All departments boards and commissions may sell for the best price obtainable but not less than the current market price for similar products any surplus products of the soil meats livestock timber or other materials raised or grown upon or taken from property of the Commonwealth ad-

ministered by such departments boards or commissions or their by-products respectively Transfers without payment or by sale at current market price may be made of such products by and between State institutions under the control and management of such departments boards or commissions

As used in this section "surplus" shall mean products meats livestock timber or other materials or their by-products respectively which cannot conveniently and economically be used in connection with the proper maintenance of the institution park or other property administered by the department board or commission involved but under no circumstances shall live trees be cut for sale unless and until the Department of Forests and Waters has approved the cutting of such trees and no sales or transfers shall be made under this section by any departmental administrative board or commission without the approval of the department with which such board or commission is connected

The proceeds of the sale of any products of the soil meats livestock timber or other materials sold by any department board or commission under the provisions of this section whether publicly or to another department board or commission shall be paid into the State Treasury through the Department of Revenue and may be credited to the General Fund appropriation of the department board or commission producing the products unless the expenses of such department board or commission are paid wholly or mainly out of a special fund in which case such proceeds shall be credited to the proper special fund and may be credited to the proper appropriation or allocation To be effective the appropriation of such credits shall be specifically provided by the appropriation acts Any questions arising hereunder shall be determined by the Governor and his decision shall be certified to the Department of Revenue and the Treasury Department

Every department board or commission which sells or transfers any product of the soil meats livestock timber or other materials under the provisions of this section shall keep an accurate record of the dates quantities and prices of all sales or transfers which records shall at all times be subject to audit by the Department of the Auditor General

The Executive Board shall prescribe rules and regulations prescribing the manner in which transfers shall be made under this section (Amended June 21, 1937, P. L. 1865)

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Madigan,	Riley,
Baker,	Gaffney,	Mahany,	Robertson,
Barrett,	Gallagher,	Matthews,	Root,
Barton,	Gardner,	McAtee,	Rose,
Baumunk,	Getchey,	McClester,	Royer,
Bentley,	Gibson,	McCormack,	Rudisill,
Bentzel,	Goodling,	McDowell,	Salus,
Boies,	Gore,	McKinney,	Scanlon,
Bonawitz,	Grant,	McLanahan,	Schuster,
Boney,	Green,	McMillen,	Serrill,
Boorse,	Greer,	McNair,	Shaffer,
Boory,	Guthrie,	McNally,	Shoemaker,
Bower,	Gyger,	Mihm,	Skale,
Brancato,	Haberlen,	Mikula,	Sloan,
Breisch,	Hall,	Miller,	Smith,
Brice,	Hamilton,	Milliken,	Snider,
Brown,	Hare,	Mills,	Snyder,
Brunner, C. H.,	Haudenshield,	Modell,	Sollenberger,
Brunner, P. A.,	Heatherington,	Mooney,	Sorg,
Cadwalader,	Helm,	Moore, C. E.,	Stank,
Chervenak,	Hennihan,	Moore, W. J.,	Stockham,
Chudoff,	Hering,	Moran,	Stonier,
Cohen,	Herman,	Moser,	Stuart,
Coleman,	Hersch,	Munley,	Swope,
Cook,	Hewitt,	Murray, M. L.,	Tahl,
Cooper,	Hoffman,	Murray, P. G.,	Tate,
Corrigan,	Hoggard,	Myhan,	Tittle,
Costa,	Howells,	Nagel,	Trachtman,
Coulson,	Hunter,	Nelson,	Trent,
Coyle,	Huntley,	O'Brien,	Trout,
Cullen,	James,	O'Connor,	Turbett,
Dague,	Jones,	O'Dare,	Turner,
Dalrymple,	Kennedy,	O'Donnell,	Varallo,
Dennison,	Kirley,	O'Neill,	Verona,
Depuy,	Kline,	Owens,	Wachhaus,
Dillon,	Kolankiewicz,	Pentrack,	Wagner,
Dix,	Komorofski,	Petrosky	Waterhouse,
Dougherty,	Kurtz,	Pettigrew,	Watkins,
Duffy,	Lane,	Pickens,	Weiss,
Dye,	Laughner,	Polaski,	Welsh,
Elder,	Lee,	Polen,	Wescott,
Elish,	Leisey,	Powers,	White,
Erb,	Leonard,	Propert,	Wood, L. H.,
Ewing,	Levy,	Readinger,	Wood, N.,
Finnerty,	Lichtenwalter,	Reagan,	Worley,
Flack	Loftus,	Reese, D. P.,	Wright,
Fleming,	Longo,	Reese, R. E.,	Yeakel,
Foor,	Lopez,	Regan,	Yester,
Fox,	Lovett,	Reidenbach,	Fiss,
Freed,	Lyons,	Reilly	Speaker.
Frost,	Madden,	Reynolds,	

NAYS—0

NOT VOTING—2

Greenwood, Hoopes,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 406, as follows:

An Act to regulate the sale of second-hand watches and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 As used in this act

1 "Person" means an individual firm partnership association or corporation engaged in the business of selling watches

2 "Consumer" means a person who buys for his own use or for the use of another but not for resale

3 A "second-hand watch" means (a) A watch which as a whole or the case thereof or the movement thereof has been sold to a customer except that a watch which has been so sold and is thereafter returned within a period of six months from the date of the original sale either through an exchange or for credit to the same person who sold the watch to the consumer shall not be deemed to be a second-hand watch for the purpose of this act if the vendor keeps a written record setting forth the name and address of the consumer the date of the sale to the consumer the name of the watch or its maker and the serial number if any on the case and the movement of the watch or other distinguishing numbers for identification marks such record to be kept for at least three years from the date of the sale of the watch or

(b) Any watch whose case or movement serial numbers or other distinguishing numbers or identification marks have been erased defaced removed altered or covered

Section 2 Any person who sells exchanges offers to sell or exchange exposes or displays for sale or exchange or possesses with intent to sell or exchange a second-hand watch shall affix and keep affixed to the same a

tag with the words "second-hand" legibly written or printed thereon in the English language

Section 3 Any person who sells a second-hand watch shall deliver to the vendee a written invoice setting forth the name and address of the vendor the name and address of the vendee the date of the sale the name of the watch or its maker and the serial numbers if any or other distinguishing numbers or identification marks on its case and movement If the serial numbers or other distinguishing numbers or identification marks have been erased defaced removed altered or covered this shall be set forth in the invoice. A duplicate of the invoice shall be kept on file by the vendor of the second hand watch for at least one year from the date of the sale thereof

Section 4 Any person advertising or displaying in any manner second-hand watches for sale shall state clearly in such advertising or display that the watches so advertised are second-hand watches

Section 5 Violation of any of the provisions of this act is a misdemeanor and upon conviction thereof shall be punished by imprisonment in the county jail for not more than one (1) year or by fine of not more than five hundred dollars ($500.00)

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Madigan,	Riley,
Baker,	Gaffney,	Mahany,	Robertson,
Barrett,	Gallagher,	Matthews,	Root,
Barton,	Gardner,	McAtee,	Rose,
Baumunk,	Getchey,	McClester,	Royer,
Bentley,	Gibson,	McCormack,	Rudisill,
Bentzel,	Goodling,	McDowell,	Salus,
Boies,	Gore,	McKinney,	Scanlon,
Bonawitz,	Grant,	McLanahan,	Schuster,
Boney,	Green,	McMillen,	Serrill,
Boorse,	Greer,	McNair,	Shaffer,
Boory,	Guthrie,	McNally,	Shoemaker,
Bower,	Gyger,	Mihm,	Skale,
Brancato,	Haberlen,	Mikula,	Sloan,
Breisch,	Hall,	Miller,	Smith,
Brice,	Hamilton,	Milliken,	Snider,
Brown,	Hare,	Mills,	Snyder,
Brunner, C. H.,	Haudenshield,	Modell,	Sollenberger,
Brunner, P. A.,	Heatherington,	Moore, C. E.,	Sorg,
Cadwalader,	Helm,	Moore, W. J.,	Stank,
Chervenak,	Hennihan,	Mooney,	Stockham,
Chudoff,	Hering,	Moran,	Stonier,
Cohen,	Herman,	Moser,	Stuart,
Coleman,	Hersch,	Munley,	Swope,
Cook,	Hewitt,	Murray, M. L.,	Tahl,
Cooper,	Hoffman,	Murray, P. G.,	Tate,
Corrigan,	Hoggard,	Myhan,	Tittle,
Costa,	Howells,	Nagel,	Trachtman,
Coulson,	Hunter,	Nelson,	Trent,
Coyle,	Huntley,	O'Brien,	Trout,
Cullen,	James,	O'Connor,	Turbett,
Dague,	Jones,	O'Dare,	Turner,
Dalrymple,	Kennedy,	O'Donnell,	Varallo,
Dennison,	Kirley,	O'Neill,	Verona,
Depuy,	Kline,	Owens,	Wachhaus,
Dillon,	Kolankiewicz,	Pentrack,	Wagner,
Dix,	Komorofski,	Petrosky,	Waterhouse,
Dougherty,	Kurtz,	Pettigrew,	Watkins,
Duffy,	Lane,	Pickens,	Weiss,
Dye,	Laughner,	Polaski,	Welsh,
Elder,	Lee,	Polen,	Wescott,
Elish,	Leisey,	Powers,	White,
Erb,	Leonard,	Propert,	Wood, L. H.,
Ewing,	Levy,	Readinger,	Wood, N.,
Finnerty,	Lichtenwalter,	Reagan,	Worley,
Flack,	Loftus,	Reese, D. P.,	Wright,
Fleming,	Longo,	Reese, R. E.,	Yeakel,
Foor,	Lopez,	Regan,	Yester,
Fox,	Lovett,	Reidenbach,	Fiss,
Freed,	Lyons,	Reilly,	Speaker.
Frost,	Madden,	Reynolds,	

NAYS—0

NOT VOTING—2

Greenwood, Hoopes,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILLS NOT ON FILE

The SPEAKER. The following bills are not on file and will therefore be passed over:

Senate Bill No. 52, Printer's No. 292
House Bill No. 1012, Printer's No. 455
House Bill No. 553, Printer's No. 453
House Bill No. 329, Printer's No. 452 and
House Bill No. 330, Printer's No. 456.

RECESS

The SPEAKER. If there is no objection the Chair will declare a recess until 2:30 p. m. Is there objection? The Chair hears none and a recess is declared.

AFTER RECESS

The House reconvened at 2:30 p. m.
The Speaker (Ira T. Fiss) in the Chair.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 204.

An Act to amend sections fourteen and twenty of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 414) entitled "An act relating to vital statistics and to make uniform the law with reference thereto" by changing the conditions under which information or records may be furnished and certified copies of birth certificates shall be issued

HOUSE BILL No. 420.

An Act to amend the act approved the twelfth day of May one thousand nine hundred forty-three (P. L. 259) entitled "An act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employes Retirement System and in certain other cases into the state Employes' Retirement Fund for certain purposes" by providing for allocation and distribution of such moneys and further prescribing their use.

HOUSE BILL No. 470.

An Act to further amend section four of the act, approved the eighth day of May, one thousand nine hundred nine (P. L. 470), entitled "An act to prevent the manufacture and sale of adulterated or misbranded drugs; defining the word 'drug'; prescribing penalties for viola-

tion of this act, and the method of its enforcement"; by further defining what shall constitute misbranding of drugs.

HOUSE BILL No. 493.

A Supplement to the act approved the fourth day of June one thousand nine hundred and forty-three (Appropriation Acts page fifty-nine) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-three" providing for a deficiency in the appropriation made by said act to the Department of the Auditor General for the fiscal biennium ending May thirty-first one thousand nine hundred and forty-five.

HOUSE BILL No. 771.

An Act to further amend clause (b), section six of the act, approved the fifth day of May, one thousand nine hundred eleven (P. L. 198), entitled "An act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof," by conferring the authority to issue writs of habeas corpus in desertion and non-support cases.

HOUSE BILL No. 780.

An Act to further amend section six of the act, approved the fifth day of May, one thousand nine hundred eleven (P. L. 198), entitled "An act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof," by extending jurisdiction to cases for support of illegitimate children where the putative father admits parentage.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 472.

An Act prohibiting the sale of drugs, chemicals and preparations thereof without a label bearing certain information; and prescribing a penalty.

With the information that the Senate has passed the same with an amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendment.

The Clerk read the amendment as follows:

Amend Section 1, page 1, line 7, by striking out after the word "Such" the word "labels" and inserting in lieu thereof the word "label".

On the question,

Will the House concur in the amendment made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Madigan,	Riley,
Baker,	Gaffney,	Mahany,	Robertson,
Barrett,	Gallagher,	Matthews,	Root,
Barton,	Gardner,	McAtee,	Rose,
Baumunk,	Getchey,	McClester,	Royer,
Bentley,	Gibson,	McCormack,	Rudisill,
Bentzel,	Goodling,	McDowell,	Salus,
Boies,	Gore,	McKinney,	Scanlon,
Bonawitz,	Grant,	McLanahan,	Schuster,
Boney,	Green,	McMillen,	Serrill,
Boorse,	Greer,	McNair,	Shaffer,
Boory,	Guthrie,	McNally,	Shoemaker,
Bower,	Gyger,	Mihm,	Skale,
Brancato,	Haberlen,	Mikula,	Sloan,
Breisch,	Hall,	Miller,	Smith,
Brice,	Hamilton,	Milliken,	Snider,
Brown,	Hare,	Mills,	Snyder,
Brunner, C. H.,	Haudenshield,	Modell,	Sollenberger,
Brunner, P. A.,	Heatherington,	Mooney,	Sorg,
Cadwalader,	Helm,	Moore, C. E.,	Stank,
Chervenak,	Hennihan,	Moore, W. J.,	Stockham,
Chudoff,	Hering,	Moran,	Stonier,
Cohen,	Herman,	Moser,	Stuart,
Coleman,	Hersch,	Munley,	Swope,
Cook,	Hewitt,	Murray, P. G.,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Myhan,	Tittle,
Costa,	Howells,	Nagel,	Trachtman,
Coulson,	Hunter,	Nelson,	Trent,
Coyle,	Huntley,	O'Brien,	Trout,
Cullen,	James,	O'Connor,	Turbett,
Dague,	Jones,	O'Dare,	Turner,
Dalrymple,	Kennedy,	O'Donnell,	Varallo,
Dennison,	Kirley,	O'Neill,	Verona,
Depuy,	Kline,	Owens,	Wachhaus,
Dillon,	Kolankiewicz,	Pentrack,	Wagner,
Dix,	Komorofski,	Petrosky,	Waterhouse,
Dougherty,	Kurtz,	Pettigrew,	Watkins,
Duffy,	Lane,	Pickens,	Weiss,
Dye,	Laughner,	Polaski,	Welsh,
Eider,	Lee,	Polen,	Wescott,
Elish,	Leisey,	Powers,	White,
Erb,	Leonard,	Propert,	Wood, L. H.,
Ewing,	Levy,	Readinger,	Wood, N.,
Finnerty,	Lichtenwalter,	Reagan,	Worley,
Flack,	Loftus,	Reese, D. P.,	Wright,
Fleming,	Longo,	Reese, R. E.,	Yeakel,
Foor,	Lopez,	Regan,	Yester,
Fox,	Lovett,	Reidenbach,	Fiss,
Freed,	Lyons,	Reilly,	Speaker.
Frost,	Madden,	Reynolds,	

NAYS—0

NOT VOTING—2

Greenwood, Hoopes,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendment was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 472.

An Act prohibiting the sale of drugs chemicals and preparations thereof without a label bearing certain information and prescribing a penalty.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

ADDITIONAL SPONSOR

Mr. SKALE asked and obtained unanimous consent to add an additional sponsor to a bill, the additional sponsor being Mr. Smith.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 884, entitled:

An Act relating to the Tuberculosis Hospital of the City of Pittsburgh, Pittsburgh, Pennsylvania; providing for the transfer of such institution to the Commonwealth; providing for the management and operation of closing and abandonment thereof, and maintenance of tuberculosis patients therein, including the collection of maintenance in certain cases; providing for the retransfer under certain circumstances; conferring power and imposing duties on the Governor and Department of Health.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1081, entitled:

An Act to amend clause twelve of section three of the act, approved the tenth day of May, one thousand nine hundred and thirty-nine (P. L. 111), entitled "An act relating to, and providing for, the promotion and development of business, industry and commerce in the Commonwealth; conferring powers and duties upon the Department of Commerce and other agencies of the Commonwealth; abolishing the Pennsylvania State Publicity Commission, terminating the terms of its members and conferring its powers upon, and transferring and appropriating the balance of its current appropriation to, the Department of Commerce; and repealing certain laws," providing for the inspection of mineral production, the gathering and compilation of composite statistics, for reports to the General Assembly by agencies administering production control plans, and for the termination of such plans under certain circumstances.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 28, entitled:

An Act authorizing the Department of Mines to make or cause to be made a survey of all abandoned coal holes in the Southern and Western middle coal fields of the anthracite region of this Commonwealth, for the protection of the public and for the protection of those persons who may be engaged in future mining.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

BILL RECOMMITTED

Mr. DAGUE. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 135, entitled:

An Act fixing the salaries of State Mine Inspectors, under the jurisdiction of the Department of Mines in this Commonwealth, and the expenses incident to this office.

The first section was read.

On the question,

Will the House agree to the section?

Mr. HENNIHAN offered the following amendments:

Amend Sec. 1, page 1, lines 2 to 9, both inclusive, by striking out the words "shall re-" in line 2, all of lines 3, 4, 5, 6, 7, 8 and the words "salary of any mine inspector who has" in line 9, and inserting in lieu thereof "who have".

Amend Sec. 1, page 1, line 11, by inserting after the word "annum" "together with the necessary expense incidental to the performance of their duties under the law which money shall be paid in the manner now provided by law".

They were agreed to.

The section was agreed to as amended.

The second and third sections and title were separately read and agreed to.

And said bill having been read at length the second time, and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 446, entitled:

An Act to amend section six hundred eight of the act approved the eighteenth day of May, one thousand nine hundred eleven, (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by authorizing school boards to re-acquire old school buildings having historical value.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 72, as follows:

An Act to further amend section six hundred one of the act approved the twenty-fifth day of May one thousand nine hundred thirty-three (P. L. 1001) entitled "An act providing for the regulation of aeronautics within this Commonwealth conferring powers and imposing duties upon the Pennsylvania Aeronautics Commission and the Department of Revenue in respect thereto providing for the licensing and registration of airman and aircraft establishing the legal status of air navigation providing for sovereignty in and ownership of space providing for lawfulness of flights regulating civil causes of action arising out of operation of aircraft fixing the status of contracts crimes and torts in by or by means of operation of aircraft imposing duties upon officers burgesses magistrates aldermen justices of the peace the courts and clerks thereof pro-

viding for denial or revocation of licenses providing for certain penalties and their disposition and repealing certain existing laws" by reducing the amount of the minimum fine which may be imposed for certain violations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That section six hundred one of the act approved the twenty-fifth day of May one thousand nine hundred thirty-three (P. L. 1001) entitled "An act providing for the regulation of aeronautics within this Commonwealth conferring powers and imposing duties upon the Pennsylvania Aeronautics Commission and the Department of Revenue in respect thereto providing for the licensing and registration of airman and aircraft establishing the legal status of air navigation providing for sovereignty in and ownership of space providing for lawfulness of flights regulating civil causes of action arising out of operation of aircraft fixing the status of contracts crimes and torts in by or by means of operation of aircraft imposing duties upon officers burgesses magistrates aldermen justices of the peace the courts and clerks thereof providing for denial or revocation of licenses providing for certain penalties and their disposition and repealing certain existing laws" is hereby amended to read as follows

Section 601 Violation Provisions It shall be unlawful for any person to commit any of the following acts

(a) To operate or navigate aircraft while under the influence of intoxicating liquor or narcotic drug or habit producing drug or permit any person who may be under the influence of intoxicating liquor or narcotic or habit producing drug to operate or navigate any aircraft owned by him or in his custody or control or to carry in any aircraft any passenger who is visibly under the influence of intoxicating liquor narcotic drug or other habit producing drug

(b) To operate or navigate aircraft while in possession of any Federal license or to display or cause or permit to be displayed such license knowing the same to have been cancelled revoked suspended or altered

(c) To lend to or knowingly to permit the use of by one not entitled thereto any Federal airman's and aircraft license issued to the person so lending or permitting the use thereof

(d) To display or to represent as one's own any Federal airman's or aircraft license not issued to the person so displaying the same

(e) Tampering with or making use of or navigating any aircraft without the knowledge or consent of the owner or custodian thereof

(f) To use a false or fictitious name or to give a false or fictitious address in any application or form required under the provisions of this act or the rules and regulations of the department adopted pursuant to this act or knowingly make any false statement or report or knowingly conceal a material fact or otherwise commit a fraud in any application

(g) To operate or navigate any aircraft within this Commonwealth unless such aircraft has been licensed and registered in accordance with the provisions of this act and unless the operator thereof has been licensed in accordance with the provisions of this act Provided further That the owner of aircraft operated in violation of any of the provisions of this act shall also be subject to the penalties provided in this section

Penalty Any person violating any of the provisions of subsections (b) (c) (d) (f) or (g) of this section shall upon summary conviction before a burgess alderman magistrate or justice of the peace be sentenced to pay a fine of not less than [fifty ($50.00) dollars] twelve dollars and fifty cents ($12.50) nor more than two hundred ($200.00) dollars and the cost of prosecution or undergo imprisonment for not more than thirty (30) days or suffer both such fine and imprisonment

Any person violating any of the provisions of subsections (a) or (e) of this section shall be guilty of a misdemeanor and shall upon conviction thereof in a court of quarter sessions be sentenced to pay a fine of not less than one hundred ($100.00) dollars nor more than five hundred ($500.00) dollars and the costs of prosecution or undergo imprisonment for not more than one (1) year or suffer both such fine and imprisonment

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Madigan,	Riley,
Baker,	Gaffney,	Mahany,	Robertson,
Barrett,	Gallagher,	Matthews,	Root,
Barton,	Gardner,	McAtee,	Rose,
Baumunk,	Getchey,	McClester,	Royer,
Bentley,	Gibson,	McCormack,	Rudisill,
Bentzel,	Goodling,	McDowell,	Salus,
Boles,	Gore,	McKinney,	Scanlon,
Bonawitz,	Grant,	McLanahan,	Schuster,
Boney,	Green,	McMillen,	Serrill,
Boorse,	Greer,	McNally,	Shaffer,
Boory,	Guthrie,	McNair,	Shoemaker,
Bower,	Gyger,	Mihm,	Skale,
Brancato,	Haberlen,	Mikula,	Sloan,
Breisch,	Hall,	Miller,	Smith,
Brice,	Hamilton,	Milliken,	Snider,
Brown,	Hare,	Mills,	Snyder,
Brunner, C. H.,	Haudenshield,	Modell,	Sollenberger,
Brunner, P. A.,	Heatherington,	Mooney,	Sorg,
Cadwalader,	Helm,	Moore, C. E.,	Stank,
Chervenak,	Hennihan,	Moore, W. J.,	Stockham,
Chudoff,	Hering,	Moran,	Stonier,
Cohen,	Herman,	Moser,	Stuart,
Coleman,	Hersch,	Munley,	Swope,
Cook,	Hewitt,	Murray, M. L.,	Tahl,
Cooper,	Hoffman,	Murray, P. G.,	Tate,
Corrigan,	Hoggard,	Myhan,	Tittle,
Costa,	Howells,	Nagel,	Trachtman,
Coulson,	Hunter,	Nelson,	Trent,
Coyle,	Huntley,	O'Brien,	Trout,
Cullen,	James,	O'Connor,	Turbett,
Dague,	Jones,	O'Dare,	Turner,
Dalrymple,	Kennedy,	O'Donnell,	Varallo,
Dennison,	Kirley,	O'Neill,	Verona,
Denuv,	Kline,	Owens,	Wachhaus,
Dillon,	Kolankiewicz,	Pentrack,	Wagner,
Dix,	Komorofski,	Petrosky,	Waterhouse,
Dougherty,	Kurtz,	Pettigrew,	Watkins,
Duffy,	Lane,	Pickens,	Weiss,
Dye,	Laughner,	Polaski,	Welsh,
Elder,	Lee,	Polen,	Wescott,
Elish,	Leisey,	Powers,	White,
Erb,	Leonard,	Propert,	Wood, L. H.,
Ewing,	Levy,	Readinger,	Wood, N.,
Finnerty,	Lichtenwalter,	Reagan,	Worley,
Flack,	Loftus,	Reese, D. P.,	Wright,
Fleming,	Longo,	Reese, R. E.,	Yeakel,
Foor,	Lopez,	Regan,	Yester,
Fox,	Lovett,	Reidenbach,	Fiss,
Freed,	Lyons,	Reilly,	Speaker.
Frost,	Madden,	Reynolds,	

NAYS—0

NOT VOTING—2

Greenwood, Hoopes,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 113, as follows:

An Act to empower political subdivisions to promulgate administer and enforce airport zoning regulations limiting the height of structures and objects of natural growth and otherwise regulating the use of property in the vicinity of airports and to acquire by purchase grant or condemnation air rights and other interests in land to authorize penalties and remedies for violation of this act or of any ordinances or regulations made under the authority conferred herein and to authorize appropriations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act shall be known and may be cited as the "Airport Zoning Act"

Section 2 Definitions As used in this act unless the context otherwise requires

(1) "Airport" means any area of land or water designed and set aside for the landing and taking-off of aircraft and utilized or to be utilized in the interest of the public for such purposes

(2) "Airport hazard" means any structure or tree or use of land which obstructs the airspace required for the flight of aircraft in landing or taking-off at an airport or is otherwise hazardous to such landing or taking-off of aircraft

(3) "Airport hazard area" means any area of land or water upon which an airport hazard might be established if not prevented as provided in this act

(4) "Board" means any Board of Adjustment or Board of Appeals

(5) "Commission" means any zoning commission airport zoning commission planning commission or joint zoning commission

(6) "Political subdivision" means any county city boroughs incorporated town and township

(7) "Person" means any indivdual firm copartnership corporation company association joint stock association or body politic and includes any trustee receiver assignee or other similar representative thereof

(8) "Structure" means any object constructed or installed by man including but without limitation buildings towers smokestacks and overhead transmission lines

(9) "Tree" means any object of natural growth

Section 3 Airport Hazards Contrary to Public Interest It is hereby found that an airport hazard endangers the lives and property of users of the airport and of occupants of land in its vicinity and also if of the obstruction type in effect reduces the size of the area available for the landing take-off and maneuvering of aircraft thus tending to destroy or impair the utility of the airport and the public investment therein Accordingly it is hereby declared (a) that the creation or establishment of an airport hazard is a public nuisance and an injury to the community served by the airport in question (b) that it is therefore necessary in the interest of the public health public safety and general welfare that the creation or establishment of airport hazards be prevented and (c) that this should be accomplished to the extent legally possible by exercise of the police power without compensation It is further declared that both the prevention of the creation or establishment of airport hazards and the elimination removal alteration mitigation or marking and lighting of existing airport hazards are public purposes for which political subdivisions may raise and expend public funds and acquire land or property interests therein

Section 4 Power to Adopt Airport Zoning Regulations (1) In order to prevent the creation or establishment of airport hazards every political subdivision having an airport hazard area within its territorial limits may adopt administer and enforce under the police power and in the manner and upon the conditions hereinafter prescribed airport zoning regulations for such airport hazard area which regulations may divide such area into zones and within such zones specify the land uses permitted and regulate and restrict the height to which structures and trees may be erected or allowed to grow

(2) Where an airport is owned or controlled by a political subdivision and any airport hazard area appertaining to such airport is located outside the territorial limits of said political subdivision the political subdivision owning or controlling the airport and the political subdivision within which the airport hazard area is located may by ordinance or resolution duly adopted create a joint airport zoning board which board shall have the same power to adopt administer and enforce airport zoning regulations applicable to the airport hazard area in question as that vested by subsection (1) in the political subdivision within which such area is located Each such joint board shall have as members two representatives appointed by each political subdivision participating in its creation and in addition a chairman elected by a majority of the members so appointed

(3) If in the judgment of a political subdivision owning or controlling an airport the political subdivision within which is located an airport hazard area appertaining to that airport has failed to adopt or enforce reasonably adequate airport zoning regulations for such area under subsection (1) and if that political subdivision has refused to join in creating a joint airport zoning board as authorized in subsection (2) the political subdivision owning or controlling the airport may itself adopt administer and enforce airport zoning regulations for the airport hazard area in question In the event of conflict between such regulations and any airport zoning regulations adopted by the political subdivision within which the airport hazard area is located the regulations of the political subdivision owning or controlling the airport shall govern and prevail

Section 5 Relation to Comprehensive Zoning Regulations

(1) Incorporation In the event that a political subdivision has adopted or hereafter adopts a comprehensive zoning ordinance regulating among other things the height of buildings any airport zoning regulations applicable to the same area or portion thereof may be incorporated in and made a part of such comprehensive zoning regulations and be administered and enforced in connection therewith

(2) Conflict In the event of conflict between any airport zoning regulations adopted under this act and any other regulations applicable to the same area whether the conflict be with respect to the height of structures or trees the use of land or any other matter and whether such other regulations were adopted by the political subdivision which adopted the airport zoning regulations or by some other political subdivision the more stringent limitation or requirement shall govern and prevail

Section 6 Procedure for Adoption of Zoning Regulations

(1) Notice and Hearing No airport zoning regulations shall be adopted amended or changed under this act except by action of the political subdivision in question or the joint board provided for in Section 4(2) after a public hearing in relation thereto at which parties in interest and citizens shall have an opportunity to be heard At least fifteen (15) days' notice of the hearing shall be given by publication one time in at least one newspaper of general circulation in the political subdivision or subdivisions in which is located the air port hazard area to be zoned and in the legal journal if any designated by the rules of court of the county in which such political subdivision or subdivisions are situated for the publication of legal notices and advertisements

(2) Airport Zoning Commission Prior to the initial zoning of any airport hazard area under this act the political subdivision or joint airport zoning board which is to adopt the regulations shall appoint a commission to be known as the airport zoning commission to recommend the boundaries of the various zones to be established and the regulations to be adopted therefor Such com-

nission shall make a preliminary report and after notice given in the same manner as is provided in subsection (1) of this section hold public hearings thereon before submitting its final report and the political subdivision or he joint airport zoning board shall not hold its public nearings or take other action until it has received the inal report of such commission

Where a planning commission or zoning commission already exists it may be appointed as the airport zoning ommission

Section 7 Airport Zoning Requirements

(1) Reasonableness All airport zoning regulations dopted under this act shall be reasonable and none hall impose any requirement or restriction which is not easonably necessary to effectuate the purposes of this ict In determining what regulations it may adopt each political subdivision and joint airport zoning board shall consider among other things the character of the flying operations expected to be conducted at the airport the nature of the terrain within the airport hazard area the character of the neighborhood and the uses to which the property to be zoned is put and adaptable

(2) Nonconforming Uses No airport zoning regulations adopted under this act shall require the removed lowering or other change or alteration of any structure or tree not conforming to the regulations when adopted or amended or otherwise interfere with the continuance of any nonconforming use except as provided in Section 8(3)

Section 8 Permits and Variances

(1) Permits Any airport zoning regulations adopted under this act may require that a permit be obtained before any new structure or use may be constructed or established and before any existing use or structure may be substantially changed or substantially altered but no such permit shall be required to make maintenance repairs to or to replace parts of existing structures which do not enlarge or increase the height of an existing structure In any event however all such regulations shall provide that before any nonconforming structure or tree may be replaced substantially altered or rebuilt allowed to grow higher or replanted a permit must be secured from the commission authorizing such replacement or change No permit shall be granted that would allow the establishment or creation of an airport hazard or permit a nonconforming structure or tree or nonconforming use to be made or become higher or become a greater hazard to air navigation than it was when the applicable regulation was adopted or than it is when the application for a permit is made Except as provided herein all applications for permits shall be granted

(2) Variance Any person desiring to erect any structure or increase the height of any structure or permit the growth of any tree or otherwise use his property in violation of airport zoning regulations adopted under this act may apply to the Board of Adjustment or Board of Appeals for a variance from the zoning regulations in question Such variances shall be allowed where a literal application or enforcement of the regulations would result in practical difficulty or unnecessary hardship and the relief granted would not be contrary to the public interest but do substantial justice and be in accordance with the spirit of the regulations and this act Provided That any variance may be allowed subject to any reasonable conditions that the board may deem necessary to effectuate the purposes of this act

(3) Hazard Marking and Lighting In granting any permit or variance under this section the board may if it deems such action advisable to effecutate the purpose of this act and reasonable in the circumstances so condition such permit or variance as to require the owner of the structure or tree in question to permit the political subdivision at its own expense to install operate and maintain thereon such markers and lights as may be necessary to indicate to flyers the presence of an airport hazard

Section 9 Appeals

(1) Any person aggrieved or taxpayers affected by any decision of the commission may appeal to the board

(2) All appeals taken under this section must be taken within a reasonable time as provided by the rules of the board by filing with the commission and with the board a notice of appeal specifying the grounds thereof The commission shall forthwith transmit to the board all the papers constituting the record upon which the action appealed from was taken

(3) An appeal shall stay all proceedings in furtherance of the action appealed from unless the commission certifies to the board after the notice of appeal has been filed with it that by reason of the fact stated in the certificate a stay would in its opinion cause imminent peril to life or property In such cases proceedings shall not be stayed otherwise than by order of the board on notice to the commission and on due cause shown

(4) The board shall fix a reasonable time for the hearing of appeals give public notice and due notice to the parties in interest and decide the same within a reasonable time Upon the hearing any party may appear in person or by attorney

(5) The board may in conformity with the provisions of this act reverse or affirm wholly or partly or modify the order requirement decision or determination appealed from and may make such order requirement decision or determination as ought to be made and to that end shall have all the powers of the commission from which the appeal is taken

Section 10 Board of Adjustment or Board of Appeals

(1) All airport zoning regulations adopted under this act shall provide for a Board of Adjustment or Board of Appeals to have and exercise the following powers

(a) To hear and decide appeals from any order requirement decisions or determination made by the commission in the enforcement of the airport zoning regulations as provided in Section 9

(b) To hear and decide any special exceptions to the terms of the airport zoning regulations upon which such board may be required to pass under such regulations

(c) To hear and decide specific variances under Section 8(2)

(2) Where a zoning board of appeals or adjustment already exists it may be appointed as the board Otherwise the board shall consist of five members each to be appointed for a term of three years by the authority adopting the regulations and to be removable by the appointing authority for cause upon written charges and after public hearing

3) The concurring vote of a majority of the members of the board shall be sufficient to reverse any order requirement decision or determination of the political subdivision or to decide in favor of the applicant on any matter upon which it is required to pass under the airport zoning regulations or to effect any variation in such regulations

(4) The board shall adopt rules in accordance with the provisions of the ordinance or resolution by which it was created Meetings of the board shall be held at the call of the chairman and at such other times as the board may determine The chairman or in his absence the acting chairman may administer oaths and compel the attendance of witnesses All hearings of the board shall be public The board shall keep minutes of its proceedings showing the vote of each member upon each question or if absent or failing to vote indicating such fact and shall keep records of its examinations and other official actions all of which shall immediately be filed in the office of the board and shall be a public record

Section 11 In the event of conflict between any airport zoning regulations adopted under this act by a political subdivision and other airport zoning regulations adopted under this act by any other political subdivision with reference to the same area the more stringent limitation or requirement shall govern and prevail except as provided in Section 5(2)

Section 12 Judicial Review

(1) Any person aggrieved or taxpayer affected by any decision of a board or any joint airport zoning board which is of the opinion that a decision of a board is illegal may present to the court of common pleas a veri-

fied petition setting forth that the decision is illegal in whole or in part and specifying the grounds of the illegality Such petition shall be presented to the court within thirty (30) days after the decision is filed in the office of the board

(2) Upon presentation of such petition the court may allow a writ of certiorari directed to the Board of Adjustment or Board of Appeals to review such decison of the board The allowance of the writ shall not stay proceedings upon the decision appealed from but the court may on application on notice to the board and on due cause shown grant a restraining order

(3) The board shall not be required to return the original papers acted upon by it but it shall be sufficient to return certified or sworn copies thereof or of such portions thereof as may be called for by the writ The return shall concisely set forth such other facts as may be pertinent and material to show the grounds of the decision appealed from and shall be verified

(4) The court shall have exclusive jurisdiction to affirm modify or set aside the decision brought up for review in whole or in part and if need be to order further proceedlings by the board The findings of fact of the board if supported by competent evidence shall be accepted by the court as conclusive and no objection to a decision of the board shall be considered by the court unless such objection shall have been urged before the board or if it was not so urged unless there were reasonable grounds for failure to do so

(5) In any case in which airport zoning regulations adopted under this act although generally reasonable are held by a court to interfere with the use or enjoyment of a particular structure or parcel of land to such an extent or to be so onerous in their application to such a structure or parcel of land as to constitute a taking or deprivation of that property in violation of the Constitution of this State or the Constitution of the United States such holding shall not affect the application of such regulations to other structures and parcels of land

Section 13 Enforcement and Remedies In addition to the other remedies the political subdivision adopting zoning regulations under this act may institute in any court of competent jurisdiction an action to prevent restrain correct or abate any violation of this act or of airport zoning regulations adopted under this act or of any order or ruling made in connection with their administration or enforcement and the court shall adjudge to the plaintiff such relief by way of injunction (which may be mandatory) or otherwise as may be proper under all the facts and circumstances of the case in order fully to effectuate the purposes of this act and of the regulations adopted and orders and rulings made pursuant thereto

Section 14 Acquisition of Air Rights In any case in which (1) It is desired to remove lower or otherwise terminate a nonconforming structure or use or (2) the approach protection necessary cannot because of constitutional limitations be provided by airport zoning regulations under this act or (3) it appears advisbale that the necessary approach protection be provided by acquisition of property rights rather than by airport zoning regulations the political subdivision within which the property or nonconforming use is located or the political subdivision owning the airport or served by it may acquire by purchase grant or condemnation in the manner provided by the law under which political subdivisions are authorized to acquire real property for public purposes such air right avigation easement or other estate or interest in the property or nonconforming structure or use in question as may be necessary to effecutate the purpose of this act In the case of the purchase of any property or any easement or estate or interest therein or the acquisition of the same by the power of eminent domain the political subdivision making such purchase or exercising such power shall in addition to the damages for the taking injury or destruction of property also pay the cost of the removal and relocation of any structure or any public utility which is required to be moved to a new location

Section 15 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Madigan,	Riley,
Baker	Gaffney,	Mahany,	Robertson
Barrett,	Gallagher,	Matthews,	Root,
Barton,	Gardner,	McAtee,	Rose,
Baumunk,	Getchey,	McClester,	Royer,
Bentley,	Gibson,	McCormack,	Rudisill,
Bentzel,	Goodling,	McDowell,	Salus,
Boies,	Gore,	McKinney,	Scanlon,
Bonawitz,	Grant,	McLanahan,	Schuster,
Boney,	Green,	McMillen,	Serrill,
Boorse,	Greer,	McNair,	Shaffer,
Boory,	Guthrie,	McNally,	Shoemaker,
Bower	Gyger	Mihm,	Skale,
Brancato,	Haberlen,	Mikula,	Sloan,
Breisch,	Hall,	Miller,	Smith,
Brice,	Hamilton,	Milliken,	Snider,
Brown,	Hare,	Mills,	Snyder,
Brunner, C. H.,	Haudenshield,	Modell,	Sollenberger
Brunner P A.,	Heatherington,	Mooney,	Sorg,
Cadwalader,	Helm	Moore, C. E.,	Stank,
Chervenak,	Hennihan,	Moore, W. J.,	Stockham
Chudoff,	Hering,	Moran,	Stonier,
Cohen,	Herman,	Moser,	Stuart,
Coleman,	Hersch,	Munley,	Swope,
Cook	Hewitt,	Murray, M. L.,	Tahl,
Cooper,	Hoffman,	Murray, P. G.,	Tate,
Corrigan,	Hoggard,	Myhan,	Tittle,
Costa,	Howells,	Nagel,	Trachtman,
Coulson,	Hunter,	Nelson,	Trent,
Coyle,	Huntley	O'Brien,	Trout,
Cullen,	James,	O'Connor,	Turbett,
Dague,	Jones,	O'Dare,	Turner,
Dalrymple,	Kennedy,	O'Donnell,	Varallo,
Dennison,	Kirley,	O'Neill,	Verona,
Depuy,	Kline,	Owens,	Wachhaus,
Dillon,	Kolankiewicz,	Pentrack,	Wagner,
Dix,	Komorofski,	Petrosky,	Waterhouse,
Dougherty,	Kurtz,	Pettigrew,	Watkins,
Duffy,	Lane,	Pickens,	Weiss,
Dye,	Laughner,	Polaski,	Welsh,
Elder,	Lee	Polen,	Wescott,
Elish,	Leisey	Powers,	White,
Erb	Leonard	Propert,	Wood L. H.
Ewing,	Levy	Readinger,	Wood N.,
Finnerty,	Lichtenwalter,	Reagan,	Worley,
Flack,	Loftus,	Reese, D P.,	Wright,
Fleming,	Longo,	Reese, R E.,	Yeakel,
Foor,	Lopez,	Regan,	Yester,
Fox	Lovett,	Reidenbach,	Fiss,
Freed,	Lyons,	Reilly,	Speaker.
Frost,	Madden,	Reynolds,	

NAYS—0

NOT VOTING—2

Greenwood, Hoopes,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1110, entitled:

An Act providing for the equalization of salaries for tipstaves in the courts of common pleas oyer and terminer and general jail delivery quarter sessions of the peace county court of Allegheny County and orphans' courts in counties of the second class.

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED

Mr. EWING. Mr. Speaker, I move that this bill be placed on the postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 100, as follows:

An Act providing that in cities of the first class in all cases where taxes are due and unpaid upon a single tract of land and it is desired to divide such tract into separate parcels the Board of Revision of Taxes may apportion such taxes ratably between or among the parcels so divided provided that upon payment of the taxes and proper costs on any such parcel it shall be released from the lien

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In cities of the first class in all cases where taxes are due and unpaid upon a single tract of land and it is desired by the owner or owners to divide such tract into separate parcels for the purpose of sale or development of one or more such separated portions thereof the Board of Revision of Taxes is hereby authorized to apportion such taxes ratably between or among the parcels so divided In such cases the tax collecting authority shall accept the payment of such amount as represents the taxes penalties and interest due on such fixed and described parcel of the larger tract in the same manner and subject to the same duties relative thereto as if such fixed and described parcel had been assessed as one parcel of real estate in the original assessment Provided however a written application for such division as above set forth shall contain the terms of a bona fide agreement of sale or plans of development of said separated parcel or parcels

Section 2 Upon payment of the taxes and a ratable proportion of the costs in any proceeding upon the lien such parcel shall be released from the lien and a notation to that effect shall be entered upon the record of the lien proceedings

Section 3 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—84

Barton,	Fullerton,	Loftus,	Serrill,
Baumunk,	Gardner,	Madigan,	Shoemaker,
Bonawitz,	Getchey,	Mahany,	Sloan,
Bower,	Gibson,	McAtee,	Sollenberger,
Breisch,	Goodling,	McCormack,	Sorg,
Brice,	Greer,	McDowell,	Stockham,
Brunner, C. H.,	Guthrie,	Mikula,	Stonier,
Cooper,	Gyger,	Miller,	Stuart,
Costa,	Hall,	Milliken,	Tahl,
Coulson,	Hare,	Moser,	Tittle,
Dague,	Haudenshield,	Murray, P. G.,	Trout,
Dalrymple,	Helm,	Nelson,	Turbett,
Dennison,	Hoffman,	O'Connor,	Turner,
Depuy,	Howells,	O'Dare,	Wachhaus,
Dye,	Huntley,	Pickens,	Wagner,
Ewing,	James,	Polaski,	Watkins,
Flack,	Kennedy,	Reagan,	Wescott,
Fleming,	Kline,	Reese, D. P.,	Worley,
Foor,	Kurtz,	Reilly,	Yeakel,
Fox,	Laughner,	Robertson,	Fiss,
Freed,	Lee,	Royer,	Speaker.
Frost,	Lichtenwalter,	Salus,	

NAYS—74

Andrews,	Hamilton,	Mooney,	Root,
Baker,	Heatherington,	Moore, C. E.,	Rudisill,
Barrett,	Hennihan,	Moore, W. J.,	Schuster,
Bentzel,	Hersch,	Moran,	Shaffer,
Boies,	Hewitt,	Murray, M. L.,	Smith,
Boney,	Hunter,	Myhan,	Snider,
Boorse,	Jones,	Nagel,	Snyder,
Boory,	Lane,	O'Donnell,	Swope,
Brunner, P. A.,	Leonard,	O'Neill,	Trent,
Cadwalader,	Longo,	Owens,	Verona,
Cohen,	Lovett,	Petrosky,	Waterhouse,
Coleman,	Matthews,	Pettigrew,	Weiss,
Dix,	McClester,	Propert,	Welsh,
Dougherty,	McKinney,	Readinger,	White,
Duffy,	McNair,	Reese, R. E.,	Wood, L. H.,
Elder,	McNally,	Regan,	Wood, N.,
Elish,	Mihm,	Reidenbach,	Wright,
Gaffney,	Mills,	Riley,	Yester,
Haberlen,	Modell,		

NOT VOTING—44

Bentley,	Finnerty,	Kolankiewicz,	Pentrack,
Brancato,	Gallagher,	Komorofski,	Polen,
Brown,	Gore,	Leisey,	Powers,
Chervenak,	Grant,	Levy,	Reynolds,
Chudoff,	Green,	Lopez,	Rose,
Cook,	Greenwood,	Lyons,	Scanlon,
Corrigan,	Hering,	Madden,	Skale,
Coyle,	Herman,	McLanahan,	Stank,
Cullen,	Hoggard,	McMillen,	Tate,
Dillon,	Hoopes,	Munley,	Trachtman,
Erb,	Kirley,	O'Brien,	Varallo,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 581, as follows:

An Act relating to the imposition of costs in criminal cases in counties of the first and second classes providing for such costs to be borne by the Commonwealth in certain cases and imposing duties upon counties and upon the Commonwealth in connection with the costs in criminal cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In all cases arising in the criminal courts of this Commonwealth in counties of the first and second classes or in magistrate aldermen and justice of the peace courts in such counties all such items as may now or hereafter be taxed as costs and which under the provisions of applicable laws are chargeable to the defendant prosecutor or the county shall hereafter be ordered to be paid by the defendant the prosecutor or the Commonwealth of Pennsylvania as the court or jury may direct

Section 2 In all cases where costs are assessed against a defendant or prosecutor but are not paid forthwith the Commonwealth shall be liable for the payment of said costs

Section 3 All costs chargeable to the Commonwealth under sections one or two of this act shall be paid in the first instance by the county as now provided by law

Section 4 The county shall submit semi-annually to

the Department of Revenue a statement of costs which have been placed upon the Commonwealth by the court or for which the Commonwealth is liable in default of payment by the prosecutor or defendant The said statement shall show as credits the amount of costs collected from defendants or prosecutor by the county in cases where the county has advanced the costs as provided in section three of this act and fines or other moneys paid by defendants in all cases arising after the effective date of this act

Section 5 The Commonwealth out of funds allocated to the Department of Justice shall reimburse the counties on the basis of the statement provided for in section four

Section 6 Counties are hereby authorized to appropriate such funds as may be necessary for the initial payment of the costs for which under the terms of this act the Commonwealth is to reimburse them

Section 7 All fines and other moneys which defendants are liable to pay and which heretofore have been made payable to the county shall hereafter be made payable to the Commonwealth Said fines and other moneys shall be collected and paid into the county treasury in the manner provided by existing law and shall be allowed as a credit against the total costs paid by the county in criminal cases

Section 8 This act shall not be construed to affect the right of county officers to receive such fees for services rendered in criminal cases as may now or hereafter be properly chargeable as costs of prosecution nor the right to receive payment for the services rendered in collecting fines In all cases where fines have heretofore been payable to the county but are now under the terms of this act payable to the Commonwealth the county officers shall be allowed the same fees for collection as they are now allowed for the collection of fines due the Commonwealth

Section 9 The following acts are hereby repealed in so far as they are inconsistent with the provisions of this act

The act approved the seventh day of May one thousand nine hundred twenty-five (P. L. 554 No 297) entitled "An act to amend section one of the act approved the nineteenth day of June one thousand nine hundred and eleven (P. L. 1055) entitled 'An act authorizing the release on probation of certain convicts instead of imposing sentences the appointment of probation and parole officers and the payment of their salaries and expenses regulating the manner of sentencing convicts in certain cases and providing for their release on parole their conviction of crime during parole and their rearrest and reconviction for breach of parole and extending the powers and duties of boards of prison inspectors of penitentiaries' authorizing courts to require defendants placed on probation to pay money for the use of the county which payments shall not be considered the imposition of a fine or sentence"

The act approved the fifteenth day of July one thousand nine hundred thirty-five (P. L. 1002 No 319) entitled "An act providing for the payment of costs of prosecution in all cases where fines or forfeited bail is payable to the Commonwealth and imposing duties on fiscal officers of the Commonwealth"

Section 10 All acts or parts of acts inconsistent herewith are hereby repealed

Section 11 This act shall become effective the first day of January one thousand nine hundred forty-six

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—86

Andrews,	Fox,	McLanahan,	Regan,
Baker,	Gaffney,	McNally,	Reidenbach,
Barrett,	Getchey,	Mills,	Reilly,
Barton,	Goodling,	Modell,	Reynolds,
Baumunk,	Grant,	Moore, W. J.,	Rudisill,
Bentley,	Green,	Moran,	Schuster,
Bentzel,	Greer,	Moser,	Shaffer,
Boies,	Haberlen,	Munley,	Shoemaker,
Bonawitz,	Hamilton,	Murray, M. L.,	Snider,
Boney,	Heatherington	Myhan,	Stank,
Bower,	Hennihan,	O'Connor,	Swope,
Breisch,	Hersch,	O'Donnell,	Tittle,
Brown,	Hunter,	O'Neill,	Trent,
Brunner, P A.,	Jones,	Owens,	Trout,
Cohen,	Kirley,	Petrosky,	Verona,
Coleman,	Kline,	Pettigrew,	Wachhaus,
Coulson,	Komorofski,	Pickens,	Weiss,
Dennison,	Lane,	Polaski,	Welsh,
Depuy	Leonard,	Readinger,	White,
Dougherty,	Longo,	Reese, D P.,	Wright,
Elish,	Matthews,	Reese, R. E.,	Yester,
Foor,	McAtee,		

NAYS—70

Boorse,	Helm,	Miller,	Sollenberger,
Cook	Hewitt,	Milliken,	Sorg,
Cooper,	Huntley,	Moore, C. E.,	Stockham,
Costa,	James	Murray, P. G.,	Stonier,
Dix,	Kennedy,	O'Dare,	Stuart,
Dye,	Kurtz,	Powers,	Tahl,
Elder,	Laughner,	Propert,	Turbett,
Erb,	Lee,	Reagan,	Turner,
Ewing,	Leisey,	Riley,	Wagner,
Fleming,	Lichtenwalter,	Robertson,	Waterhouse,
Freed,	Loftus,	Root,	Wescott,
Frost,	Lovett,	Royer,	Wood, L. H.,
Fullerton,	Mahany,	Salus,	Wood, N.,
Gardner,	McClester,	Scanlon,	Worley,
Gyger,	McCormack,	Serrill,	Yeakel,
Hall,	McDowell,	Sloan,	Fiss,
Hare,	McKinney,	Smith,	Speaker.
Haudenshield,	Mikula,	Snyder,	

NOT VOTING—48

Boory,	Dillon,	Hoggard,	Mooney,
Brancato,	Duffy,	Hoopes,	Nagel,
Brice,	Finnerty,	Howells,	Nelson,
Brunner, C. H.,	Flack,	Kolankiewicz,	O'Brien,
Cadwalader,	Gallagher,	Levy,	Pentrack,
Chervenak,	Gibson,	Lopez,	Polen,
Chudoff,	Gore,	Lyons,	Rose,
Corrigan,	Greenwood,	Madden,	Skale,
Coyle,	Guthrie,	Madigan,	Tate,
Cullen,	Hering,	McMillen,	Trachtman,
Dague,	Herman,	McNair,	Varallo,
Dalrymple,	Hoffman,	Mihm,	Watkins,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 853, as follows:

An Act to further amend section four hundred two of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 853) entitled "An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws" by further providing for the assessment and valuation of buildings under construction repair or reconstruction in counties of the second class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred two of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 853) entitled "An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws" as amended by the act approved the sixteenth day of May one thousand nine hundred thirty-nine (P. L. 143) is hereby further amended to read as follows

Section 402 Valuation of Property It shall be the duty of the several elected and appointed assessors and in townships of the first class of the assessors assistant township assessors and assistant triennial assessors to assess rate and value all objects of taxation whether for county city township town school institution district poor or borough purposes according to the actual value thereof and at such rates and prices for which the same would separately bona fide sell In arriving at such value the price at which any property may actually have been sold shall be considered but shall not be controlling Instead such selling price estimated or actual shall be subject to revision by increase or decrease to accomplish equalization with other similar property within the taxing district

In determining the value of real estate in counties of the second class for the year one thousand nine hundred forty-five and thereafter no building in the process of construction shall be valued or assessed for any purpose and no building being repaired or reconstructed shall have its prior valuation increased by reason thereof until such construction repairs or reconstruction shall have been completed or is so near completion that such building has been or could be placed in actual use or occupancy

Section 2 All acts and parts of acts inconsistent herewith are hereby repealed

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Fullerton,	Madigan,	Riley,
Baker,	Gaffney,	Mahany,	Robertson,
Barrett,	Gallagher,	Matthews,	Root,
Barton,	Gardner,	McAtee,	Rose
Baumunt	Getchey,	McClester,	Royer,
Bentley,	Gibson,	McCormack,	Rudisill,
Bentzel,	Goodling,	McDowell,	Salus,
Boies,	Gore,	McKinney,	Scanlon,
Bonawitz,	Grant,	McLanahan,	Schuster
Boney,	Green,	McMillen,	Serrill,
Boorse,	Greer,	McNair,	Shaffer,
Boory,	Guthrie,	McNally,	Shoemaker,
Bower,	Gyger,	Mihm,	Skale,
Brancato,	Haberlen,	Mikula,	Sloan,
Breisch,	Hall,	Miller,	Smith,
Brice,	Hamilton,	Milliken,	Snider,
Brown,	Hare,	Mills,	Snyder,
Brunner, C. H.,	Haudenshield,	Modell,	Sollenberger,
Brunner, P. A.,	Heatherington,	Mooney,	Sorg,
Cadwalader,	Helm,	Moore, C. E.,	Stank,
Chervenak,	Hennihan,	Moore, W. J.,	Stockham
Chudoff,	Hering,	Moran,	Stonier,
Cohen,	Herman,	Moser,	Stuart,
Coleman,	Hersch,	Munley,	Swope,
Cook,	Hewitt,	Murray, M. L.,	Tahl,
Cooper,	Hoffman,	Murray, P. G.,	Tate,
Corrigan,	Hoggard,	Myhan,	Tittle,
Costa,	Howells,	Nagel,	Trachtman,
Coulson,	Hunter,	Nelson,	Trent,
Coyle,	Huntley,	O'Brien,	Trout,
Cullen,	James,	O'Connor,	Turbett,
Dague,	Jones,	O'Dare,	Turner,
Dalrymple,	Kennedy,	O'Donnell,	Varallo,
Dennison,	Kirley,	O'Neill,	Verona,
Depuy,	Kline,	Owens,	Wachhaus,
Dillon,	Kolankiewicz,	Pentrack,	Wagner,
Dix,	Komorofski,	Petrosky,	Waterhouse,
Dougherty,	Kurtz,	Pettigrew,	Watkins,
Duffy,	Lane,	Pickens,	Weiss,
Dye,	Laughner,	Polaski,	Welsh,
Elder,	Lee,	Polen,	Wescott,
Elish,	Leisey,	Powers,	White,
Erb,	Leonard,	Propert,	Wood, L. H.,
Ewing,	Levy,	Readinger,	Wood, N.,
Finnerty,	Lichtenwalter,	Reagan,	Worley,
Flack,	Loftus,	Reese, D P.,	Wright,
Fleming,	Longo,	Reese, R E.,	Yeakel,
Foor,	Lopez,	Regan,	Yester,
Fox,	Lovett,	Reidenbach,	Fiss,
Freed,	Lyons,	Reilly,	Speaker.
Frost,	Madden,	Reynolds,	

NAYS—0

NOT VOTING—2

Greenwood, Hoopes,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 915, entitled:

An Act relating to health and sanitary conditions of leased dwellings in cities of the first class; requiring such cities to establish landlord-tenant codes setting minimum standards for housing facilities relating to health and sanitation; requiring occupancy permits to be issued to landlords; requiring standard leases to be used in the rental of such dwellings; prohibiting landlords and tenants from waiving any provisions of such lease or of existing law, and providing penalties.

On the question,

Will the House agree to the bill on third reading?

Mr. MYHAN. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend title, page 1, second line of title, by inserting after the word "class" "creating a Dwelling Inspection Board in such cities and."

Amend Sec. 2, page 2, line 10, by inserting after the word "directed" "to create a Dwelling Inspection Board of five members, two of whom shall be from the personnel of the Bureau of Housing and Sanitation; two of whom shall be from the membership of the real estate board having the largest number of members and one of whom shall be a tenant. All of the said members of the said board shall be appointed by city council. City councils of said cities are hereby empowered and directed."

Amended Sec. 4, page 2, line 29, by inserting after the word "the". "Dewelling Inspection Board of the."

Amend Sec. 4, page 3, line 7, by inserting after the word "obtained" "A fee for such occupancy permit shall not exceed the sum of one dollar ($1.00)."

Page two, Section 2, Line 12 insert after the word

"cities" "Which set of standards as to plumbing shall not be below the standards as to any type of dwelling prescribed by existing laws."

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

Mr. HEATHERINGTON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend the title, page 1, second line of title, by striking out the word "class," and inserting in lieu thereof: "and second classes."

Amend Sec. 1, page 1, line 2, by striking out the word "class," and inserting in lieu thereof: "and second classes."

Amend Sec. 2, page 2, line 10, by striking out the word "class," and inserting in lieu thereof: "and second classes."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1124, as follows:

An Act to further amend section four of the act approved the sixteenth day of May one thousand nine hundred twenty-nine (P. L. 1780) entitled "An act to fix the salaries and compensation of the judges of the Supreme Court of judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County" by increasing the salaries of judges of the courts of common pleas of certain judicial districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the sixteenth day of May one thousand nine hundred twenty-nine (P. L. 1780) entitled "An act to fix the salaries and compensation of the judges of Supreme Court the judges of the Superior Court of judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County" as amended by the act approved the first day of June one thousand nine hundred thirty-one (P. L. 317) is hereby further amended to read as follows

Section 4 The annual salary of each of the judges of the courts of common pleas of the first [and] fifth tenth eleventh thirty-second thirty-eighth and forty-fifth judicial districts shall be fourteen thousand dollars ($14,000)

The annual salary of each of the judges of the courts of common pleas learned in the law in judicial districts having a population of [more than two hundred and fifty thousand and less than one million inhabitants shall be twelve thousand dollars ($12,000) in judicial districts having a population of] one hundred thousand and more but less than two hundred and [fifty] eighty thousand inhabitants shall be twelve thousand dollars ($12,000) in judicial districts having a population of sixty-five thousand or more and less than one hundred thousand inhabitants shall be ten thousand dollars ($10,000) in judicial districts having a population of less than sixty-five thousand inhabitants shall be nine thousand dollars ($9,000) The amounts of the salaries to be paid under this paragraph in the respective judicial districts shall be determined and fixed according to the population of such districts as ascertained by reference from time to time to the last preceding decennial United States census

Section 2 This act shall become effective immediately on final passage

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. DIX. Mr. Speaker, I want the Members of the House to know what this bill is. If I understand it correctly, it raises the salary of a few judges in the Commonwealth of Pennsylvania. If we are going to pass a salary raiser for judges, every judge is entitled to an increased salary. It looks to me absolutely unfair to include some judges in our large districts and leave out the rural judges and the judges who are not located in the large districts. I understand that the reason for this increase is because they claim that the judges in these large districts have an increased amount of work. If that is true, why don't they add an additional judge and give another deserving lawyer a chance for a judgeship instead of raising the salary for the judges who are already obtaining a very large salary.

Furthermore, Mr. Speaker, I object to this raiser of judges' salaries because I think it is absolutely unfair to increase the judges' salaries from two to three thousand dollars a year, when you only increase our teachers' salaries from two to three hundred dollars a year. If we are going to be fair, with apologies to the gentleman from Westmoreland, Mr. Lovett, if we are going to be fair, I want to say it costs just as much for a teacher to live, it costs just as much for a teacher to dress, and they move in just as good society as the judges do. There is no reason in the world why we ought to hand out two or three thousand dollars of an increase to a few judges and almost object to giving our teachers an increase in wages. I am in favor of increased judges' salaries, but I think that the only increase they deserve is the increase in cost of living the same as the teachers of Pennsylvania.

Mr. TURNER. Mr. Speaker, not with any disrespect to my good friend from Wayne, I wish to say that I don't know that it is necessary to answer that argument.

In the first place if the teachers are entitled to an increase in salary, that is one thing and should have no bearing on the other.

The second is that the gentleman from Wayne, Mr. Dix, if he feels that there are any inequalities in other counties then he should introduce bills to take care of those inequalities.

We come from a third class county and this bill only covers that group of counties. He says that if they have any increased work, they should have an additional judge. If we add a judge in Delaware County, that would add twelve thousand dollars a year, while this

increase to the four judges in the county would mean eight thousand dollars for the year.

The reason why there should be an increase, and this is an inequality that should be cleared up, is not only because of the increased cost to judges in the first class counties of the Commonwealth and in second class counties, and as I understand it they represent about one judge for every fifty-five or sixty thousand inhabitants, and in third class counties the judges represent one judge to about eighty to ninety thousand per capita.

If you have a classification of counties based on population certainly it would seem to be fair that the judges, if they have an increase in population, should be entitled to equality with the judges in the other counties. I would say to you that the judges in my own county for whom I can speak, and I think I can speak for judges in third class counties, bear a very heavy burden of work. Litigation runs the gamut from small cases to very large cases, and they run from small issues into very extensive issues. It has been said that in the County of Delaware there has been probably a greater variety of trials than in almost any other court in the state of Pennsylvania. So I think that this is a justifiable increase and that there should never have been any inequality in the first class counties, the second class counties and the third class counties. There is entire harmony between them in the amount of work and in the character of the work and in the population distribution, our counties represent a greater number in population than they do in many of the other counties in the state. So I ask you to vote for this bill.

Mr. ANDREWS. Mr. Speaker, I was astonished and amazed at the statement of the gentleman from Wayne, who had the affrontery to stand up here in public and say that he wondered whether the Members of the House really knew what was in the bill. I thought that he dwelt among the brethren, any one of whom could read a bill and tell what is in it in less than five minutes. He evidently is revealing inside secrets, because I gathered from some of the voting that perhaps his suspicions are correct, and that he does dwell among brethren, many of whom don't know what is in a bill.

I have listened to the gentleman from Delaware, and when his heart bleeds for judges of the Commonwealth, well, he almost convinces me; I sorrow with him, those poor abused men, those judges. I admire his acumen so much, his parliamentary ability so much, in forcing his own particular district out in the front when there is a need, if anything, for an equalization of judges' salaries quite as much as there is for an equalization of teachers' salaries, but because of his size and because of the pitiable condition under which his judge labors, I am afraid I will have to vote for this bill.

Mr. DIX. Mr. Speaker, I wish to thank the Minority Floor Leader for his comments, especially in reference to the fact that I had read this bill and spent a little time on it.

I have always felt that in addition to a Parliamentarian on the right hand side there should be a reporter on the left hand side, and whenever an important bill is up, that this man can be called upon to explain the bill. I have seen many, including myself as a Member of this House for the past four sessions, vote for bills that they did not understand, and I wish to confess that I was among them.

Mr. Speaker, I would like to interrogate one of the sponsors of the bill—the gentleman from Delaware, Mr. Turner.

The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. TURNER. I shall, Mr. Speaker.

Mr. DIX. Mr. Speaker, will the gentleman from Delaware inform me on what basis a judge's salary is made, on the basis of intelligence, legal ability, distinction in the community or what?

Mr. TURNER. Mr. Speaker, I would say that the basis in that respect of legal ability or integrity or popularity, their salary would be based just about the same as newspaper editors, there are just as many ignorant, there are just as many crooked and just as many unpopular judges as there are newspaper editors, only, if I may say so, I think that the judiciary—I am going to change that, I see the gentleman from Cambria walking down the aisle—I was going to say that the judiciary was worth a little bit less perhaps than the gentleman from Cambria or the gentleman from Wayne.

Mr. DIX. Mr. Speaker, I want to ask a personal question of the gentleman from Delaware, would the gentleman consider that the intelligence of the editor of, for instance, the Wayne County Citizen, or the gentleman from Cambria, the Minority Leader, would entitle us to a salary of ten thousand dollars a year, the same as a judge?

Mr. TURNER. Knowing, Mr. Speaker, that I have legislation upon this calendar, by advice of counsel I refuse to answer.

Mr. DIX. I think that will be sufficient for the gentleman from Delaware. He has not answered me but I will leave it up to the Members of the House.

Mr. TURNER. Mr. Speaker, I think that is a very safe place to leave it. Anyone is as good a judge as I am as to whether or not the gentleman from Wayne is entitled to ten thousand dollars a year. Now, let me say Mr. Speaker, I know the county that the gentleman from Wayne comes from very well and I know it's inhabitants, and if the gentleman from Wayne would get ten thousand dollars a year I don't know what he would do with it in Wayne County.

Mr. DIX. Mr. Speaker, I would go fishing with the gentleman on Wallenpaupack Lake.

Mr. TURNER. I am in favor of that, Mr. Speaker.

Mr. DIX. Mr. Speaker, I just wanted to call attention to the fact that perhaps I should not bring editors into this particular matter. I just wanted to call attention to the fact that a teacher has to have a much better education to be a teacher than a man has to have to be a judge.

Now, Mr. Speaker, I am going to prove it. It is not necessary for a judge to go to college; he doesn't need to go to college. A teacher has to spend four years in a college but any person of average intelligence may study law with some ordinary lawyer and if he is smart enough and passes the examinations he can become a judge—if the people will vote for him.

QUESTION OF INFORMATION

Mr. MORAN. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman from Allegheny will state it

Mr. MORAN. Mr. Speaker, what bill are we discussing?

The SPEAKER. House Bill 1124.

Mr. MORAN. Mr. Speaker, I didn't know that the teachers' bill had been reported out of committee.

Mr. DIX. It is out of committee, Mr. Speaker, or it was.

POINT OF ORDER

Mr. MORAN. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Allegheny will state it.

Mr. MORAN. Mr. Speaker, I think we ought to confine ourselves to the bill before the House.

Mr. DIX. I think we are, Mr. Speaker. We are talking about salary raisers.

The SPEAKER. The point of order is well taken. Members will confine themselves to the question before the House.

Mr. DIX. Mr. Speaker, I simply wanted to add that I believe the teachers of Pennsylvania are just as well educated as the judges and it requires much more money and much more ability to be a teacher than to be a judge.

Mr. HEWITT. Mr. Speaker, the gentleman from Wayne asked what the judges' qualifications should be, intelligence or the amount of education he has, and a number of other questions of that nature. I believe it depends partly upon his political strength, but personally I am against a raise in judges' salaries.

In my county we have a judge who has retired. He was twenty years on the bench, and one of the very able judges of the state. He now receives a pension of five thousand dollars a year. He made two hundred thousand dollars while he was a judge and is now pensioned with a pension of five thousand dollars a year. It know many men in my county who have worked all of their lives much harder than any judge ever did, and perhaps averaged two thousand dollars a year, and if they are sixty or seventy years of age, they can get a thirty-five or forty dollar pension. I think it is absolutely unjust to raise judges salaries.

Mr. ANDREWS. I am speaking primarily, Mr. Speaker, to the Members on this side of the House. Our caucus endorsed this bill. In obedience to the caucus instruction I personally shall vote for this bill but I might say to the Members of the House on this side that I do not think a bill of this character should have been made a subject of action on the part of the party caucus, and while I will be bound by the caucus I certainly will not hold it against any Member on this side who prefers to exercise his own judgment upon this particular bill and bills of this same nature.

Mr. ROBERTSON. As I understand the situation in this bill, Mr. Speaker, it seems to be asked for by only one judge. I know very well that the judges in the county in which I live, or the presiding judge, is strongly opposed to this measure. In our county the judge gets a salary of twelve thousand dollars a year, that is one thousand dollars a month. The judges there are all worth it, there is no question about their ability and I think they are satisfied with the salary that they are receiving. They have no expenses whatsoever, their library is furnished and I think they should be well satisfied, and I know they are, with the salary they receive. In my opinion and in the opinion of the President Judge of our county, any judge who is not satisfied with the salary he is receiving has the privilege of resigning, and they tell me that if any judge should resign his office, it would soon be taken up by another lawyer—that about ninety-nine per cent of the attorneys today would be willing to take the job. I think under those conditions, and inasmuch as this bill is designed primarily to benefit but one judge, it should be defeated.

Mr. SALUS. Mr. Speaker, I hope this bill passes because I am convinced that the alliance between Delaware County and the Democrats will have been balanced and they will not owe each other anything anymore. Then our Delaware County Members will be free to vote for some good Republican measures.

Mr. TURNER. Mr. Speaker, I am always glad to have all the allies I can in a good cause and if that alliance causes good legislation to be passed in this House I am perfectly satisfied with the action in the past, and will pursue the same course in the future whenever I deem it proper to do so.

I do not think that the statement of the gentleman from Philadelphia was meant in any other vein than in an attempt to be facetious. I do not think it has anything to do with the question before the House at the present time.

I had not intended to devote any time in debate on this matter because I felt that the question was an obvious one. When salaries were fixed by the act back in the time before the income tax, the salary was twelve thousand dollars. That was fixed, I don't know how many years ago. I think it was in the early part of my experience here in the House, so it must have been a considerable time ago. There is not a man on the bench in Delaware County except one, and I may be doing him an injustice, if I say this, but I say I know there are two men on the bench in Delaware County who earned much more than the judge's salary when they went on the bench. It is true that any number of lawyers in any county would like to be a judge; it is true that a lot of lawyers who maybe never made twelve thousand dollars would like to be a judge, but the question is do you want to keep the standard of your bench up or do you only want to make it possible for men who have grown old and who have an independent income or have amassed somewhat of a fortune in the practice of law, to become judges in your county? It has been said in the past that many times it is an advantage to the bench to have younger men go on the bench in order that in a few years they may gain the necessary training to make them of real value to the judiciary, to the Bar and to the people. If you want to do that you must make open the way for men to receive an adequate income, an income by which they can maintain the kind of position that is necessary for a judge in the county of Delaware, and in many other counties I know like ours, a position that requires money to maintain.

You cannot expect a man who becomes the judge to cut his ordinary living in half and go back to a standard that is far below that which he may have had. He may have a family, he may be of the proper caliber for a judge at a time in life when he has children to educate. He may be just at the time of life when his children go to college and any of you who have had any experience in sending your sons and daughters to college know what that means in the way of expense. Therefore, you are depriving many men of an opportunity if you keep down the judges' salaries.

I realize there are counties in this state in which there may be judges who are perfectly satisfied with the salaries they have, but I am speaking not only for the judges of the present, I am thinking of the judiciary of the future. We pay in this state some of the smallest salaries paid in comparable states. New York State pays far more, and over in England they pay twice what we pay judges in courts of similar jurisdiction. They believe in England that they should pay a judge a high salary not only to maintain his position but in order that he may be relieved from all temptation by reason of any necessity of his own personal expenses or those of his family, that might induce him to do something that was not to the best interests of the state.

I would say, Mr. Speaker, that while we have had a lot of fun about this, while there has been a lot of levity and facetiousness about it, I think this is a fundamental proposition. If you are going to hold the judiciary open to the caliber or kind of men that you want to go on the bench, or if you are going to restrict it to the unfit, those who cannot make enough money in practicing at the Bar without making it an incentive to go on to the bench, or those who have grown rich and are able to stand the reduction in salary, then, of course, that is a policy that you can put into effect. I know that in many of the rural districts of this state five or six thousand dollars a year is sufficient for a man to live on in very good circumstances. I know that his personal expenses are very light, though I will say to you that a salary of $10,000 a year in Delaware County, comparing the cost of living, is about $8,000 a year, and this bill—just one last word to clear away the smoke and the fog—this bill is not the desire of one judge. I was asked to introduce this bill originally by two of the judges of my county, and joined in it later by a third. I was then approached by the gentleman who is co-sponsor with me, who came to me and told me that the judges in his county had asked him to see me and talk about co-sponsoring this bill. I believe, therefore, it is not just one judge and it would be unfair to think so. If it were just one judge, I might not pay much attention to it, but is is is my firm conviction that the judges in this Commonwealth, from the Supreme and Superior Courts on down are not paid sufficient money for the position and the responsibility that is placed upon them.

Mr. MAHANEY. Mr. Speaker, I agree with the gentleman from Delaware, Mr. Turner, that judges perhaps should have a little more money in the light of higher income taxes and so forth. However, I do not believe that this bill is the way to accomplish this purpose. I think we should have brought out a bill to equalize the judges' salaries all over the State of Pennsylvania.

Perhaps many of us, Mr. Speaker, do not know that the Commonwealth of Pennsylvania is the one that pays the judges' salaries. Perhaps some of the members feel that each county pays the judges' salaries. However, that is not true, the Commonwealth pays the judges their salaries in each county. In order to raise the judges' salaries in some of the counties you are asking the citizens of the other class counties to stand that increase while denying an increase to the judges in that particular class of counties. I feel that each class county should get some equalization for the judges. My judge would like to have a salary increase but I do not believe he wants to take part of the salary he gets to pay into the coffers of the State of Pennsylvania to raise the salaries of judges in other class counties while he is denied an increase himself.

Therefore, Mr. Speaker, I think this bill is unfair and that is the reason I am going to vote against it.

Mr. LOVETT. Mr. Speaker, the gentleman from Wayne, Mr. Dix, quoted one of my favorite sayings "Let's be fair." After listening to the discussion on this particular bill I think that it is being fair.

If the gentleman who just spoke wishes to have his judge's salary increased why doesn't he introduce a bill to have it done? I think this bill is fair and I ask the gentleman from Wayne, Mr. Dix, to be fair and vote for this bill.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—93

Andrews,	Getchey,	Madden,	Reynolds,
Baker,	Grant,	McAtee,	Root,
Barrett,	Green,	McCormack,	Rose,
Bentley,	Greer,	McNair,	Rudisill,
Bentzel,	Guthrie,	McNally,	Salus,
Boies,	Hall,	Mihm,	Schuster,
Bonawitz,	Helm,	Mikula,	Serrill,
Boney,	Hennihan,	Milliken,	Shaffer,
Boorse,	Hering,	Mills,	Skale,
Bower,	Hoffman,	Modell,	Smith,
Brunner, C. H.,	Hoggard,	Mooney,	Sollenberger
Chudoff,	Hunter,	Moser,	Stuart,
Cohen,	James,	Murray, M. L.,	Tahl,
Cooper,	Kirley,	Nelson,	Tate,
Costa,	Kline,	O'Brien,	Tittle,
Dalrymple,	Kolankiewicz,	O'Dare,	Trachtman,
Dillon,	Komorofski,	Petrosky,	Turner,
Dougherty,	Laughner,	Polaski,	Varallo,
Elish,	Lee,	Polen,	Wachhaus,
Ewing,	Leonard,	Powers,	White,
Finnerty,	Loftus,	Propert,	Wood L. H.,
Flack,	Longo,	Readinger,	Wright,
Fleming,	Lovett,	Reese, D. P.,	Yester,
Fox,			

NAYS—93

Barton,	Gallagher,	McDowell,	Scanlon,
Baumunk,	Gardner,	McKinney,	Shoemaker,
Boory,	Gibson,	McMillen,	Sloan,
Brancato,	Goodling,	Miller,	Snider,
Breisch,	Gore,	Moore, C. E.,	Snyder,
Brunner, P. A.,	Hamilton,	Moore, W. J.,	Sorg,
Cadwalader,	Hare,	Moran,	Stank,
Coleman,	Haudenshield,	Munley,	Stockham,
Corrigan,	Heatherington,	Murray, P. G.,	Stonier,
Coulson,	Hersch,	Myhan,	Swope,
Cullen,	Hewitt,	O'Connor,	Trent,
Dague,	Huntley,	O'Donnell,	Turbett,
Dennison,	Jones,	O'Neill,	Verona,

Depuy,	Kennedy,	Owens,	Wagner,
Dix,	Kurtz,	Pettigrew,	Waterhouse,
Duffy,	Lane,	Reagan,	Watkins,
Dye,	Leisey,	Reese, R. E.,	Weiss,
Elder,	Levy,	Regan	Welsh,
Erb,	Lichtenwalter,	Reidenbach,	Wescott,
Foor,	Lopez,	Reilly,	Wood N.,
Freed,	Madigan,	Riley,	Worley,
Frost,	Mahany,	Robertson,	Yeakel,
Fullerton,	McClester,	Royer,	Fiss,
Gaffney,			Speaker.

NOT VOTING—18

Brice,	Greenwood,	Howells,	Nagel,
Brown,	Gyger,	Lyons,	Pentrack,
Chervenak,	Haberlen,	Matthews,	Pickens,
Cook	Herman,	McLanahan,	Trout,
Coyle,	Hoopes,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

SENATE MESSAGE

The Clerk of the Senate, Mr. Steinfelt, being introduced, presented extracts from the Journal of the Senate which were laid on the table.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. SALUS,

The House resumed the consideration on third reading of House Bill No. 95, as follows:

An Act conferring upon the Councils of cities of the first class the power and devolving upon them the duty of fixing and determining the salaries wages and other compensation payable out of the treasury of such cities from and after the first day of January one thousand nine hundred and forty-six of all public officers clerks and other public employes except the salaries of elected officers whose salaries are fixed by law and except the salaries wages or other compensation of officers clerks and employes of the courts which are fixed by law or by the courts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That from and after the first day of January one thousand nine hundred and forty-six the salaries wages and other compensation of all public officers clerks and employes payable out of the treasury of any city of the first class shall be fixed and determined by the council of such city by ordinance except such salaries of elected officers which are or may be fixed by law and the salaries wages and other compensation of officers clerks and employes of the courts which are or may be fixed by law or by the courts

Section 2 All acts or parts of acts inconsistent herewith be and the same are hereby repealed to the extent of such inconsistency it being the intent and purpose of this act to establish a uniform and complete system except as aforesaid of the fixing and determination of all salaries wages or other compensation of public officers clerks and employes payable out of the treasury of such cities thereby unifying and co-ordinating as far as may be practicable that power and duty with the power to raise revenue by taxation and otherwise

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TATE. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Salus.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. SALUS. I shall, Mr. Speaker.

Mr. TATE. Mr. Speaker, I will be very brief and I will askk the Members to bear with me for just a few minutes.

I desire to ask the gentleman whether it is his understanding that this bill will place all salaries in the city and county of Philadelphia under the control of City Council with the exception of the Court of Common Pleas and elective officers.

Mr. SALUS. I think it would, Mr. Speaker.

Mr. TATE. Mr. Speaker, and it is my personal understanding that once this control is given, will there be any standard and guarantee of salary or wage scale in the departments affected and if so,——

Mr. SALUS. I did not get the question, Mr. Speaker.

Mr. TATE. I repeat, Mr. Speaker, once this control is given will the sponsor tell me whether or not there will be a standard and guarantee of scale of wages and salaries to which the City Council will be committed?

Mr. SALUS. Mr. Speaker, I understand that for a long space of time in Pennsylvania the Pennsylvania Economy League, which is a non-political organization, not supported either by Republicans or Democrats and not particularly liked by either of them, has established a standard of regulations of pay for the various employees of the city of Philadelphia, and that City Council has adopted that standard. I have the book right here, it contains a number of pages and it will take the balance of the afternoon to go over it. In that schedule they regulate the standard of wages with an increase each successive year for a period of five years for the various employees of the city of Philadelphia.

Mr. TATE. Mr. Speaker, I desire to inquire of the gentleman whether or not this so-called annual increment to the employes of the City of Philadelphia from sixty dollars each year in some instances to two hundred dollars in other instances, will cost the taxpayers of the City of Philadelphia any money?

Mr. SALUS. Mr. Speaker, it will of necessity cost the taxpayers of the City of Philadelphia money, on the theory that a party who is a delingent employe, an honest employe and a man who devotes his full time to his work is entitled to some consideration the same as the employe of any other establishment anywhere else. In other words, it is an advancement for failthful service.

Mr. TATE. Mr. Speaker, is the gentleman prepared to say that the Council does not follow this system at the present time, that is fair pay for a fair day's work?

Mr. SALUS. I would say, Mr. Speaker, that they do follow that system except to this extent. I believe that the employes of the City of Philadelphia now are the lowest paid employes of any kind anywhere in America. Many of them, both Democratic and Republican employes maintain their jobs partly because they are on a pension and partly because of the fact that they are loyal to their city.

Mr. TATE. Mr. Speaker, one more question. Is the gentleman familiar with House Bill 2 which passed this Legislature in the year 1943, at which time the county employes received a cost of living increase in the city of Philadelphia in the neighborhood of five hundred thousand dollars?

Mr. SALUS. Mr. Speaker, I am very much familiar with the Act of 1943, and this present act is being presented here just because of the Act of 1943. The Act of 1943 allowed Council of Philadelphia to give a bonus of four hundred dollars to various employes in the city. This has resulted in many of them remaining on their jobs and it is because of this bonus more than for any other reason that we are endeavoring to have this present bill passed.

Under the Act of 1943 at the cessation of hostilities and one year afterthat, this bonus dies out. If it so happens that this Legislature is adjourned at the termination of the war, having arrived at the end of one year, the bonus would lapse. Now then, gentlemen, it is mainly on account of that that we are asking that this bill be passed. Many of the men in service were former city employes. When they left the employment of the city of Philadelphia they were assured, as they are now assured, that when they return they will get their old positions back. Persons have filled those positions and are only temporary employes, and it would be a sad condition of affairs if when these men return from the war and come back to their positions as city employes that City Council would be in no position to pay them that four hundred dollar bonus that the others not in service now are receiving. It is for that reason more than any other reason that we are anxious to have this bill passed, so that when the boys come home they will get the same pay as those who stayed home to fill their jobs while they were away.

Mr. TATE. Mr. Speaker, at this I rise in opposition to this bill, first, because it appears to bring about an increase in the salaries of employes of the City of Philadelphia in the face of anticipated shortages. Not so long ago we passed a budget involving around eighty-six million dollars and only within the last two months it was necessary for us to pass in our City Council a measure requiring additional revenues to meet the anticipated shortages. This measure will further increase our payroll burden.

A cost of living increase was given to these men just a few years ago, and the Senator is correct in saying that the cost of living increase will cease once the war is ended, plus six months after the cessation of hostilities. However, I would like to call the attention of the House to the fact that ever since the year 1868 these departments have had the legislative prerogative of extending a leveling influence so far as their payroll situation is concerned.

This measure is really an effort on the part of City Council of Philadelphia to control the patronage situation there. If the sponsors of this bill had been sincere, so far as the cost of living increase is concerned, they would have introduced another measure. Howere, they want to go the whole hog and freeze forever the control of salaries in the City of Philadelphia at the expense of the taxpayers. I believe that this situation, even though it may be considered proper in many circles, it shoulld not be considered at this time. We have as many people know, for many years been trying to get City Council to consolidate the city and county of Philadelphia. That is a matter which will permit the people of Philadelphia to vote, and the people of the City of Philadelphia have the right to be heard on a measure of this kind. So I would say that we should postpone any action on a measure of this kind until the City-County consolidation cames before the public.

Mr. SALUS. Mr. Speaker, as you all know, the City Council of Philadelphia are the taxing body and raises funds to run the City. They ought to have the right to say how the money should be spent. This is purely a question of home rule. So far as the boys across are concerned, our present year's budget takes care of that, and they have the money to pay them. The question is if it happens next year and there is no Legislature here, many of our county officers who are city employes would get their bonus, but many of those whose salaries are fixed by the Legislature will not get it because City Council will not have the right to pay them.

There is no effort in this measure except to do the fair and decent thing by the boys who have gone across and who are offering their all for the salvation of America. So far as we on the Republican side are concerned, we want to feel that we have done our best to save their jobs and their salaries. If my friends on the Democratic side wish to assume the burden and unfortunately they shouldn't get the money, then you have to answer, not we. There is no desire on the part of Council or anyone else in connection with this bill to do anything except to be fair, square and honest to the boys that are now across the seas and throughout the world.

Mr. TATE. Mr. Speaker, in replying to the gentleman very briefly, I would like to say this, that since 1940 the City of Philadelphia has had the benefit of close to one hundred million dollars of additional revenue from the wage tax, and City Council has dissipated that revenue on payrolls alone. They have not spent anything on post-war planning. It is my opinion and the opinion of many of my friends on this side that we should take into consideration, before we spend too much money on payrolls, we should spend some money on post-war planning for the benefit of the City of Philadelphia, which needs it very badly.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Messrs. Tate, Verona and Mrs. Varallo asked for a verification of the roll.

YEAS—106

Barton,	Frost,	Madden,	Serrill,
Baumunk,	Fullerton,	Madigan,	Shoemaker,
Bonawitz,	Gardner,	Mahany,	Sloan,
Boorse,	Getchey,	McAtee,	Smith,
Bower,	Gibson,	McClester,	Snyder,
Breisch,	Goodling,	McCormack,	Sollenberger,
Brice,	Greer,	McDowell,	Sorg,
Brunner, C. H.,	Guthrie,	McKinney,	Stockham,
Cadwalader,	Gyger,	McMillen,	Stonier,
Cook,	Hall,	Mikula,	Stuart,
Cooper,	Hare,	Miller,	Tahl,
Costa,	Haudenshield,	Milliken,	Tittle,
Coulson,	Helm,	Moore, C. E.,	Trout,
Dague,	Hewitt,	Moser,	Turbett,
Dalrymple,	Hoffman,	Murray, P. G.,	Turner,
Dennison,	Howells,	Nelson,	Wachhaus,
Depuy,	Huntley,	O'Dare,	Wagner,
Dix,	James,	Pickens,	Waterhouse,
Dye,	Kennedy,	Propert,	Watkins,
Elder,	Kline,	Reagan,	Wescott,
Erb,	Kurtz,	Reese, D. P.,	Wood, L. H.,
Ewing,	Laughner,	Reilly,	Wood, N.,
Flack,	Lee,	Riley,	Worley,

Fleming,	Leisey,	Robertson,	Wright,
Foor,	Lichtenwalter,	Root,	Yeakel,
Fox,	Loftus,	Royer,	Fiss,
Freed,	Lyons,	Salus,	Speaker.

NAYS—79

Andrews,	Grant,	McNair,	Powers,
Baker,	Green,	McNally,	Readinger,
Barrett,	Haberlen,	Mihm,	Reese, R. E.,
Bentzel,	Hamilton,	Mills,	Regan,
Boies,	Heatherington,	Modell,	Reynolds,
Boney,	Hennihan,	Mooney,	Rudisill,
Boory,	Hering,	Moore, W. J.,	Scanlon,
Brancato,	Herman,	Moran,	Schuster,
Brunner, P. A.,	Hoggard,	Munley,	Snider,
Cohen,	Hunter,	Murray, M. L.,	Stank,
Coleman,	Jones,	Myhan,	Swope,
Corrigan,	Kirley,	Nagel,	Tate,
Cullen,	Kolankiewicz,	O'Brien,	Trent,
Dougherty,	Lane,	O'Connor,	Varallo,
Duffy,	Leonard,	O'Donnell,	Verona,
Elish,	Levy,	O'Neill,	Weiss,
Finnerty,	Longo,	Owens,	Welsh,
Gaffney,	Lopez,	Petrosky,	White,
Gallagher,	Matthews,	Pettigrew,	Yester,
Gore,	McLanahan,	Polaski,	

NOT VOTING—19

Bentley,	Dillon,	Lovett,	Rose,
Brown,	Greenwood,	Pentrack,	Shaffer,
Chervenak,	Hersch,	Polen,	Skale,
Chudoff,	Hoopes,	Reidenbach,	Trachtman,
Coyle,	Komorofski,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

(During the verification of the roll.)

PARLIAMENTARY INQUIRY

Mr. TURNER. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. TURNER. Mr. Speaker, I was out of the hall of the House during the first part of the calling of the roll and returned just at the completion of the roll. Do I have a right to vote?

The SPEAKER. If the gentleman was in the hall of the House during the calling of the roll he has the right to vote.

Mr. TURNER. I was not in the hall of the House during the entire calling of the roll. I was out and returned before the roll was concluded.

The SPEAKER. The Chair informs the gentleman that he is qualified to vote if he was in the hall of the House at any time during the calling of the roll.

Mr. TURNER. I desire to be recorded as voting "aye," Mr. Speaker.

Mr. NAGEL. Mr. Speaker, I entered the hall of the House just as the roll was being recorded. I wish to be recorded as voting "no."

RECONSIDERATION OF VOTE

Mr. BENTLEY. Mr. Speaker, I had agreed that House Bill 853 should not come up for final passage today. By some mistake it did and I, therefore, move that the vote by which House Bill No. 853, Printer's No. 401, entitled:

An Act to further amend section four hundred two of the act approved the twenty-second day of May, one thousand nine hundred thirty-three (P. L. 853), entitled "An act relating to taxation; designating the subjects, property and persons subject to and exempt from taxation for all local purposes; providing for and regulating the assessment and valuation of persons, property and subjects of taxation for county purposes, and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations; amending, revising and consolidating the law relating thereto; and repealing existing laws," by further providing for the assessment and valuation of buildings under construction, repair or reconstruction, in counties of the second class.

on page 13 of today's calendar, passed finally, be reconsidered.

Mr. COHEN. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Allegheny, Mr. Bentley vote on the final passage of this bill?

Mr. BENTLEY. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Philadelphia, Mr. Cohen vote on the final passage of this bill?

Mr. COHEN. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. BENTLEY. Mr. Speaker, I move that this bill be placed on the postponed calendar.

The motion was agreed to.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. TAHL.

The House resumed the consideration on third reading of House Bill No. 284, as follows:

An Act to further amend sections four and five of the act approved the twentieth day of May one thousand nine hundred and fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" providing for optional increases in payments by employes and increasing the maximum monthly pension payments in such cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the twentieth day of May one thousand nine hundred and fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriations of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" as amended by the act approved the seventh day of May one thousand nine hundred twenty-three (P. L. 137) is hereby further amended to read as follows

Section 4 During the lifetime of the said person he or she shall be entitled to receive a pension from the fund set aside for the purpose of fifty per centum of the amount which would constitute the average rate of

pay at which he or she was employed during the last five years of his or her employment by the said city or other public employment as aforesaid Said pension shall be paid in monthly payments Provided That if any pension be granted to a person who has not been a contributor to the pension fund as herein provided during a period of twenty years such person shall be required to pay into the board of pensions monthly an amount equal to two per centum of his or her pension until such time as his or her contribution shall have extended during a period of twenty years Should any person so employed after twenty years of service be dismissed voluntarily retire or be in any manner deprived of his position or employment before attaining the age of sixty years upon continuing a monthly payment to the fund equal to the last amount due and paid monthly while in active service said person shall be entitled to a pension above mentioned notwithstanding he or she has not attained the age of sixty years at the time of his or her separation from the public service but said pension shall not commence until he or she has attained the age of sixty years Should any employe however become totally and permanently disabled while in the service after twenty years of service and before attaining the age of sixty years he or she shall be entitled to the said pension Proof of total and permanent disability shall consist of the sworn statement of three practicing physicians designated by the board that the employe is in a permanent condition of health which would totally disable him or her from performing the duties of his or her position or office Provided That in cases where the nature of such disability is such as to disable the employe from performing any work whatsoever either within or without the scope of his regular duties or within or without the service of such city or county the board may upon a recommendation of the three practicing physicians here provided for retire upon pension such application after a service of fifteen years Provided further That the benefits of this amendment shall apply to members of the pension fund who have been contributors to the said fund for five years or more The pension paid to any one employe whose monthly payments into the pension fund have been four dollars or less a month shall not exceed one hundred dollars per month The pension paid to any one employe whose monthly payments unto the Pension Fund have been more than four dollars a month for a period of at least two years may exceed one hundred dollars per month but shall not exceed two hundred dollars per month Provided That if an employe upon the date of retirement from service shall have made payments of more than four dollars a month unto the Pension Fund for a period of less than two years his or her pension shall not exceed one hundred dollars per month but an amount equal to the total amount paid in excess over four dollars a month shall be returned to such employe

Section 2 Section five of said act as amended by the act approved the fifth day of July one thousanl nine hundred seventeen (P. L. 689) is hereby further amended to read as follows

Section 5 The city county or other public employes if any herein mentioned shall after the passage of this act pay unto the board of pensions monthly an amount equal to [four] two per centum of their monthly salaries or wages in no event however [paying] shall such employe be required to pay at a rate greater than four dollars a month which shall be applied to the purposes of this act Whenever two per centum of the monthly salary or wages of any such employe shall exceed the sum of four dollars a month any such employe after signifying his or her consent in writing to the Board of Pension shall be permitted to pay unto the Board of Pensions four per centum of the portion of his or her salary or other compensation which is over and above the amount of salary or other compensation which is sufficient to require the monthly payment of four dollars a month at the rate of two per centum of such salary or other compensation and he or she shall thereafter be required to pay such increased monthly rate without regard to the limit of four dollars a month which is herein imposed upon compulsory payments Provided that such additional monthly payments shall not exceed eight dollars a month and the total monthly payment shall not exceed twelve dollars a month Payments at a rate of more than four dollars a month shall not be made prior to September first one thousand nine hundred forty-five but shall begin immediately thereafter for all employes who on that date are members of the Pension Fund and who are eligible and have consented to make such increased monthly payments On and after September first one thousand nine hundred forty-five any employe who shall enter the Pension Fund and whose salary is sufficient to make him or her eligible to make monthly payments or more than four dollars a month shall at the time of entrance into the Pension Fund elect in writing whether his or her monthly payment shall be four dollars a month or at the increased rate hereinbefore provided Any employe who is a member of the pension fund on September first one thousand nine hundred forty-five and whose salary or other compensation is such as to reouire a monthly payment of four dollars or less unto the Pension Fund shall continue to make such payment but if and when his or her salary or other compensation shall be increased to an extent making such employe eligible to make monthly payments of more than four dollars then such employe on the beginning date of such increased salary or compensation shall elect in writing whether his or her monthly payment shall be four dollars a month or at the increased rate hereinbefore provided Payment of the monthly amount or contribution herein mentioned shall cease and be discontinued at the time the beneficiary receives the pension herein provided if such beneficiary has so contributed to the pension fund during a period of twenty years If at the time the beneficiary receives the pension herein provided he or she shall not have been a contributor to the pension fund during a period of twenty years such persons shall be required to pay unto the Board of Pensions an amount equal to four per centum of his or her monthly pension until such time as his or her contribution shall have extended during a period of twenty years If for any cause an employe contributing to the Pension Fund shall cease to be an employe of any such cities of the first class or other county or public employes paid out of the treasury of such cities before said employe becomes ertitled to the pension conferred by this act the total amount of the contributions paid into the Pension Fund by such employe shall be refunded to him in full without interest Provided however If any such emplove shall have returned to him or her the amount contributed as aforesaid and shall afterward reenter such public employment said emplove shall not be entitled to the pension designated until twenty years after the said reemployment unless he or she shall return to the Pension Fund the amount withdrawn in which event the period of twenty years shall be computed from the time said employe first entered the such public service In the event of the death of any employe before the said emplove becomes entitled to the pension aforesaid the said total amount of contributions aforesaid shall be paid over to the estate of said deceased emplove

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the years and nays were taken and were as follows:

YEAS—137

Barton,	Gallagher,	McCormack,	Scanlon,
Baumunk,	Gardner,	McDowell,	Serrill,
Bonawitz,	Getchey,	McKinney,	Shaffer,
Boorse,	Gibson,	McMillen,	Shoemaker,
Bower,	Goodling,	Mikula,	Sloan,
Brancato,	Green,	Miller,	Smith,

Breisch,	Greer,	Milliken,	Snyder,
Brice,	Guthrie,	Modell,	Sollenberger,
Brunner C. H.,	Gyger,	Mooney	Sorg,
Cadwalader,	Hall,	Moore, C. E.,	Stockham,
Chudoff,	Hare,	Moran,	Stonier,
Cook,	Haudenshield,	Moser,	Stuart,
Cooper,	Helm,	Murray, P. G.,	Tahl,
Costa,	Hewitt,	Myhan,	Tate,
Coulson,	Hoffman,	Nagel,	Tittle,
Cullen,	Hoggard,	Nelson,	Trout,
Dague,	Howells,	O'Brien,	Turbett,
Dalrymple,	Huntley,	O'Connor	Turner,
Dennison,	James,	O'Dare,	Varallo,
Depuy,	Jones,	Petrosky,	Verona,
Dix,	Kennedy,	Pickens,	Wachhaus,
Duffy,	Kline,	Polaski,	Wagner,
Dye,	Kolankiewicz,	Polen,	Waterhouse,
Elder,	Kurtz,	Propert,	Watkins,
Elish,	Laughner,	Readinger,	Weiss,
Erb,	Lee,	Reagan,	Welsh,
Ewing,	Leisey,	Reese D P.,	Wescott,
Flack,	Lichtenwalter,	Reilly,	Wood L. H.,
Fleming,	Loftus,	Riley,	Wood N.,
Foor,	Lyons,	Robertson,	Worley,
Fo...,	Madden,	Root,	Yeakel,
Freed,	Madigan,	Rose,	Yester,
Frost,	Mahany,	Royer,	Fiss,
Fullerton,	McAtee,	Salus,	Speaker
Gaffney,	McClester,		

NAYS—44

Andrews,	Coleman,	Leonard,	Reese R E.,
Baker,	Corrigan,	Levy,	Regan,
Barrett,	Dougherty,	Lopez,	Reidenbach,
Bentley,	Finnerty,	Lovett,	Reynolds,
Bentzel,	Gore,	Matthews,	Rudisill,
Boles,	Grant,	Mihm,	Schuster,
Boney,	Hamilton,	Moore, W. J.,	Snider,
Boory,	Hennihan,	Murray, M. L.,	Stank,
Brown,	Herman,	O'Donnell,	Swope,
Brunner, P. A.,	Hunter,	O'Neill,	White,
Cohen,	Kirley,	Owens,	Wright,

NOT VOTING—23

Chervenak,	Hering,	McLanahan,	Pettigrew,
Coyle,	Hersch,	McNair,	Powers,
Dillon,	Hoopes,	McNally,	Skale,
Greenwood,	Komorofski,	Mills,	Trachtman,
Haberlen,	Lane,	Munley,	Trent,
Heatherington,	Longo,	Pentrack,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1082, entitled:

An Act to further amend the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissioners commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and bards of school directors and imposing penalties" by changing the provisions of said act as to the registration of electors before and after certain elections the preparation of street lists the cancellation of registrations for failure to vote and the destruction of records.

The first section was read.

On the question,

Will the House agree to the section?

Mr. CHUDOFF offered the following amendments:

Amend Sec. 1 (Sec. 17), page 3, lines 26 to 29, both inclusive, by striking out the words "and until the" in line 26, all of lines 27 and 28, and the words "cipal election and in subsequent years" in line 29.

Amend Sec. 1 (Sec. 17), page 5, lines 1 to 4, both inclusive, by striking out the words "until the termination of hostilities in the present war and for six months thereafter not more than sixty days not less than fifty days prior to any municipal election and in subsequent years"

Amend Sec. 1 (Sec. 34), page 5, line 21, by striking out the words "and municipal"

Amend Sec. 1 (Sec. 34), page 5, line 21, by striking out the light face bracket before the word "and" where it appears for the third time in said line.

Amend Sec. 1 (Sec. 34), page 5, line 22, by striking out the light face bracket after the word "election"

Amend Sec. 1 (Sec. 40), page 7, line 8, by striking out the light face bracket after the word "after".

Amend Sec. 1 (Sec. 40), page 7, line 9, by striking out the light face bracket before the word "held".

Amend Sec. 1 (Sec. 40), page 7, line 9, by inserting after the word "thereafter]" "the first day of January of each year".

Amend Sec. 1 (Sec. 40), page 7, line 11, by inserting a light face bracket before the word "in".

Amend Sec. 1 (Sec. 40), page 7, line 13, by striking out the light face bracket before the word "four".

Amend Sec. 1 (Sec. 40), page 7, line 15, by inserting a light face bracket after the word "and" where it appears for the second time in said line.

Amend Sec. 1 (Sec. 40), page 7, line 17, by inserting a light face bracket before the word "within".

Amend Sec. 1 (Sec 40), page 7, lines 17 and 18, by striking out the word "twenty-" in line 17, and the words "three months" in line 18, and inserting in lieu thereof: "during the two calendar years"

Amend Sec. 1 (Sec. 40), page 7, line 18, by inserting a light face bracket before the word "any".

Amend Sec. 1 (Sec. 40), page 7, line 19, by striking out the light face bracket before the word "held".

Amend Sec. 1 (Sec. 40), page 7, line 23, by inserting a light face bracket before the word "within".

Amend Sec. 1 (Sec. 40), page 7, line 23, by striking out the light face bracket before the word "four"

Amend Sec. 1 (Sec. 40), page 7, line 24, by striking out the words "twenty-three months" and inserting in lieu thereof: "during the two immediately preceding calendar years"

Amend Sec. 1 (Sec. 40), page 8, line 10, by inserting a light face bracket before the word "within"

Amend Sec. 1 (Sec. 40), page 8, line 10, by striking out the light face bracket before the word "four"

Amend Sec. 1 (Sec. 40), page 8, line 11, by striking out the words "twenty-three months" and inserting in lieu thereof: "during the two immediately preceding calendar years"

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Mr. CHUDOFF offered the following amendment:

Amend Sec. 2 (Sec. 41), page 9, line 3, by inserting after word "affidavits" "and original strike off petitions"

It was agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the House agree to the section?

Mr. CHUDOFF offered the following amendment:

Amend Sec. 3, page 9, lines 7, 8 and 9, by striking out the word "section" in line 7, all of line 8, and the words "amendments herein made to" in line 9.

It was agreed to.

The section was agreed to as amended.

The fourth section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. MAHANY.

The House resumed the consideration on second reading of House Bill No. 163, entitled:

An Act to further amend clauses (a) (d) and (f) of section one thousand three hundred four of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" providing for regulation of preliminary education of candidates for licenses to practice professions or work at trades or occupations granted by the Department of Public Instruction or other departments of the Commonwealth.

The first section was read.

On the question,

Will the House agree to the section?

Mr. MAHANY offered the following amendment:

Amend Section 1, page 3, line 22, by adding at the end of the line the following: "but this provision shall not affect educational requirements as now provided by law for any profession, trade or occupation."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILLS SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

SENATE BILL No. 123.

An Act to repeal paragraphs (a) (b) and (d) of Section one thousand thirty-three (1033) of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905), entitled "An Act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds" and all amendments to said paragraphs (a) (b) and (d)

SENATE BILL No. 143.

An Act to amend clause (a) of section six hundred twenty-one and one-tenth of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further regulating group accident and health insurance

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

RESOLUTION

TO DISCHARGE COMMITTEE

Mr. HEATHERINGTON offered a resolution which was read as follows:

In the House of Representatives, April 3, 1945.

Resolved, That the Committee on Dairy Industries be discharged from further consideration of House Bill 245, entitled:

"An Act to further amend sections one and two of the act approved the twenty-ninth day of May, one thousand nine hundred one, (P. L. 327), entitled "Oleomargarine Law", by eliminating the payment of a fee for a license to sell oleomargarine, butterine, or similar substances at retail."

said bill having been referred to the Committee on Dairy Industries Wednesday, January 24, 1945.

On the question,

Will the House adopt the resolution?

Mr. LOVETT. Mr. Speaker, I am in no hurry, if the boys——

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Bentley.

Mr. BENTLEY. Mr. Speaker, I would like to interrogate the gentleman from Allegheny, Mr. Heatherington.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. HEATHERINGTON. I shall, Mr. Speaker.

Mr. BENTLEY. Is the gentleman's resolution directed to the discharge of the Dairies and Industries Committee on the so called oleomargarine bill?

Mr. HEATHERINGTON. That is right.

Mr. BENTLEY. Is it not a fact, Mr. Speaker, that a public hearing will be held by the Dairies Industry Committee on this bill tomorrow.

Mr. HEATHERINGTON. Is the gentleman asking me?

Mr. BENTLEY. Yes, I am addressing my remarks to the Speaker but directed to the gentleman.

Mr. HEATHERINGTON. There is a public hearing tomorrow on the oleo bill; whether it is on this particular one or not I do not know.

Mr. BENTLEY. I thank the gentleman from Allegheny.

Mr. LOVETT. Mr. Speaker——

The SPEAKER. The gentleman from Allegheny has the floor. The gentleman said he was in no hurry.

Mr. LOVETT. Mr. Speaker, I was only yielding until we got order.

The SPEAKER. The Chair plainly understood the gentleman to say he was in no hurry. The Chair then recognized the gentleman from Allegheny, Mr. Bentley, and he now has the floor.

Will the gentleman from Allegheny, Mr. Bentley, yield?

Mr. BENTLEY. I yield to the gentleman. I want to be fair, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, this is another one of these discharge resolutions. The gentleman asked a question with regard to a public hearing on the oleo bills. It has been customary in this House on this type of legislation or on any legislation that the bills be reported to the floor of the House and be given two readings and then recommitted for a public hearing. Of course you can readily see that that was not carried out in this case. We had a public hearing last week on these bills and we have another one scheduled for tomorrow.

I was just wondering if it was not due to the fact that they feel that the membership of this House will vote for these particular bills if they get to the floor of this House. I think the sentiment in this House is in favor of passing these oleo bills, and I am afraid that the Chairman of the Committee or the Committee itself are afraid to have the bill reported out for two readings for fear that they might never get it back into committee.

This is the only means we have in order to get this legislation on the floor of the House. I feel very confident that the membership of this House is in favor of this particular legislation. I ask the membership to vote for this discharge resolution so that we may bring this legislation to the floor of the House and pass it in the interests of the people of Pennsylvania.

Mr. BENTLEY. Mr. Speaker, I want to set the record clear as to my vote on this discharge resolution and the reasons for it. It seems to me there is a time and a place for discharge resolutions, and I asked the question whether or not there was a public hearing scheduled for tomorrow on this bill, confident that the answer would, of course, be that there is. I understand it is a second public hearing. It seems to me that the matter is proceeding in an orderly fashion.

I do not know what the result would be if the bill came out of Committee to the floor of this House. With a public hearing scheduled for tomorrow and the bill on the floor of the House I sincerely doubt whether any proper public hearing could be held on it. The people undoubtedly are coming from all over the state on this thing. It seems to me that this discharge resolution is either too early or too late. It is certainly not proper at this time.

I might say that I propose to vote for these bills if and when they come on the floor of the House and if after this public hearing there is no action by the Committee I will be in full accord with the motion to discharge the committee. However at this time with a public hearing scheduled for tomorrow it seems to me highly irregular and improper to take the bill from the Committee that proposes to hold a public hearing, and place it on the floor of the House. For that reason I am going to vote against the discharge resolution.

Mr. NAGEL. Mr. Speaker, I would like to interrogate the sponsor of this bill.

The SPEAKER. The Chair would inquire of the gentleman whether he desires to interrogate on the resolution? This is a resolution and not a bill.

Mr. NAGEL. I desire to interrogate on the statement made by the sponsor of this resolution.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. HEATHERINGTON. I shall, Mr. Speaker.

Mr. NAGEL. Mr. Speaker, did I understand the gentleman to say that there is a public hearing scheduled on this particular bill for tomorrow?

Mr. HEATHERINGTON. Mr. Speaker, I understand that there is a public hearing tomorrow by the Committee on Dairy Industries, and I have said that I am not sure whether it includes this bill or any other oleo bill. I only know that there is a public hearing before the Committee on Dairy Industries.

Mr. NAGEL. On what does the gentleman base his statement, or where did he get his information, if he cares to tell, Mr. Speaker?

Mr. HEATHERINGTON. No, I would not care to tell, Mr. Speaker.

Mr. NAGEL. That is all. I thank you.

Mr. Speaker, I noticed some time ago, or just a short time ago on the bulletin board that there would be a public hearing before the Dairy Industries Committee, but it designates no bills. Now, I am not in a position to know how many bills are in the hands of this Dairy Industry Committee, nor do I know from that statement whether or not any of the oleo bills will be considered. I might also state that at the hearing held one week ago tomorrow, a statement was made on the board, and "public hearing" written inconspicuously so it was scarcely legible.

Members of the House, we have had one Member object to this procedure. Perhaps it is irregular, perhaps it is not right, but I am sorry indeed as a Member of this great body that we must resort from time to time to

measures of this kind in order to get bills out of Committee that are demanded and urged by the public and by the press and still they are held in committee, action is delayed, and delayed from time to time. I am wondering if these Committees of the House that have been requested to discharge bills think that they are the only persons that are endowed with knowledge and good judgment. Do they think the balance of the Members of this House have no thinking powers, no reasoning powers, or that their intelligence does not go beyond the intellectual horizon of an imbecile? I am sorry if that be the case; I hope it is not.

We have been patient with these bills that were introduced and were referred to the Committee on January 24. There was ample time to consider them, and I consider it the height of folly and a silly movement to hold two hearings on these particular bills when it all could have been done on one day.

When the Chairman of this Dairy Industries Committee was questioned concerning this, and asked why the hearing was not had all on one day, he said "How could we have a hearing on both sides in just one hour of time?" Well now, that is a poor alibi. If the bills had been considered at the proper time there is no question in my mind but that these bills could have been given time to have had that hearing for both those for and against the bill at one sitting. It seems to me that the purpose behind this is to delay and to continue to delay. Some selfish interests may be back of this—I know not what. I know there are influences that are holding these bills in Committee, but it seems to me that the idea is to hold them in committee so that if in some miraculous manner the lid is lifted and these bills come on the floor of the House and they receive favorable action, at the end of the session we would find them just half way between this House and the Senate.

Now, that is undemocratic. That is a way of defeating a bill. Are we afraid? I want to serve notice to my side of the House, and a solemn promise to this side of the House that if our side of the House ever becomes a majority and I am at that time a Member I will offer a resolution making the number necessary to discharge a committee ten less than a minority membership. I don't care what it is, what number that is, but I will stand by that pledge.

This is an unstatesmanlike manner of proceeding in our House. It is a tradition of the past and should be relegated to the past. When twenty-five per cent of the membership of this House desire a bill released from Committee it might be done peaceably and quietly by a petition and brought on the floor of this House so that it might be considered.

These bills that we are asking for this afternoon may have faults, they may have parts that need to be amended. If it is desired that these bills be made emergency measures for the duration, I am sure the sponsors of these bills would offer no serious opposition. If the penalty is not severe enough for violation of these bills, make the penalty what you please, even though it be capital punishment, but we want to get oleo to the crying public of Pennsylvania so that our merchants can handle it, so that our people can get it, so that the people on the border-line between Pennsylvania and West Virginia are not discriminated against.

The SPEAKER. Will the gentleman please confine himself to the question on the resolution which is to discharge the committee.

Mr. NAGEL. Thank you Mr. Speaker, I will try to do that.

Mr. Speaker, I ask the membership of this House to lay aside this old tradition for getting bills to the floor of this House. The closing hours of the session of yesterday, which was early this morning, demonstrated to all of us that a movement is on foot, and there is a strong sentiment for changing the procedure on the floor of this House, getting away from the old traditions and adopting something new that will meet the demands of the public. I ask you to vote for this present resolution.

Mr. ANDREWS. Mr. Speaker, I support this resolution for this reason; it will be probably the only opportunity you will have to vote on the Nagel-Yester oleo bill if this resolution falls. You are voting in principle for more than the resolution to discharge the committee.

Mr. FRANK E. SNYDER. Mr. Speaker, in reply to the gentleman from Beaver and some of the other gentlemen who have spoken with reference to this resolution to discharge the committee from further consideration of the oleo bills, I would like to state that a sub-committee was appointed to study the five oleo bills that were put into that committee, I think on the motion of Mr. Nagel, and I do not believe that I am divulging any secrets when I say that he amended the motion to make it a sub-committee of five to study these bills.

That committee was appointed before it had very much time to consider them. The proponents of these bills asked for a hearing, and the earliest they could have it was March 28, I believe. When they had the hearing opponents of this bill asked for a hearing, and it was granted one week later which is tomorrow. I don't think this committee is dilatory in reporting these bills out. I think this House well knows that the purpose of committees is to study bills, and I believe that after the two hearings have been held and the sub-committee reports, that the chances of these bills coming out will probably be as good as the chances of a lot of other bills coming out of committee in this House.

Mr. YESTER. Mr. Speaker, in asking for the discharge of the committee, it is not the committee, I'll tell you plainly, it is the Chairman. Go out to that board and see if there is anything in regard to a public hearing on the oleo bill. There is a public hearing but there is nothing said about that, and there is no number or anything else stated as to what they would consider.

It was fully a month agao that it was decided to have these public hearings. The first was put two weeks in advance and the next one a week further on. As long as I have been in this House I do not remember of having two hearings on one bill, and it is my opinion that everything is done to prolong bringing these bills out. I have received hundreds and hundreds of letters in favor of those bills and I have not received one opposed to them.

Now, there is reason for discharging the committee. As I said, the committee seems to be all right, but absolutely the Chairman is trying to do something to prolong it.

Mr. LICHTENWTLTER. Mr. Speaker, I was not going to inject myself into this debate, but the gentleman who

has just spoken has said that the entire fault or lack of consideration of these bills is due to the Chairman.

I recall very vividly that before the last meeting of this committee, which was held as a public hearing on the oleo bills, there was an announcement from the desk and I believe there will be an announcement from desk before we leave this hall this afternoon, stating that a public hearing on all the oleo bills will be held.

The gentlemen from Beaver and Allegheny, I imagine have some pride in authorship. I have also received a lot of letters regarding the oleo bills, but I will say that I have not received more letters for the oleo bills with the names of Nagel and Yester then I have for this particular bill.

Now, the only way we are going to agree on some legislaton, if the committee feels it is desirable to have this type of legislation, is to have a public hearing, and if it is held for the benefit of the opponents of the bill at one hearing and then a week later for the proponents, I see nothing wrong in that, and that is not a new precedent in this House.

I think the gentlemen who have asked for the discharge of this committee might have received more support if they had included all the oleo bills, because I know from my experience in receiving of mail, that the mail received by others is the same as mine. There are many bills covering the subject, and it is for this particular bill that these gentlemen are asking to discharge the committee. I think the Committee was fair. In fact it was stated that the attitude of the Chairman and the entire Committee was very fair; they were very much pleased with the manner in which these public hearings were handled. I see no reason why we should discharge the committee when they acted in good faith, when they had a public hearing at which the people interested in these bills could be heard. I, therefore, ask that the resolution be defeated.

Mr. MILLIKEN. Mr. Speaker, I am the sponsor of one of these oleo bills, and on last Wednesday we had a public hearing attended by everybody who wanted the oleo bills passed. Tomorrow we are gong to have a public hearing for everybody opposed to these oleomargarine bills. I think the committee is doing a very fine job. I am a member of the committee, and I ask the members to vote down this resolution.

Mr. LOVETT. Mr. Speaker——

The SPEAKER. The Chair is endeavoring to hurry the session along as much as possible because of a committment made with the newspaper correspondents. Will the members please try to cooperate?

Mr. LOVETT. Mr. Speaker, I want to sympathize with the Chair when he makes commitments in the House of Representatives. We as Members of this House have a perfect right to be notified of all commitments made with anybody, and as Members of this House——

POINT OF ORDER

Mr. HARE. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. HARE. The gentleman is not speaking on the question before the House.

The SPEAKER. The gentle will confine himself to the subject.

Mr. LOVETT. The subject before the House, Mr. Speaker, as far as I could see is the Speaker had made a commitment. Would the gentleman say that is not true?

The SPEAKER. The gentleman raised the point of order, that the gentleman is not speaking on the question. The point of order is well taken and the gentleman will confine himself to the question before the House.

Mr. LOVETT. Under the resolution to discharge the committee, Mr. Speaker, I would like to interrogate the gentleman from Allegheny, Mr. Bentley.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. BENTLEY. I shall, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, does the gentleman know how long these bills have been in committee?

Mr. BENTLEY. I have heard it stated on the floor of the House that the date of introduction of the bill to which this particular resolution is addressed was March 21st.

Mr. LOVETT. Mr. Speaker, does the gentleman realize that the Floor Leader has just made the statement that the public hearing will be announced before this session is over?

Mr. BENTLEY. I do, Mr. Speaker.

Mr. LOVETT. And to my knowledge that is the only time that was announced, Mr. Speaker.

Mr. BENTLEY. I heard the Floor Leader's remarks, but I also consulted with the Chairman of the Committee, who told me that this public hearing was to be held tomorrow on all oleomargarine bills. I am also advised that at last week's meeting it was announced that this week a hearing would be held for the opponents of this bill, so that at least one week's notice, I understand, was given to the proponents.

Mr. LOVETT. Does the gentleman know, as I have been informed, Mr. Speaker, that the attendance was very poor at the last hearing due to the fact of a lack of advertising?

Mr. BENTLEY. I don't know, Mr. Speaker, why the gentleman is asking me that.

Mr. LOVETT. Mr. Speaker, there is another statement that should be made in regard to this resolution. The gentleman who had the resolution prepared had considered having all the bills on oleo included, but due to some misunderstanding in having this resolution drafted it was not in proper form, therefore, in order to save the time of the House we drafted the resolution in such a way that it only applied to one bill. So I say to the Floor Leader, Mr. Lichtenwalter, that it was the intent of the men who were trying to discharge this committee to have all the legislation, all the bills brought to the floor of this House for consideration.

I want to say to the gentleman from Allegheny, Mr. Bentley, that I know of no reason why these bills could not be reported to this House and be placed upon the table, laid over, have the public hearing and have action on the bills tomorrow. For that reason I ask for a verification of the roll call.

The SPEAKER. The roll will have to be called first.

On the question recurring,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Heatherington and Mr. Lovett.

Messrs. Hare, Turner and Bower asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—59

Andrews,	Elish,	McNally,	Reynolds,
Baker,	Finnerty,	Mihm,	Rudisill,
Barrett,	Gaffney,	Moore, W. J.,	Scanlon,
Bentzel,	Gallagher,	Moran,	Schuster,
Boies,	Gore,	Munley,	Shaffer,
Boney,	Hamilton,	Murray, M. L.,	Skale,
Brancato,	Heatherington,	Nagel,	Snider,
Brunner, P. A.,	Hennihan,	O'Donnell,	Stank,
Chudoff,	Jones,	Owens,	Tate,
Coleman,	Kirley,	Polaski,	Varallo,
Corrigan,	Kolankiewicz,	Polen,	Welsh,
Coyle,	Lane,	Powers,	White,
Cullen,	Leonard,	Readinger,	Wright,
Dougherty,	Lovett,	Reese, R. E.,	Yester,
Duffy,	McNair,	Regan,	

NAYS—100

Barton,	Fox,	Lichtenwalter,	Royer,
Baumunk,	Freed,	Loftus,	Salus,
Bentley,	Frost,	Lyons,	Serrill,
Bonawitz,	Fullerton,	Madden,	Shoemaker,
Boorse,	Gardner,	Madigan,	Sloan,
Bower,	Getchey,	Mahany,	Smith,
Breisch,	Gibson,	McAtee,	Snyder,
Brice,	Goodling,	McClester,	Sollenberger,
Cadwalader,	Greer,	McCormack,	Sorg,
Cook,	Guthrie,	McDowell,	Stockham,
Cooper,	Gyger,	McMillen,	Stuart,
Costa,	Hall,	Mikula,	Swope,
Coulson,	Hare,	Miller,	Tahl,
Dague,	Haudenshield,	Milliken,	Turner,
Dalrymple,	Hewitt,	Moore, C. E.,	Verona,
Dennison,	Hoffman,	Moser,	Wachhaus,
Depuy,	Howells,	Murray, P. G.,	Wagner,
Dix,	Huntley,	Nelson,	Waterhouse,
Dye,	James,	O'Dare,	Watkins,
Elder,	Kennedy,	Pickens,	Weiss,
Erb,	Kline,	Propert,	Wescott,
Ewing,	Kurtz,	Reagan,	Wood, N.,
Flack,	Laughner,	Riley,	Worley,
Fleming,	Lee,	Robertson,	Yeakel,
Foor,	Leisey,	Root,	Fiss, Speaker.

NOT VOTING—45

Boory,	Herman,	McLanahan,	Reese, D. P.,
Brown,	Hersch,	Mills,	Reidenbach,
Brunner, C. H.,	Hoggard,	Modell,	Reilly,
Chervenak,	Hoopes,	Mooney,	Rose,
Cohen,	Hunter,	Myhan,	Stonier,
Dillon,	Komorofski,	O'Brien,	Tittle,
Grant,	Levy,	O'Connor,	Trachtman,
Green,	Longo,	O'Neill,	Trent,
Greenwood,	Lopez,	Pentrack,	Trout,
Haberlen,	Matthews,	Petrosky,	Turbett,
Helm,	McKinney,	Pettigrew,	Wood, L. H.,
Hering,			

So the question was determined in the negative and the resolution was not adopted.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 264, 334 and 421

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 3, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 264, Printer's No. 27, entitled "An act to amend section three and to further amend section twelve of the act, approved the twentieth day of July, one thousand nine hundred seventeen (P. L. 1143), entitled, 'An act relating to free, public, nonsectarian libraries and branch libraries within this Commonwealth; providing for their establishment, maintenance, and regulation, and for the maintenance and regulation of such free, public non-sectarian libraries as may have been already established by the several counties, cities, boroughs, towns, and townships; and providing that all library property, and all gifts, devises, grants or endowments for library purposes, shall be exempt from taxation; and providing that the several counties, cities, boroughs, towns, and townships may levy taxes, condemn private property, and borrow money for library purposes; and imposing penalties for injuring library property and for violations of library regulations; and repealing existing laws in relation to the above subjects,' making more specific the power of the municipal authorities of counties, cities, boroughs, towns, and townships to appropriate moneys out of current revenues for library purposes without the levy of a special tax therefor; and validating such appropriations heretofore made."

EDWARD MARTIN.

April 3, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 334, Printer's No. 154, entitled "An Act to provide the appointment of election officers to fill vacancies caused by the expiration of terms of election officers imposing duties on County Board of Elections and conferring powers on courts of quarter sessions."

EDWARD MARTIN.

April 3, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 421, Printer's No. 91, entitled "An Act to further amend section fifty-four of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled 'An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto' requiring that counties shall pay the premiums on bonds of parole or probation officers."

EDWARD MARTIN.

RESOLUTION

Miss BRANCATO offered a resolution which was filed with the Clerk.

PARLIAMENTARY INQUIRY

Mr. SKALE. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SKALE. May I ask whether the resolution offered by the lady from Philadelphia may be read for the information of the House?

The SPEAKER. Only by the unanimous consent of the House.

Mr. SKALE. Mr. Speaker, I ask unanimous consent of the House to have the resolution read for the benefit of the House.

The SPEAKER. Will the House give its unanimous consent? Is there objection? The Chair hears objection and consent is not granted.

COMMITTEE MEETINGS

There will be meetings of the committees on:

Appropriations, Tuesday, April 3, immediately after session.

Cities and County—Second Class, Wednesday, April 4, at 12:00 a. m. in room 521.

Game, Wednesday, April 4, at 10:00 a. m. in room 331.

Ways and Means, Wednesday, April 4, immediately after adjournment.

PUBLIC HEARINGS

Public Hearing before Committee on Fisheries on Senate Bill 106, Tuesday, April 10, 1945 at 10:30 a. m. in the New House Caucus Room.

Public Hearing before Committee on Education, on bills concerning Education, Wednesday, April 4, at 8:15 p. m. in the Forum.

Public Hearing before the Committee on Agriculture on House Bills 873 and 874 on Wednesday, April 4 at 7:30 p. m. in Old House Caucus Room.

Public Hearing before Committee on Dairy Industries on all oleo bills on Wednesday, April 4 at 10:00 a. m. in Old House Caucus Room.

ANNOUNCEMENT

The Legislative Kiwanis Club will meet in the Capitol Cafeteria at 8:30 a. m. tomorrow, Wednesday, April 4.

This is a ladies' meeting. Miss S. M. R. O'Hara will be the guest speaker, and the First Lady of Pennsylvania, Mrs. Martin, will be the guest of honor.

ADJOURNMENT

Mr. BREISCH. Mr. Speaker, I move that this House do now adjourn until Wednesday, April 4, 1945, at 1 p. m.

The motion was agreed to, and (at 5:43 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1945. 136th of the General Assembly.

Vol. 29. HARRISBURG, PA., WEDNESDAY, APRIL 4, 1945. No. 39.

SENATE

WEDNESDAY, April 4, 1945.

The Senate met at 4:00 o'clock, p. m., Eastern War Time.

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the Chair.

PRAYER

The Chaplain, Rev. EDWIN S. WALLACE, D. D., offered the following prayer:

Always, O God, we are in Thy presence, but too often we are not conscious of Thee. The cares of the world and the pursuit of worldly honors and pleasures take precedence. Outwardly, at least, we give Thee first place in this day's proceedings. Continue with us throughout the day. In all that we plan or do may we seek to honor Thee.

To meet our obligations to God and the state a degree of wisdom superior to that we possess is necessary. Thou art the fountain of wisdom and will give liberally to all who ask "in faith, nothing wavering." May we be humble enough to ask, proud to receive and confident to act. If we so do our state will be the beneficiary, and we ourselves will never have to apologize to anybody, and will have consciences void of offense.

That wisdom and faith for which we pray we ask Thee to give to all in authority and in our Nation, whether they are at home or abroad. May all their plans and the execution thereof have this purpose: the good of all the people. That and that only will be to the glory of God, which is "man's chief end."

All we ask is in the name of Him, who in His life here taught us by example how to live. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HEYBURN and Mr. LETZLER, the further reading was dispensed with, and the Journal was approved.

PERMISSION TO ADDRESS SENATE

Mr. EDMONDS. Mr. President, yesterday there was an announcement that today there would be a meeting of the Committee on Welfare, Public Assistance and Pensions, in the Senate Caucus Room, immediately upon adjournment, but the caucuses of both parties have been longer than usual, and the Calendar is also long and involved, and it seems to me, after consulting with some of my colleagues, as if the opportunity for a meeting of the committee today is out of the question.

Under those circumstances I would like to announce, having gotten requisite permission, that the Committee on Welfare, Public Assistance and Pensions will not meet today but will meet on Monday, April 9, at twelve o'clock noon in the Senate Caucus Room.

I make this announcement particularly because there are a number of bills relating to pensions of the blind before our committee, and a number of the blind are here, and consequently I am very anxious that they should have full opportunity to present whatever arguments they may have on any phases of the question. The only thing we ask is that the meeting be postponed until Monday, when the committee can attend. Thank you very much.

Mr. DENT. Mr. President, I would like to advise the gentleman from Montgomery that on Monday at twelve o'clock we have a bi-partisan conference with the Governor. I must be at the meeting of the Committee on Welfare, Public Assistance and Pensions because I am vitally interested in legislation affecting the blind. I also believe that the hour of twelve o'clock noon is not agreeable to the members of this side who come from the western end of the state and who can not be here that early.

Mr. EDMONDS. Could you make it at eleven thirty?

Mr. DENT. That makes it worse for the boys who can not get here early, who have to drive in from the western end of the state.

I would like to suggest to the gentleman from Montgomery that he have the meeting on Tuesday, if that is possible.

Mr. EDMONDS. Well, then, with the permission of the gentleman from Westmoreland, I will leave the announcement as it is, and we will see if if we can find a proper time on Tuesday.

Mr. DENT. That is quite all right. Thank you.

LEAVE OF ABSENCE

Mr. Wade asked and obtained leave of absence for Mr. JAMES.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

MESSAGE TO THE GENERAL ASSEMBLY OF PENNSYLVANIA BY MAJOR GENERAL EDWARD MARTIN, GOVERNOR OF PENNSYLVANIA, WEDNESDAY, APRIL 4, 1945

Members of the General Assembly:

In my message at the opening of this session of the Legislature I recommended that the Legislature give consideration to a program of liberalization of the Workmen's Compensation, Occupational Disease and Unemployment Compensation laws. I pointed out that such a program should give consideration to existing and prospective conditions confronting the State in competition with similar conditions in other States. It was my hope that labor and industry would be able to agree upon fair and equitable amendments to the present laws. I said "If they cannot do so I will not shirk the obligation of making specific recommendations to the Legislature."

Representatives of labor and industry have met from time to time and have made an honest effort to come to a common understanding and agreement. It has been reported to me that although a better understanding and relationship has resulted from these many conferences, they are not, however, able to come to a full and complete agreement with reference to the necessary amendments to these laws.

Therefore, carrying out the obligation in my original message, I make the following specific recommendations:

Workmen's Compensation

I recommend that the maximum payments be increased from $18.00 per week to $20.00 per week and that the minimum payments be increased from $9.00 per week to $10.00.

I recommend that the ceiling of $7,500 placed on permanent and total disability cases be removed and that 500 weeks at $20.00 a week shall mean 500 weeks or $10,000 instead of $7,500.

I recommend that all other money benefits be raised 11 per cent to the even dollar.

Under existing law no compensation is provided for the loss of toes. I recommend that provision be made for specific loss of toes on the following basis: for great toe, compensation for a period of 40 weeks, and for other toe or toes for a period of 16 weeks.

I further recommend that the existing law which defines the loss of a hand or a foot as an amputation below the elbow or below the knee joint be redefined so that the loss of a hand or a foot by amputation at the wrist or ankle joint shall be the loss of a hand or a foot.

I further recommend that a new classification for specific loss be set up for amputations between the wrist joint and the elbow joint and between the ankle joint and the knee joint; that compensation be paid for a period of 195 weeks in the case of an amputation between the wrist joint and the elbow joint, and for a period of 180 weeks for an amputation between the ankle joint and the knee joint.

I also recommend the elimination of the strict and stringent provisions of existing law with reference to hernia resulting from personal injury in the course of employment.

It is further recommended that the provisions of existing law with reference to medical services be liberalized so that the Workmen's Compensation Board may allow medical and surgical services for an additional 30 days beyond that now provided for, at an additional cost not to exceed $75.00, and that hospitalization be extended for an additional 30-day period.

Occupational Disease

I recommend that the Occupational Disease Act be amended so as to provide for the same benefits which I have recommended herein with reference to Workmen's Compensation.

Unemployment Compensation

It is recommended that the benefits under unemployment compensation be increased from $18.00 per week to $20.00 per week, and that the period of payment be extended from 16 weeks to 20 weeks that the waiting period be reduced from two weeks to one week, and that the present law be amended so as to provide for benefits for partial unemployment.

In making these recommendations I have kept in mind and given consideration to existing and prospective conditions confronting this Commonwealth in competition with similar conditions in other states. If the benefits were to be further extended it might result in our inability to compete with similar industries outside of Pennsylvania.

This would result in unemployment. Instead of being beneficial to the employes of our State, it might deprive them of the opportunity to be gainfully employed.

I, therefore, suggest that these recommendations be enacted into law.

EDWARD MARTIN.

PERMISSION TO ADDRESS SENATE

Mr. DENT. Mr. President and members of the Senate, we listened with interest to the reading of the Governor's labor message, or newspaper release, and we hearken back to the early days of the session when the Governor made his appeal to the General Assembly to enact certain legislation relative to labor laws.

Pursuant to that appeal the democratic minority introduced a complete list of labor bills relating to workmen's compensation, occupational disease compensation and unemployment compensation.

The Governor stated at the time of his message that if the labor element within the state could get together on a program, he would be glad to sit down with them, and it was our understanding at that time that any program that they agreed on, within reason, would be acceptable to the Governor.

Later he amended that statement by saying after labor had agreed upon a complete program, he said that they should sit down with industry.

As I understand the picture, from reading this message—and I must say and confess to you that I must see the legislation before I can give you our direct position on the Governor's proposal, I have talked to some of the men who represent various branches of labor here in Harrisburg and they tell me that the Governor's proposals are identical with the proposals offered by industry to labor members in the conference, and so it appears that the compromise has been made in favor of the industrial representatives at the meeting.

It appears to me, from conversations with these leaders, that the recommendations of laboring men in Pennsylvania have been entirely set aside and discarded by the Governor in the writing up of his proposed legisla-

tion and so, with only his message to guide me at this time, I can say that we feel that the benefits proposed are inadequate, that the recommendations of the Governor are not in keeping with the progress of the times. The cost of living, as we all know, has reached beyond the extent that the Governor allows, and it seems to me, from just an offhand perusal, I came across on page three where he recommends an additional thirty days of hospitalization and then puts on a ceiling of $75 for the payment of that hospitalization, and I do not believe it can be done.

However, we must wait until the bills are before us. Offhand, as I said before, the position of the Democratic Minority is that the Governor's labor program is inadequate.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

JUSTICE OF THE PEACE, LOWER MERION TOWNSHIP, MONTGOMERY COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 4, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph B. Allen, Jr., 577 Barrett Avenue, Haverford, Montgomery County, for appointment as Justice of the Peace in and for the Township of Lower Merion, Montgomery County, until the first Monday in January, 1946, vice C. Howard Meredith, deceased.

EDWARD MARTIN.

MEMBER OF THE WESTMORELAND COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 4, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James Deal (Republican), 115 Laird Street, Greensburg, Westmoreland County, for appointment as a Member of the Westmoreland County Board of Assistance, to serve until December 31, 1946, and until his successor is duly appointed and qualified, vice Edward R. Stirling, Greensburg, whose term expired.

EDWARD MARTIN.

COMMUNICATIONS FROM THE GOVERNOR

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

APPROVED AND SIGNED SENATE BILL No. 184, PRINTER'S No. 90

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 4, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 184, Printer's No. 90, entitled "An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in the Thirty-Fifth Ward in the City of Philadelphia Commonwealth of Pennsylvania known as the Naval Aviation Supply Depot and ceding jurisdiction to the United States."

EDWARD MARTIN.

APPROVED AND SIGNED SENATE BILL No. 405, PRINTER'S No. 143

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 4, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 405, Printer's No. 143, entitled "An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of certain tracts of land in Chester County Pennsylvania for use in connection with the Valley Forge General Hospital and ceding jurisdiction to the United States."

EDWARD MARTIN.

APPROVED AND SIGNED SENATE BILL No. 422, PRINTER'S No. 145

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 4, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 422, Printer's No. 145, entitled "An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract of land in Lebanon County Pennsylvania containing approximately sixty-four acres for use in connection with the Indiantown Gap Military Reservation and ceding jurisdiction to the United States."

EDWARD MARTIN.

APPROVED AND SIGNED SENATE BILL No. 429, PRINTER'S No. 149

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 4, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 429, Printer's No. 149, entitled "An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of three tracts of land in Cumberland County Pennsylvania containing approximately nine hundred forty-three acres for use in connection with a military reservation known as Carlisle Barracks and ceding jurisdiction to the United States."

EDWARD MARTIN.

APPROVED AND SIGNED SENATE BILL No. 431, PRINTER'S No. 150

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 4, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 431, Printer's No. 150, entitled "An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of certain tracts of land in Dauphin County Pennsylvania for use in connection with the

Middletown Air Depot and ceding jurisdiction to the United States."

EDWARD MARTIN.

APPROVED AND SIGNED
SENATE BILL No. 357, PRINTER'S No. 137

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 4, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 357, Printer's No. 137, entitled "An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately five hundred fifty-seven acres of land in the Township of South Lebanon County of Lebanon and Commonwealth of Pennsylvania known as the Veterans' Administration Facility at Lebanon Pennsylvania and ceding jurisdiction to the United States."

EDWARD MARTIN.

APPROVED AND SIGNED
SENATE BILL No. 266, PRINTER'S No. 97

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 4, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 266, Printer's No. 97, entitled "An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately two thousand four hundred acres of land in the County of Mercer Commonwealth of Pennsylvania for use in connection with Camp Reynolds and ceding jurisdiction to the United States."

EDWARD MARTIN.

APPROVED AND SIGNED
SENATE BILL No. 185, PRINTER'S No. 91

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 4, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 185, Printer's No. 91, entitled "An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately twenty-seven acres of land in the Twenty-Sixth and Forty-Eighth Wards in the City of Philadelphia known as the Naval Hospital and ceding jurisdiction to the United States."

EDWARD MARTIN.

APPROVED AND SIGNED
SENATE BILL No. 186, PRINTER'S No. 92

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 4, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 186, Printer's No. 92, entitled "An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately sixty-five acres of land in the Fortieth Ward of the City of Philadelphia known as the Naval Ammunition Depot at Fort Mifflin and ceding jurisdiction to the United States."

EDWARD MARTIN.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) announced that the Acting Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 230, entitled:

An Act to amend the title and the act approved the thirtieth day of April one thousand nine hundred and forty-three (P. L. 145) entitled "An act providing for and regulating the accumulation investment and expenditure by counties cities boroughs incorporated towns and townships of funds for post war projects" extending the provisions of said act to school districts and defining the term "post war period"

House Bill No. 281, entitled:

An Act to amend section two thousand twenty-two of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "First Class Township Law," authorizing township commissioners to record certificates denying responsibility for certain roads, streets, lanes, alleys or drainage facilities in connection therewith.

House Bill No. 307, entitled:

An Act to further amend section two thousand five hundred four of the act approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "Third Class City Law," by further providing for the triennial assessment of taxable property.

House Bill No. 315, entitled:

An Act to further amend the act approved the seventeenth day of May, one thousand nine hundred seventeen (P. L. 208), entitled "Pharmaceutical Practice Law," discontinuing the registration of assistant pharmacists, and providing that persons who have served as registered assistant pharmacists for ten years or longer shall be qualified for examination as pharmacists.

Senate Bill No. 352, entitled:

An Act to amend section two hundred thirteen of the act, approved the twenty-fifth day of June, one thousand nine hundred forty-one (P. L. 159), entitled "An act amending, revising, consolidating and changing the law relating to the borrowing of money by certain political subdivisions, the authorization, issuance and sale of general obligation bonds as herein defined, of bonds imposing no general obligation of debt and of bonds not deemed to constitute a debt for certain purposes, and to the funding of debt and the refunding of bonds; regulating the keeping and use of sinking funds; imposing powers and duties upon the Department of Internal Affairs and upon corporate bodies and officers of political subdivisions; imposing penalties, and repealing existing laws," by authorizing temporary investments in certain obligations.

Senate Bill No. 356, entitled:

An Act to further amend Section 411, subsection B of Section 512, Section 1012, Section 1108 and subsection B of Section 1109, of the act, approved the fifteenth day of May, one thousand nine hundred and thirty-three (P. L. 624) entitled, "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties liabilities, and immunities of such corporations, of existent corporations

authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or person; and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts" by further providing for the powers and duties and limitations upon powers of corporations and persons authorized to engage in a banking or fiduciary business or both.

House Bill No. 457, entitled:

An Act to permit the sale and purchase of imitation butter or oleomargarine for consumption by inmates and employes of charitable and penal institutions within the Commonwealth for a period of two years, and suspending certain provisions of the law prohibiting such sales and purchase for the same period of time under certain circumstances; requiring the keeping of records and the making of reports; and providing penalties.

House Bill No. 719, entitled:

An Act to amend section one of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 558), entitled "An act authorizing the Department of Property and Supplies to sell and convey a lot or piece of land in Delaware County," correcting an erroneous measurement.

Whereupon,

The PRESIDENT (Lieutenant-Governor, John C. Bell, Jr.) in the presence of the Senate signed the same.

HOUSE MESSAGES

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 315

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 315, entitled:

An Act to further amend the act approved the seventeenth day of May, one thousand nine hundred seventeen (P. L. 208), entitled "Pharmaceutical Practice Law," discontinuing the registration of assistant pharmacists, and providing that persons who have served as registered assistant pharmacists for ten years or longer shall be qualified for examination as phamacists.

HOUSE CONCURS IN SENATE BILL No. 59

The Clerk of the House of Representatives being introduced returned to the Senate, Senate Bill No. 59, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by providing rest periods sick leave hospital and medical expenses and extra compensation in certain cases for police in counties of the second class

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 72

He also returned to the Senate, Senate Bill No. 72, entitled:

An Act to further amend section six hundred one of the act approved the twenty-fifth day of May, one thousand nine hundred thirty-three (P. L. 1001), entitled "An act providing for the regulation of aeronautics within this Commonwealth conferring powers and imposing duties upon the Pennsylvania Aeronautics Commission and the Department of Revenue in respect thereto providing for the licensing and registration of airman and aircraft establishing the legal status of air navigation providing for sovereignty in and ownership of space providing for lawfulness of flights regulating civil causes of action arising out of operation of aircraft fixing the status of contracts, crimes and torts in, by or by means of operation of aircraft imposing duties upon officers, burgesses, magistrates, aldermen, justices of the peace, the courts and clerks thereof, providing for denial or revocation of licenses providing for certain penalties and their disposition and repealing certain existing laws" by reducing the amount of the minimum fine which may be imposed for certain violations.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 84

He also returned to the Senate, Senate Bill No. 84, entitled:

An Act concerning the powers and duties of policemen appointed by the Delaware River Joint Toll Bridge Commission.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 113

He also returned to the Senate, Senate Bill No. 113, entitled:

An Act to empower political subdivisions to promulgate, administer, and enforce airport zoning regulations limiting the height of structures and objects of natural growth, and otherwise regulating the use of property, in the vicinity of airports, and to acquire, by purchase, grant, or condemnation, air rights and other interests in land; to authorize penalties and remedies for violations of this act or of any ordinances or regulations made under the authority conferred herein; and to authorize appropriations.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 250

He also returned to the Senate, Senate Bill No. 250, entitled:

An Act to further amend section two thousand three hundred nineteen of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Coll ges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; de-

fining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by changing the name "Western State Psychiatric Hospital" to "Western State Psychiatric Institute and Clinic."

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 251

He also returned to the Senate, Senate Bill No. 251, entitled:

An Act to amend the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 1199), No. 324), entitled "An act for the acceptance of a site from the University of Pittsburgh, and for surveyors and the preparation of preliminary plans and estimates for a Western State Psychiatric Hospital; providing for the erection, construction, and equipment of said hospital when appropriations are made available, and for its management by the Department of Welfare," by changing the name "Western State Psychiatric Hospital" to "Western State Psychiatric Institute and Clinic."

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 386

He also returned to the Senate, Senate Bill No. 386, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers, fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by permitting departments, boards, or commissions to make transfers of surplus products of the soil, meats, livestock, timber, or other materials raised or grown upon or taken from property of the Commonwealth, or their by-products, to other State agencies and receive credit to their appropriation, under certain conditions.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 406

He also returned to the Senate, Senate Bill No. 406, entitled:

An Act to regulate the sale of second-hand watches; and providing penalties.

with the information that the House has passed the same without amendments.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 95, entitled:

An Act conferring upon the councils of cities of the first class the power, and devolving upon them the duty, of fixing and determining the salaries, wages and other compensation payable out of the treasury of such cities from and after the first day of January, one thousand nine hundred and forty-six of all public officers, clerks and other public employes except the salaries of elected officers whose salaries are fixed by law and except the salaries, wages or other compensation of officers, clerks and employes of the Courts which are fixed by law or by the Courts.

Which was committed to the Committee on Municipal Government.

House Bill No. 136, entitled:

An Act to amend section one of the act, approved the sixth day of May, one thousand nine hundred forty-three (P. L. 190), entitled "An act authorizing, in certain cases, the renewal of old motor vehicle operators' licenses for persons honorably discharged from the armed forces of the United States or from any women's organization officially connected therewith, without a learner's permit, examination or additional fee; and while in such service the operation of motor vehicles without renewal of operators' license; and the temporary suspension of existing laws requiring the same," by providing that honorably discharged veterans may make application for renewal of old motor vehicle operators' licenses for a period of one year from the date of honorable discharge in certain cases and authorizing such applications also to be certified by, and sworn to before, a notary public.

Which was committed to the Committee on Highways.

House Bill No. 284, entitled:

An Act to further amend section four of the act approved the twentieth day of May one thousand nine hundred and fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" by increasing the maximum monthly pension payments

Which was committed to the Committee on Municipal Government.

House Bill No. 418, entitled:

An Act to add section three hundred twenty-four and one-tenth to the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," by providing for the refund of employe contributions after retirement in certain cases.

Which was committed to the Committee on County Government.

House Bill No. 749, entitled:

An Act to amend section eight hundred ninety-two of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "The Penal Code," permitting and protecting the sale of American War Mothers' carnations.

Which was committed to the Committee on Judiciary Special.

House Bill No. 752, entitled:

An Act to amend section two of the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 415), entitled "Register of Wills Act of 1917," by providing for the appointment of additional deputy registers.

Which was committed to the Committee on County Government.

House Bill No. 852, entitled:

An Act to further amend section six of the act, approved the fifth day of May, one thousand nine hundred eleven (P. L. 198), entitled "An act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof," providing for the transfer of cases of support in fornication and bastardy cases from the court of quarter sessions to the county court of Allegheny County.

Which was committed to the Committee on Judiciary General.

House Bill No. 977, entitled:

An Act to amend the act approved the seventeenth day of April, one thousand eight hundred seventy-eight, (P. L. 26), entitled "A supplement to an act, entitled 'An act for the regulation and government of the Northampton county prison,' approved the tenth day of May, Anno Domini one thousand eight hundred and seventy-one," by fixing the compensation of prison inspectors.

Which was committed to the Committee on County Government.

House Bill No. 1038, entitled:

An Act to add sections six hundred thirty and six hundred thirty-one to Article VI of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "First Class Township Law," authorizing township to pay expenses of delegates attending conventions of certain municipal officers.

Which was committed to the Committee on County Government.

House Bill No. 1189, entitled:

An Act to further amend the act approved the twenty-fourth day of July, one thousand nine hundred thirteen (P. L. 965), entitled "Commodities Weight and Measure Law" defining further words and terms used herein; further regulating the sale of commodities; authorizing the Secretary of Internal Affairs to adopt rules and regulations to carry into effect the provisions of the act and granting additional powers to inspectors of weights and measures.

Which was committed to the Committee on State Government.

House Bill No. 1201, entitled:

An Act authorizing townships of the second class to appropriate, out of general road funds and out of special funds for future road and sewer construction and development, a sum each year not to exceed one mill for the purpose of preparing plans and engineering for road, and sewer projects scheduled for future development; and providing for the ultimate payment of the cost thereof by assessment against real estate benefited.

Which was committed to the Committee on County Government.

House Bill No. 1211, entitled:

An Act to further amend section six hundred sixteen of the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by further prescribing the time when certain penalties imposed under the said act shall become effective.

Which was committed to the Committee on Highways.

PERMISSION TO ADDRESS SENATE

Mr. COX asked and obtained unanimous consent to address the Senate.

Mr. COX. Mr. President, the Senate is honored today by the presence of many teachers representing the teachers of the Commonwealth of Pennsylvania. I know that the Senate joins with me in welcoming the teachers of Pennsylvania to Harrisburg and I know further, having seen the democratic processes of government in action, that they will understand some of the difficulties and problems which confront the members of the Legislature. I assure them that the Senate of Pennsylvania is in sympathy with their problem and will approach its solution with understanding and kindness.

PERSONAL PRIVILEGE

Mr. HALUSKA. Mr. President, I rise on a question of personal privilege.

The PRESIDENT. The gentleman from Cambria will proceed.

Mr. HALUSKA. Mr. President, yesterday I worked myself up into a mood to make a speech and I modestly walked over and had a chat with the Majority Floor Leader, from Delaware, and told him of my intentions and he in turn sent me over to the press, to get the consent of the press to make the speech, and so I walked over to the press yesterday and I asked the gentlemen and the ladies of the press for consent; a vote was taken, and they all voted "no" and therefore I made no speech. They assured me I could make my speech as of today. I shall be brief.

The PRESIDENT. If the press has no objection I am sure the Senate has none.

Mr. HALUSKA. I want to refer back to the occasion of last Wednesday, at which time I had a cold and could not talk with reference to Senate Bill No. 525, introduced by my colleague from Luzerne, Senator Jones, and myself.

This bill, Mr. President, deals directly with the bond that one must sign before he can obtain relief from this Commonwealth. I have been waiting for the day when we met in session and found a liberal body here, that

would once and for all abolish this miserable piece of legislation, and much to my surprise and amazement the bill I mentioned came out of committee and appeared on our Calendar for second reading. However, also much to my surprise, a motion was made to send the bill back to committee for further study. I believe that each and every member in this Chamber knows the contents of that bill, and the bill certainly needs no further study. In all my years on this Hill—and this is my eleventh year—I have never witnessed such political chicanery as has taken place on the recommitment of that bill last Wednesday. After we tried under various rules and ways to be recorded, the record shows yet that a final vote was not taken on recommitment of this bill.

I can fully understand why that was done. It is very apparent that no man wishes to be recorded on this piece of legislation as to sending it back to committee, because the people of the Commonwealth are much perturbed over this bill.

The people I am speaking for, Mr. President, are the ones that are back home, they have no lobbies, they can not afford to come here and tell us of their wishes; they are poor, they are old, they are dependent upon us to give them a livelihood; they are the people who are now in the sunset of life, with but a few years to live, and when they apply for relief or old age assistance, we say to them they must sign this $2,000 bond, regardless of what amount of moneys we might give them. It has certainly been unfair.

Mr. President, I shall not speak about it any more this session, but I am convinced that our practice here is wrong. I have listened to many of the speeches here and we speak so much of Nazism, Communism, Bolshevism and Americanism, and we ourselves are putting that right into the hearts of the younger generation because to the young man today who marries we are telling him in these words: "above all take no part in civic affairs, take no part in community affairs, and by all means take no part in acquiring a new homestead, because if you do, some day you might get old and you must assign that property to us for what moneys we give you." We do just that. A man who has a property must assign it. The public drone, the man who cares not for anything, has no fear; he signs nothing.

That much for the bond; I think we all know it is unfair and I was hoping the bill would come to a vote.

But now, Mr. President, and for the information of my colleagues here, they have developed a so-called new wrinkle, a brand new one I have never heard of, despite the fact that I have studied the relief laws upside down.

I have found out, aside from the $2,000 bond which the Department of Public Assistance wants, that they now have developed a so-called special agreement, and I am certain there is not a man in this Chamber who could get up now and tell me what that special agreement means. If there is I would welcome an explanation.

How far can these people go? How far shall we permit them to go? I am referring now, gentlemen to a case in my own community. I have here a letter from the Department of Public Assistance, Commonwealth of Pennsylvania, sent out from 801 Chamber of Commerce Building, Pittsburgh, signed by Saul Werner written to a man in my community who is 72 years of age, who has been a real good citizen, a civic leader, a pioneer of our town, and who in 1938 went bankrupt through no fault of his own and was compelled to apply for relief. He lost his property. In 1943 the property was sold by the county of Cambria for taxes. Back in 1941 this gentleman applied for relief. Three years after the property was sold for taxes it was on the auction block and no one cared to buy it, it is worth so little. His son, living in DuBois, Pennsylvania—entirely another county—was given $78 by his father-in-law to buy this property, after everyone in our county failed to buy it. The Department of Public Assistance found out that this young man bought the property for $78 and so as of March 1 they have discontinued old age assistance to the gentleman and his wife at Patton, solely upon the reason his son bought this property in DuBois and they are asking now for a special agreement. Permit me to read this letter; I shall be very frank about giving their names, because I have their permission. The letter is as follows:

"Commonwealth of Pennsylvania,
Department of Public Assistance,
801 Chamber of Commerce Building,

Pittsburgh 19, Pennsylvania, March 2, 1945.

"Walter B. and Winifred Elms
DuBois, Pa.

Re: Elms, William C.
Cambria 42336-D; 10305-A

"Dear Sir and Madam:

"We take this occasion to inform you that the Old Age Assistance which has been granted to your father, William C. Elms, Patton, Pa., has been suspended as of March 1, 1945.

"We had a judgment of record against William C. Elms, recorded Feb. 26, 1940 to No. 839 March term 1940. Our judgment, to continue the effectiveness of the lien, must be revived within five years from the date of recording. During our investigation as to the revival we discovered that the property was sold to the County Commissioners for non-payment of taxes, and they in turn conveyed it to you on February 7, 1943 for a consideration of $78.

"It is our contention that the lien of our judgment was not divested by the sale, and that your father still retains an equity in the property, which was originally liened by our judgment. To continue your father's eligibility for assistance, you would be required to furnish us with a Special Agreement, which will be recorded, and which will be for an amount equal to the value of the property. The Old Age Assistance grant for your father will remain suspended until such a time such settlement is arranged.

Very truly yours,
CHARLES C. FREY,
Principal CS Agent.

By SAUL WERNER,
Claim Settlement Agent."

Now, gentlemen, that, as I said, is a new wrinkle, getting a special agreement. The father has no equity whatsoever in this property. I myself gave the father sufficient money over Easter to keep his body and soul together. The man is 72 years of age and now we allow the Department of Public Assistance to go out and run wild, rampant, and make up any agreement they wish. The time has come, I think, when we should call a halt. If it takes a new bill, let us pass a new bill, let us revise the entire relief law if we must, but these people I

speak of can not come to Harrisburg, and some one must take up their cause, and I am certain every member in this Chamber agrees that we have no knowledge of any special agreement. I yesterday called up Mr. Hayes of the department—the new secretary, I believe—and he himself informed me that he has no knowledge of it and he is somewhat bewildered over the action of the Pittsburgh board. Every board seems to have its own rules and regulations and seem to do as they wish. What can be done, Mr. President, I do not know, but I believe these men should be called in, brought before a committee, and have them give us an explanation of what they mean by special agreements, by putting the fear of God in the old people who can not help themselves.

PERMISSION TO ADDRESS SENATE

Mr. GOURLEY asked and obtained unanimous consent to address the Senate.

Mr. GOURLEY. Mr. President and my colleagues in the Senate, at the Newspaper Guild banquet last night, I was so impressed by the remarks made by John McCullough, representative of the Philadelphia Inquirer, who has been acting as a war correspondent in the Pacific area, and the remarks that were made by Under-secretary of War, Mr. Patterson, that I became inspired to the point where I feel it my duty to make these few remarks.

During the last few weeks I had occasion to visit two of the largest naval bases that we have in the United States, one being at Camp Endicott, Davisville, Rhode Island, which is the naval construction training center for the Sea-Bees—that base has a personnel of twenty to thirty thousand men. I also had occasion to visit the United States Naval Air Base at Quonset, which is the last training that our naval fliers receive before being assigned to combat work and to aircraft carriers.

During that visit I had the privilege of going through those camps from end to end, in somewhat of a confidential manner. I talked with approximately 75 men, 16 of whom were from the state of Pennsylvania. I asked those men, for information purposes, I said, "Fellows, what do you expect the men of the Legislature and the Congress to do for you, to try to help you after you are discharged from service?" And in each instance, in their own way of expression, they would say, "All we want is the privilege to make a living, to get back into industry and to work, and to make our own way in life."

Sincerely, on February 21, 1945, after considerable study of all the laws of these United States and our respective states, I prepared in a rough draft a bill which I thought would be beneficial to those men and women after they were discharged from service, to help them to rehabilitate themselves in one way or the other, where the relief that has been made available for them under the G. I. Bill was not sufficient to give them the help that they needed.

That bill is known as Senate Bill No. 379, and the intention of that bill is to create a Pennsylvania Authority for Veterans. There is no politics behind it—I had nothing in mind in that respect. Three of my colleagues on this side asked me if they could sign that bill with me, to which I offered no objection. That bill has been in our Committee on Banking since February 21. I have appeared before the committee twice in an effort to try and have it considered. Why it has not been considered I do not know.

Gentlemen, under the G. I. Act, when a man is discharged from military service, the federal government will guarantee that man or that woman an education up to $500 a year; the federal government will pay for that person in college $50 a month, if the person has no dependents, and the federal government will pay that person $75 a month, if that person has one dependent or ten dependents; the federal government will also guarantee to any person a loan of up to $2,000, to enter into a business or a profession, but if the person wants to borrow $1,000 to enter business or go into a profession, the federal government will guarantee only up to $500.

Where are a lot of these boys who want to go into a business or profession, or who want to carry on their college work, going to be able to get the balance of the money they need for that purpose? This bill that I have introduced costs the state of Pennsylvania nothing; it means that if an individual could satisfy the Pennsylvania Authority for Veterans that the relief that he is able to get from the federal government is not enough to carry him through in college, to start him in business, or to get him going in his profession, then that person can make application to the Pennsylvania Authority for Veterans for additional help up to $3,000 at an interest rate not exceeding four per cent. What is wrong with it? I am willing to withdraw my name from this bill; I am willing to ask my colleagues to withdraw their names from this bill; I am willing to sponsor any bill with any Republican member of this Senate; I am willing to ask my eighteen colleagues to go along with any bill that any Republican member of this Senate will introduce. I am asking for no glory; I am asking for no publicity. I think we should help these boys.

As John McCullough said, when these boys come home, let us look them in the eye and let us say, "You have done your part, you have lost your buddies; we have done our part while you have been away." It is our duty, gentlemen—somebody please do it.

REPORTS FROM COMMITTEES

Mr. HEYBURN. Mr. President, I submit the following report of the committee to study the necessity for a new Governor's Mansion and request that it be spread on the Journal:

In the Senate of Pennsylvania, April 3, 1945.

Report of the Committee Created by Concurrent Resolution No. 2, Serial No. 4, Joint Legislative Committee to Study the Necessity for a New Governor's Mansion

After due consideration the Committee is of the opinion that there is necessity for a new Governor's Mansion and that the proper place to erect it is on the land purchased by the General State Authority at Front and Maclay Streets in the City of Harrisburg.

The Committee further recommends that the Commonwealth acquire the plot of ground adjoining the plot already owned and known as the Schuddemage property.

The Committee further recommends that Senate Bill No. 31 be enacted into law in order that construction can be commenced when materials are available.

In the course of its study the Committee had occasion to examine the proposed plans for a Governor's Mansion heretofore approved by the General State Authority and it is the studied opinion of the Committee that those plans do not adequately represent the kind and type of structure which should be erected for a Governor's Mansion. The Committee respectfully suggests that if and when appropriate legislation is enacted for the erection of a Governor's Mansion, that new thought be given to plans for a structure which will adequately represent the dignity of a Governor's home.

Mr. WILSON, from the Committee on Law and Order, reported as amended, Senate Bill No. 278, entitled:

An Act making it a felony for any person to bribe a participant in any athletic contest.

Mr. CROWE, from the Committee on Insurance, reported as amended, Senate Bill No. 426, entitled:

An Act to further amend subsection (b) of section four hundred fifteen of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law; providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties and repealing existing laws," by increasing the amount of group life insurance covering certain borrowers and purchasers.

Mr. LETZLER, from the Committee on Insurance, reported as committed, Senate Bill No. 479, entitled:

An Act to enable domestic stock and mutual insurance companies to comply with the taxing statutes and to relieve officers, directors and trustees of domestic stock and mutual insurance companies of personal liability by reason of the payment or determination not to contest payment of any license, excise, privilege, premium, occupation or other fee or tax imposed by any State or political subdivision thereof.

He also, from the Committee on Insurance, reported as committed, Senate Bill No. 590, entitled:

An Act to further amend section two of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 685), entitled "An act designating certain life insurance companies as limited life insurance companies, and further describing the powers thereof," by further describing the powers of limited life insurance companies under certain conditions.

Mr. GOURLEY, from the Committee on Education, reported as amended, House Bill No. 423, entitled:

An Act to amend section two thousand three hundred eleven of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof, providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith," providing temporarily for payment of State Appropriations where schools are closed on account of impassable roads heavy snow or floods.

Mr. WALKER, from the Committee on Judiciary General, reported as committed, House Bill No. 792, entitled:

An Act prescribing the question to be determined in certain cases where a new trial is granted.

Mr. WADE, from the Committee on Banking, to which was referred on March 21, 1945, the following resolution from the House of Representatives reported the same without amendments as follows, viz:

INVESTIGATION OF FINANCE COMPANIES

In the House of Representatives, March 13, 1945.

Whereas, There are many ethically conducted and honestly operated companies dealing in consumer credit and engaged in the business of financing on conditional sale or lease, motor vehicles and other articles of personal property, it appears there are also many other finance and consumer credit companies which engage in unscrupulous and unconscionable practices unjustifiably detrimental to purchasers and inimical to public good; and

Whereas, the losses suffered from these nefarious practices fall upon the shoulders of those least able to bear them—the persons in lower income brackets who for want of ready cash are obliged to purchase even necessities on deferred payment bases—to enrich those guilty of chicanery; and

Whereas, shortly there will return to this Commonwealth our native sons and daughters who have so well served their country here and overseas and who will want to take up anew their civil pursuits and reestablish their homes with those necessities which they must have and those luxuries to which they are entitled; and

Whereas, those veterans most of whom gave up lucrative positions of employment in answer to the call of war, may be by the very reason of their patriotism unable financially to attain their just aims without resorting to installment purchases, and accordingly may become the victims of the designing manipulations of dishonest finance companies and others dealing in consumer credit: Therefore, To that end, Be it

Resolved (if the Senate concur), The Joint State Government Commission of the General Assembly, with the cooperation of the Secretary of Banking the Insurance Commissioner and the Attorney General, is hereby directed to investigate and explore all matters connected with the operation and management of the conditions prevailing in finance companies and others in this Commonwealth dealing in consumer credit or otherwise engaged in the business of financing motor vehicles and other articles of personal property which are sold or leased on what is commonly known as the installment plan, for the purpose of ascertaining and reporting as soon as reasonably possible to the General Assembly such nefarious unscrupulous and improper practices as are deemed to be inimical to the public good and in the main to ascertain and report on any prevailing practices of such companies or individuals as the case may be, which may insure to the disadvantage or detriment of the public generally and returning veterans specifically, and to report thereon with recommendations for such legislation as it may deem advisable under the circumstances.

For these purposes the Joint State Government Commission of the General Assembly shall have the power to compel the appearances of witnesses and the production of books, papers, and records, and to issue proper subpoenas for the attendance of witnesses and the production of books, papers, records, and any and all other writings deemed necessary for the fulfillment of the duties prescribed by this resolution.

Laid over for one day under the Rules.

He also, from the Committee on Insurance, reported as amended, House Bill No. 850, entitled:

An Act to further amend sections five hundred twenty-two and five hundred twenty-four and to repeal section five hundred twenty-three of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund; providing penalties and repealing existing laws" by providing regulations relating to standard fire insurance policies

Mr. WOODRING, from the Committee on Banking, reported as amended, Senate Bill No. 489, entitled:

An Act to amend sections 1 and 2 and to repeal section 3 of the act, approved the thirty-first day of July, one thousand nine hundred forty-one (P. L. 606), entitled "An act relating to the sale, transfer, assignment and pledge of accounts receivable," making further provision for the sale assignment transfer or pledge of certain obligations due and to become due and the notation in certain cases of such sale, assignment, transfer or pledge.

He also, from the Committee on Law and Order, reported as committed, Senate Bill No. 420, entitled:

An Act to amend section six hundred seven of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate. amend and revise the penal laws of the Commonwealth," by prohibiting pool-selling and book-making in connection with any sporting event or athletic contest and providing penalties.

BILLS INTRODUCED AND COMMITTED

Mr. WOODWARD read in his place and presented to the Chair Senate Bill No. 654, entitled:

An Act providing for a Legislative Auditor and for his election by the General Assembly; defining his powers and duties; authorizing the employment of assistants; imposing certain duties and responsibilities upon the executive and administrative departments and agencies of the State government and upon agencies receiving State appropriations; and making an appropriation.

Which was committed to the Committee on State Government.

Mr. FARRELL read in his place and presented to the Chair Senate Bill No. 655, entitled:

An Act making an appropriation to the Department of Welfare for use by the State Council for the Blind in supplying home instruction for adult blind persons residing in Bucks, Delaware, Montgomery and Philadelphia Counties.

Which was committed to the Committee on Appropriations.

Messrs. KEPHART and WAGNER read in place and presented to the Chair Senate Bill No. 656, entitled:

An Act to amend clause (a) of section three hundred one, clauses (a), (b), (c) and (f) of section three hundred six, and sections three hundred seven, three hundred nineteen, three hundred twenty by adding subsection (g), and four hundred twenty-eight of the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 566), entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; imposing duties on the Department of Labor and Industry, the Workmen's Compensation Board, Workmen's Compensation Referees, and deans of medical schools; creating a medical board to determine controverted medical issues; establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board; imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases; making an appropriation; and prescribing penalties," changing maximum and minimum rates, total amounts and aggregate of compensation; changing employers' rights of subrogation; adding provision relative to parties held to be bound by act; and changing provisions relative to entry of judgment on agreement, award and claim petition.

Which was committed to the Committee on Workmen's Compensation.

Messrs. BOWERS and WADE read in place and presented to the Chair Senate Bill No. 657, entitled:

An Act to further amend clauses (a), (b), (c), (f) and (h) of section three hundred six, and sections three hundred seven, three hundred nineteen, three hundred twenty by adding subsection (g), and four hundred twenty-eight of the act, approved the second day of June, one thousand nine hundred fifteen (P. L. 736), entitled, as amended, "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," changing maximum and minimum rates, total amounts and aggregate of compensation; changing employer's rights of subrogation, adding provision relative to parties held to be bound by act; and changing provisions relative to entry of judgment on agreement, award and claim petition.

Which was committed to the Committee on Workmen's Compensation.

Messrs. WALKER and FARRELL read in place and presented to the Chair Senate Bill No. 658, entitled:

An Act to further amend the act, approved the fifth day of December, one thousand nine hundred and thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," changing the provisions thereof and the rights, obligations and procedure thereunder.

Which was committed to the Committee on Labor and Industry.

Mr. GOURLEY read in his place and presented to the Chair Senate Bill No. 659, entitled:

An Act to further amend section one thousand two hundred six of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing temporarily for payment of teachers' salaries where schools are closed on account of impassable roads, heavy snow or floods.

Which was committed to the Committee on Education.

PERMISSION TO ADDRESS SENATE

Mr. COX asked and obtained unanimous consent to address the Senate.

Mr. COX. Mr. President, last Thursday I discussed the problem of mental health institutions before the Senate. From my conversations with the Secretary of Welfare and with the Governor, I am convinced that presently we have no executive or legislative plan to take care of the problem of mental health I feel that it is not just a matter of getting up and making speeches about a thing, but I think we should do something about it. I am convinced that in this session of the Legislature nothing will be done.

In order to prevent a recurrence of this unsatisfactory and unfortunate state of affairs, I propose, in this bill I am about to introduce, to set up a commission to study the question of mental health, so that a plan will be devised which can be presented to the Legislature as soon as the session starts in 1947.

BILLS INTRODUCED AND COMMITTED

Mr. COX read in his place and presented to the Chair Senate Bill No. 660, entitled:

An Act creating a commission to stuly the mental health problem; prescribing its powers and duties; and making an appropriation.

Which was committed to the Committee on Public Health.

Mr. HALUSKA read in his place and presented to the Chair Senate Bill No. 661, entitled:

An Act to add section one thousand seven hundred ten of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class, and amending, revising, and consolidating the law relating thereto," providing for the appointment and compensation of a solicitor to the city controller.

Which was committed to the Committee on Municipal Government.

Mr. STIEFEL read in his place and presented to the Chair Senate Bill No. 662, entitled:

An Act providing for the issuance of certified copies of any public record by officers of the Commonwealth and its political subdivisions free of charge, to certain veterans, his agent or representatives of the United States Veterans' Administration.

Which was committed to the Committee on Military Affairs.

Mr. JONES read in his place and presented to the Chair Senate Bill No. 663, entitled:

An Act to further amend section one of the act, approved the fourth day of June, one thousand nine hundred thirty-seven (P. L. 1625), entitled "An act providing for the creation, maintenance and operation of a county employes' retirement system in counties of the third class; and imposing certain charges on counties," defining "County Employee" to include persons employed by independent poor districts.

Which was committed to the Committee on County Government.

Mr. DENT read in his place and presented to the Chair Senate Bill No. 664, entitled:

An Act providing for the construction of a museum building; and the acquisition and maintenance by the Department of Forests and Waters with the advice of the Bushy Run Battlefield Commission, of lands adjacent to the Bushy Run Battlefield State Park; and making an appropriation.

Which was committed to the Committee on State Government.

He also read in his place and presented to the Chair Senate Bill No. 665, entitled:

An Act to further amend paragraphs (a) and (d) of section five hundred five of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by further regulating the designation of State depositories and limiting the deposit of State moneys therein.

Which was committed to the Committee on Banking.

Mr. HEYBURN read in his place and presented to the Chair Senate Bill No. 666, entitled:

An Act to further amend the title, and sections one to twelve both inclusive, of the act, approved the nineteenth day of March, one thousand nine hundred forty-one (P. L. 3) entitled as amended "An act providing for the organization, government, discipline, maintenance and regulation of an additional land force to be known as the Pennsylvania State Guard for the defense of the Commonwealth during any period of time in which the National Guard of Pennsylvania or any part thereof, shall be in active service of the United States," by chang-

ing the name of the Pennsylvania State Guard to Pennsylvania Guard, and increasing the amount of allowances permitted for officers' uniforms and equipment.

Which was committed to the Committee on Military Affairs.

Mr. BERGER read in his place and presented to the Chair Senate Bill No. 667, entitled:

An Act to further amend clauses six, seven, twenty and twenty-three of section two of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including, to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed, or kept by persons, associations, companies, corporations or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies, and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," exempting from the provisions thereof motor vehicles engaged in the transportation of wood used in the manufacture of charcoal and wood chemicals.

Which was committed to the Committee on Public Utilities.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. EALY. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on April 4, 1945.

Mr. CHAPMAN. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 4, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

SNYDER COUNTY

J. B. Bulick, Selinsgrove, April 5, 1945.

NORTHAMPTON COUNTY

G. E. Kiefer, Easton, April 9, 1945.

ALLEGHENY COUNTY

Mrs. Elsie T. Paige, Pittsburgh, 2d Floor, 1004 Wylie Ave., April 11, 1945.

McKEAN COUNTY

Henry N. Harvender, Bradford, April 27, 1945.

PHILADELPHIA COUNTY

Joseph F. Marcer, Phila., 507 Market St., Natl. Bank Bldg., Juniper and Market Sts. (7), April 27, 1945.

EDWARD MARTIN.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 4, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

W. Stewart Beswick, Wilmerding.
L. J. McCord, Pittsburgh, Gulf Bldg.

LUZERNE COUNTY

Miss Clara M. Lueder, Wilkes-Barre.

PHILADELPHIA COUNTY

Miss Lucy Bates, Phila., 8966 Frankford Ave.
Miss Marie A. O'Donnell, Phila., 1730 N. Delaware Ave. (25).
Miss Clare Rosof, Phila., 503 Market St., Natl. Bank Bldg. (7).
Miss Elizabeth Mercer White, Phila., 507 Market St., Natl. Bank Bldg., Juniper and Market Sts. (7).

EDWARD MARTIN.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. EALY and Mr. CHAPMAN,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Edmonds,	Leader,	Tallman,
Berger,	Farrell,	Letzler,	Taylor,
Blass,	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	Margie,	Troutman,
Carr,	Haluska,	McCreesh,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE NOMINATIONS

A motion was made by Mr. EALY and Mr. TROUTMAN,

That the Senate do now resolve itself into Executive Session, for the purpose of considering the nominations of His Excellency, the Governor of the Commonwealth of Pennsylvania, which were laid on the table.

The motion was agreed to.

The Clerk read the following nomination:

MEMBERS OF THE STATE BOARD OF OPTOMETRICAL EXAMINERS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 2, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate, the following:

Stanley A. Brown, Reading, from May 23, 1944, for the term of four years, and until his successor is qualified.

A. M. Peters, Danville, from May 23, 1944, for the term of four years, and until his successor is qualified.

A. T. Liachowitz, Mahanoy City, from May 23, 1944, for the term of four years, and until his successor is qualified.

Robert W. Shepard, Erie, from May 23, 1944, for the term of four years, and until his successor is qualified.

EDWARD MARTIN.

Whereupon,

A motion was made by Mr. EALY and Mr. TROUTMAN,

That the Senate do advise and consent to the nomination reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Edmonds,	Leader,	Tallman,
Berger,	Farrell,	Letzler,	Taylor,
Blass,	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	Margie,	Troutman,
Carr,	Haluska,	McCreesh,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

The Clerk read the following nomination:

MEMBER OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 2, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harold A. Scragg, Scranton, Lackawanna County, for appointment as a Member of the Pennsylvania Public Utility Commission, for the term ending April 1, 1955, vice Thomas C. Buchanan, Beaver, whose term expired.

EDWARD MARTIN.

Whereupon,

A motion was made by Mr. EALY and Mr. SNOWDEN,

That the Senate do advise and consent to the nomination reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Berger,	Edmonds,	Leader,	Tallman,
Becker,	Farrell,	Letzler,	Taylor,
Blass,	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	Margie,	Troutman,
Carr,	Haluska,	McCreesh,	Tyler,
Chapman	Heyburn,	McGinnis,	Wade,
Coleman	Holland,	Rosenfeld,	Wagner,
Cox	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent	Kephart,	Stevenson	Woodward,
DiSilvestro,			

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. EALY. Mr. President, I move that the Executive Session do now rise.

Mr. SNOWDEN. Mr. President, I second the motion.

The motion was agreed to.

CALENDAR

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 52, as follows:

An Act to amend clause six of section thirteen of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" further defining the disability retirement rights of members of the School Employes' Retirement Association who engage in active military service

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause six of section thirteen of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as added by the act approved the first day of August one thousand nine hundred forty-one (P. L. 708) is hereby amended to read as follows

Section 13 Retirement upon disability shall be made and discontinued as follows * * * * * *

6 An employe who shall have withdrawn from actual school employment or actual school service for active military service consisting of full time service in the armed forces of the United States under a requisition from or by executive order of the President of the United States or in the armed forces organized for the defense of the Commonwealth of Pennsylvania by the authority of this Commonwealth may after his or her return to actual school employment or actual school service but not later than [forty (40) days] one (1) year after the completion of such active military service request the board for a physical and mental examination Any employe who has been honorably discharged from active military service prior to the approval of this act shall have one year from the effective date thereof to apply for said examination At a time and place within the Commonwealth and by an examiner or examiners to be designated by the board the applicant shall appear for and submit to such examination The form and content of the examination and the certificates made pursuant thereto shall be prescribed by the board with the advice of the board's actuary and a physician or a psychiatrist to be employed by the board for that purpose If the examiner or examiners shall find as a fact that such employe is free from physical or mental incapacity which renders him or is likely to render him incapable of performing the duties of his employment the examiner or examiners shall so certify to the board whereupon the board shall classify the applicant as a member free from active military service disability and thereupon such member shall become entitled to enjoy all the benefits of this act If the examiner or examiners shall find as a fact that such employe is physically or mentally incapacitated for the performance of the duties of the employment which he had when last in the actual employ and service of his or her employer the examiner or examiners shall certify to the board the nature and degree of such physical or mental incapacity or disability whereupon the board shall classify the applicant as a member with active military service disability and thereupon such member may elect to accept the benefit of the provisions of section twelve of this act or the benefits of this act without disability rights and shall be classified by the board as an employe without disability rights Such election shall be in writing in form prescribed by the board and shall be filed with the board not later than [fifty (50) days] fifteen (15) months after the completion of such active military service All employes who shall have been engaged in active military service and who shall have returned to the employment or service of his or her employer without examination or certification shall be classified by the board as employes without disability rights All persons classified as employes without disability rights shall enjoy all the rights incident to membership in the retirement system except the right to retire for disability or upon disability and to receive a disability retirement allowance Such member's salary deduction shall be reduced accordingly The amount by which the salary deduction of an employe without disability rights to be paid into the fund shall be reduced shall be determined by the board in accordance with tables to be prepared and certified by the actuary

Section 2 This act shall become effective immediately upon its final enactment

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Edmonds,	Leader,	Tallman,
Berger,	Farrell,	Letzler,	Taylor,
Blass,	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	Margie,	Troutman,
Carr,	Haluska,	McCreesh,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

Agreeably to order,

The Senate resumed the consideration of House Bill No. 164, as follows:

An Act to reenact and amend the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 563) entitled "An act to add section two thousand two and one-tenth to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' providing for cooperation of State Teachers Colleges at the request of the State Council of Defense with other agencies in furthering national defense programs and activities" extending the effective period thereof substituting the Department of Public Instruction and the

Governor for the State Council of Education and placing additional duties and powers upon the trustees of State Teachers Colleges

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one and two of the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 563) entitled "An act to add section two thousand two and one-tenth to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' providing for cooperation of State Teachers Colleges at the request of the State Council of Defense with other agencies in furthering national defense programs and activities" are hereby reenacted and amended to read as follows

Section 1 Article twenty of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish anl maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended by the act approved the twenty-fifth day of April one thousand nine hundred twenty-nine (P. L. 712) is hereby further amended by adding between section two thousand two and two thousand three thereof a new section to read as follows

Section 2002.1 The trustees of any State Teachers College with the approval of the Department of Public Instruction and the Governor may cooperate with municipal State Federal and other agencies in vocational education and rehabilitation programs in the furtherance of national defense and post-war activities and for such purposes shall have power to do all things and enter into all agreements necessary to carry out the same including the power to lease the whole or any part of the real property used by such college and they also shall have power to convert the whole or any part of one or more of such State Teachers Colleges for any other State purpose

Section 2 This act shall become effective immediately upon final enactment

Section 3 The provisions of this reenacting and amending act shall become effective immediately upon final enactment It is the intention of this act to make the provisions of Section 2002.1 of said act effective indefinitely

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein.	Stiefel.
Becker,	Edmonds,	Leader,	Tallman,
Berger,	Farrell,	Letzler,	Taylor,
Blass,	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	Margie,	Troutman,
Carr,	Haluska,	McCreesh,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

Agreeably to order,

The Senate resumed the consideration of House Bill No. 336, as follows:

An Act to further amend clause IV section seven hundred and two of the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" designating the purposes for which appropriations may be made to fire companies and requiring annual reports by such fire companies of expenditures of appropriated moneys

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause IV section seven hundred and two of the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" as amended by the act approved the fifteenth day of July one thousand nine hundred and thirty-five (P. L. 1016) is hereby further amended to read as follows

Section 702 Supervisors to Exercise Powers The corporate powers of townships of the second class shall be exercised by the township supervisors They shall have power

* * * * *

IV Fire Protection To appropriate moneys to fire companies located therein for the purchase and maintenance of fire apparatus and fire houses in order to secure fire protection for the inhabitants of the townships An annual report of the expenditure of such appropriated moneys shall be made to the township supervisors for each completed fiscal year of the township by such fire companies verified by an officer thereof before any further payments shall be made to such fire companies out of appropriations for any current fiscal year To enter into contracts with the proper authorities of near or adjacent cities boroughs or townships or fire departments fire companies or fire company therein for the furnishing to such townships of fire protection by the fire department fire departments fire companies or fire company of such cities boroughs or townships and to make appropriations therefor Provided That such contracts before being entered into by township supervisors shall be first approved by the township auditors

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein.	Stiefel,
Becker,	Edmonds,	Leader,	Tallman,
Berger,	Farrell,	Letzler,	Taylor,
Blass	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	Margie,	Troutman,
Carr,	Haluska,	McCreesh,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

Agreeably to order,

The Senate resumed the consideration of House Bill No. 374, as follows:

An Act to further amend the second paragraph of section five of the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" making counties in which deceased service persons are buried liable for the cost of headstones

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The second paragraph of section five of the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" as amended by section one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 294) is hereby further amended to read as follows

Sections 5 Markers for Graves Headstones

* * * * *

It shall also be the duty of the county commissioners of such county in which a deceased service person is buried upon or at any time subsequent to the death of [any] such deceased service person [who at the time of his or her death had his or her legal residence in the county] on application as hereinafter provided to cause a headstone or bronze memorial tablet to be placed at the head of or on the grave of each such deceased service person containing his or her name and the rank and organization to which he or she belonged or in which he or she served in letters raised or cut in at least three-sixteenths of an inch deep on such headstone to be of either marble or granite and to be placed or set in a concrete base at least three feet deep or if a headstone has been provided for such grave by the United States government the county commissioners shall provide such concrete base therefor or if lettering only on an existing memorial is desired by the family the county commissioners shall provide such lettering Application therefor shall in each case be made on forms prescribed by the Department of Military Affairs and may be made by any relative of the deceased service person or by a friend provided in the latter case there is no objection by the nearest relative and the application is approved by an organization of veterans of any war in which the United States has been is now or shall hereafter be engaged The expense in each case shall be borne by the county in which the deceased service person is buried without regard to the county in which he or she had his or her legal residence at the time of his or her death or whether or not he or she died in the county [and whether or not he or she was buried in the county] Provided however That the expense shall not exceed the sum of fifty dollars ($50) for each headstone or concrete base or lettering or bronze memorial tablet and the county commissioners of each such county acting under this section shall draw a warrant on the treasurer of their county for the payment of said expense in favor of the party or parties furnishing such headstone or concrete base or lettering or bronze memorial tablet No such payment or payments shall be made unless the application therefor shall be approved before the commencement of the project by the county commissioners

Section 2 The provisions of this act shall become effective ten days after its final enactment

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Edmonds,	Leader,	Tallman,
Berger,	Farrell,	Letzler,	Taylor,
Blass,	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	Margie,	Troutman,
Carr,	Haluska,	McCreesh,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 221, entitled:

An Act authorizing political subdivisions to purchase surplus material, equipment, property and supplies from the Surplus Property Board or any other Federal agency without complying with any requirement of existing law as to specifications, advertising, award of contract and approval of purchase by a state agency

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Edmonds,	Leader,	Tallman,
Berger,	Farrell,	Letzler,	Taylor,
Blass,	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	Margie,	Troutman,
Carr,	Haluska,	McCreesh,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 36, as follows:

An Act to add section seven hundred thirty-four to the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" making wilful abandonment and nonsupport of an aged or indigent person in certain cases a misdemeanor and prescribing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article seven of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" is hereby amended by adding at the end thereof a new section to read as follows:

Section 734 Abandonment of Aged or Indigent Person Whoever brings into any county of this Commonwealth or is responsible for the presence in any county of any aged or indigent person for whose support he is legally responsible knowing that such person will become a public charge and wilfully abandons and fails to support such aged or indigent person being financially able to do so is guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine not exceeding Five Hundred ($500.00) Dollars or to imprisonment not exceeding one (1) year or both

No such conviction payment or fine or undergoing imprisonment shall in any manner affect the obligation of any order for support theretofore made against the defendant in any competent court

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Edmonds,	Leader,	Tallman,
Berger,	Farrell,	Letzler,	Taylor,
Blass,	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	Margie,	Troutman,
Carr,	Haluska,	McCreesh,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 238, on final passage, entitled:

An Act to amend section nine hundred ten and subsection (e) of section nine hundred fifty-one of the act approved the third day of June on thousand nine hundred and thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" changing the requirements for affidavits of candidates for judge of a court of record who are in the armed forces of the United States and whose whereabouts is unknown or who is out of the country

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of House Bill No. 527, as follows:

An Act to amend section four thousand three hundred one of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by further regulating the administration of the police pension fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four thousand three hundred one of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" is hereby amended to read as follows

Section 4301 Police Pension Fund Direction of Cities shall establish by ordinance a police pension fund to be maintained by an equal and proportionate monthly charge against each member of the police force which shall not exceed annually three per centum of the pay of such member which fund shall at all times be under the direction and control of council but may be committed to the custody of such officers of the city or citizens thereof or corporations located therein as may be designated by the council and applied under such regulations as council may by ordinance prescribe for the benefit of such members of the police force as shall receive honorable discharge therefrom by reason of age or disability and the families of such as may be injured or killed in the service but such allowances as shall be made to those who are retired by reason of the disabilities of age shall be in conformity with a uniform scale Any compensation paid to a corporate custodian of the Police Pension Fund shall be paid from the General Fund of the City

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Edmonds,	Leader,	Tallman,
Berger,	Farrell,	Letzler,	Taylor,
Blass,	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	Margie,	Troutman,
Carr,	Haluska,	McCreesh,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,

Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

RECONSIDERATION OF SENATE BILL No. 577

Mr. CROWE. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 577, entitled:

An Act to amend section seven hundred eight and to further amend clause (f) of section seven hundred thirty-one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by changing the time limitation for tagging big game controlling the removal and transportation thereof requiring report of such killing and providing penalties

passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. CROWE. Mr. President, I voted aye."

Mr. HEYBURN. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. HEYBURN. Mr. President, I voted "aye."

The motion was agreed to.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 577, entitled:

An Act to amend section seven hundred eight and to further amend clause (f) of section seven hundred thirty-one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other will birds and wild animals and amending revising consolidating and changing the law relating thereto" by changing the time limitation for tagging big game controlling the removal and transportation thereof requiring report of such killing and providing penalties

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. CROWE. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend title line 8, by striking out the words "changing the time limitation for tagging big game" after the word "by"; line 9 by striking out the word "thereof" after the word "transportation" and before the word "re-" and inserting in lieu thereof the words "of big game"; Amend Section 1, page 2, line 5, by striking out the bracket before the word "within" and after the word "hours"; by striking out the partial word "imme-" after the word "hours"; by striking out all of line 6; by striking out the words "any manner from where it was killed" before the word "attach" on line 7; by striking out the word "five" after the word "within" and before the word "days" on line 11 and inserting in lieu thereof the word "fifteen" by striking out the brackets before and after the word "shall" and the words "to comply with the require-" on line 16; by striking out the words "ments of this section may" before the word "make" and the bracket before the word "with" on line 17; by striking out the bracket after the word "killing" on line 18; by striking out the word "township" after the word "date" and before the word "and" on line 21; by inserting after the word "card" and before the word "such" on line 23 the following "supplied with his hunting license" by striking out the word "five" before the word "days" on line 24 and inserting in lieu thereof the word "fifteen".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing on final passage.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 108, as follows:

An Act to provide assistance for typhoid fever carriers and persons having typhoid fever carriers in their households and imposing certain responsibilities upon the Secretary of Health the Secretary of Public Assistance and the Secretary of Welfare in connection therewith

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever any person has been declared by the State Department of Health to be a typhoid fever carrier or has in his household a typhoid fever carrier and is unable by reason of restrictions for the protection of the public imposed by the rules and regulations of the State Department of Health to engage in his customary occupation or in one for which he has been trained and is prevented from earning a livelihood and is without adequate funds of his own such person may apply to the State Department of Health for financial assistance from the Commonwealth

Section 2 Application for assistance shall be made upon form to be furnished by the Department and such application must be notarized It shall include the name and address of the carrier date of official notice to him of his carrier condition specify the character of occupation relinquished and such other information as the Department of Health shall deem necessary to an estimate of the financial and economic distress resulting from the restrictions imposed upon the carrier The Secretary of Health and the Secretary of Public Assistance and the Secretary of Welfare or such of their assistants as any or all of them may designate shall jointly give due and careful consideration to applications for assistance as provided for in this act and may if considered desirable or necessary to a fair and just conclusion with respect to the needs of the applicant seek additional information having a bearing on the facts contained win the applica-

tion from individuals other than the applicant himself and shall determine whether compensation shall be granted or not and the amount of compensation Compensation shall vary with the circumstances of each individual applicant and in no case shall exceed six hundred dollars ($600.00) per annum Compensation shall be granted for a period of one year and the recipient may make annually a new application for its continuance The Secretary of Health at his discretion shall suspend one or more payments or terminate payments of compensation whenever the recipient fails to observe any of the provisions of the State Department of Health governing typhoid fever carriers

Section 3 Any compensation allowed shall be paid out of the legislative appropriations to the Department of Health in monthly installments and payment shall be made direct to the person entitled thereto

Section 4 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Edmonds,	Leader,	Tallman,
Berger,	Farrell,	Letzler,	Taylor,
Blass,	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	Margie,	Troutman,
Carr,	Haluska,	McCreesh,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 134, as follows:

An Act to further amend section eleven of the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 988) entitled "An act providing for and regulating the State registration of nurses and licensed attendants the annual recording of registration certificates and regulating the profession of nursing and repealing certain existing laws" by setting forth specific grounds for the suspension or revocation of certificates of registration of registered nurses and licensed attendants and providing for the reissue of such certificates

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eleven of the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 988) entitled "An act providing for and regulating the State registration of nurses and licensed attendants the annual recording of registration certificates and regulating the profession of nursing and repealing certain existing laws" as amended by the act approved the twenty-ninth day of April one thousand nine hundred thirty-five (P. L. 93) is hereby further amended to read as follows

Section 11 The board may suspend or revoke [or restore] any certificate of registration [for sufficient cause] in any case where the board shall find

(a) That said registrant is guilty of a crime or of gross immorality

(b) That said registrant is unfit or incompetent by reason of negligence habits or other causes

(c) That said registrant has wilfully or repeatedly violated any of the provisions of this act or of the by-laws and regulations of the board

(d) That said registrant has committed fraud or deceit in the practice of nursing or in securing his or her admission to such practice

(e) That said registrant has been convicted or has pleaded guilty or entered a plea of nolo contendere or has been found guilty by a judge or jury of a crime or has been dishonorably discharged or discharged under circumstances amounting to a dishonorable discharge from the military forces of the United States or of any other country

(f) That said registrant is an habitual drunkard or is addicted to the use of morphine cocaine or other drugs having a similar effect or if he or she shall become mentally incompetent

(g) That any registrant is continuing to practice as a registered nurse or as a licensed attendant when such registrant knows he or she has an infectious communicable or contagious disease

(h) That said registrant has been guilty of unprofessional conduct or such conduct as to require a suspension or cancellation in the public interest

Such suspension or revocation shall be made only in accordance with the by-laws and regulations of the board but any suspension or revocation shall only be by unanimous vote of the members of the board after a full and fair hearing before the board upon the question of a suspension or a revocation and after thirty days' notice of the time and place of said hearing and a copy of the charges preferred have been sent by registered mail to the holder of the certificate at his or her last known address Any person aggrieved by the action of the board in suspending or revoking a certificate of registration may appeal therefrom within thirty days after such action to the court of common pleas of Dauphin County which court shall hear the matter de novo and shall enter such order affirming modifying or reversing the action of the board as to it shall appear proper The action of the court on any such appeal shall be final The board by unanimous action and in accordance with its by-laws and regulations may reissue a certificate of registration to a person who has had the same suspended or revoked under the provisions of this section providing that in case of revocation an interval of one year has elapsed since the date of such revocation.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Edmonds,	Leader,	Tallman,
Berger,	Farrell,	Letzler,	Taylor,
Blass,	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	Margie,	Troutman,
Carr,	Haluska,	McCreesh,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 157, entitled:

An Act authorizing cities of the third class with the approval of the court of common pleas to accept less than the full amount of municipal claims filed as a lien against real estate in compromise settlements thereof

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. WOODRING. Mr. President, I ask unanimous conesnt to offer amendments at this time?

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend title, line 3 by inserting after the word "of" and before the word "municipal" the word "certain"; Amend Section 1, page 1, line 3 by striking out the words "and it shall ap-", by striking out all of lines 4 and 5 and the words "by any remedy at law" in line 6 and inserting in lieu thereof the following "which said claim has existed for ten (10) years or more".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing on final passage.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 167, as follows:

An Act to amend section four of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 340) entitled "An act empowering cities of the third class boroughs incorporated towns and townships to cooperate with each other through joint agreements in the exercise of their governmental powers duties and functions relating to the public health recreation zoning and municipal planning" authorizing employing retaining and contracting for planning engineers consultants and professional planning services

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 340) entitled "An act empowering cities of the third class boroughs incorporated towns and townships to cooperate with each other through joint agreements in the exercise of their governmental powers duties and functions relating to the public health recreation zoning and municipal planning" is hereby amended to read as follows

Section 4 Every such agreement shall set forth inter alia the particulars relating to the manner of cooperation the means by and through which such cooperation shall be effectuated including if any the employment of joint personnel the employment and retaining of planning engineers or consultants the contracting for professional planning services and the purchase of personal property and materials for the joint use of the municipalities the allocation of the costs and expenses connected with the administration of the joint agreement upon an equitable basis the terms for which the agreement shall be in force and the manner in which the same may be renewed for another term and the manner in which joint property shall be disposed of or shared upon the termination of the agreement Amendments to any agreement shall be adopted in the same manner as the original agreement

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Edmonds,	Leader,	Tallman,
Berger,	Farrell,	Letzler,	Taylor,
Blass,	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	Margle,	Troutman,
Carr,	Haluska,	McCreesh,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 191, as follows:

An Act to amend sections three seven and fifteen and further to amend sections one and eight of the act approved the eleventh day of July one thousand nine hundred seventeen (P. L. 758) entitled "An act for the protection of the public health by regulating the possession control dealing in giving away delivery dispensing administering prescribing and use of certain drugs and keeping records thereof by regulating the use of drugs in the treatment of the drug habit by providing for the revocation and suspension of licenses of physicians dentists veterinarians pharmacists druggists and registered nurses for certain causes and by providing for the enforcement of this act and penalties" further defining the words "physician" and "drug" specifying certain information to be disclosed on labels of narcotic prescriptions requiring that narcotics be kept in the original container requiring the disclosure of certain information to physician by patient conferring certain authority upon professional licensing boards and providing additional penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the eleventh day of July one thousand nine hundred seventeen (P.

L. 758) entitled "An act for the protection of the public health by regulating the possession control dealing in giving away delivery dispensing administering prescribing and use of certain drugs and keeping records thereof by regulating the use of drugs in the treatment of the drug habit by providing for the revocation and suspension of licenses of physicians dentists veterinarians pharmacists druggists and registered nurses for certain causes and by providing for the enforcement of this act and penalties" as last amended by the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 905) is hereby further amended to read as follows

Section 1 Be it enacted &c That except as limited in section two of this act the word "drug" as used in this act shall be construed to include (a) opium or (b) coca leaves or (c) marihuana (d) any compound or derivative of opium coca leaves or marihuana or (e) any substance or preparation containing opium coca leaves or marihuana or (f) any substance or preparation containing and compounds or derivative of opium coca leaves or marihuana and any substance identified chemically as 1-methyl-4-phenylpiperidine-4-carboxylic acid ethyl ester or any salt or derivative thereof by whatever trade name designated or any preparation containing such substance or its salts or derivatives

Section 2 Section three of said act is hereby amended to read as follows

Section 3 The word "person" as used in this act shall be construed to include an individual a copartnership a corporation or an association Masculine words include the feminine or neuter The singular includes the plural The word "prescription" shall be construed to designate a written order by a duly licensed physician dentist or veterinarian calling for a drug or for any substance or preparation containing a drug The word "physician" as used in this act shall be construed to include physician surgeon osteopathic physician and osteopathic surgeon

Section 3 Section seven is hereby amended to read as follows

Section 7 No registered pharmacist or bona fide owner of a pharmacy or drug store regularly engaged in the sale of drugs at retail shall sell dispense distribute or give away any of said drugs except to (a) another registered pharmacist or bona fide owner of a pharmacy or drug store (b) a duly licensed physician (c) a duly licensed dentist (d) a duly licensed veterinarian (e) a bona fide hospital dispensary asylum sanatorium or public institution (f) an individual in pursuance of a written prescription issued by a physician dentist or veterinarian which prescription shall be dated as of the day on which signed and shall be signed by the physician dentist or veterinarian who issued the same (g) a person in charge of a laboratory where such drugs are used for the purpose of medical or scientific research only (h) the captain or proper officer of a ship upon which no regular physician is employed for the actual medical needs of the officers and crew of such ship only (i) a person in the employ of the United States or of this Commonwealth or of any county municipality or township thereof purchasing or receiving the same in his official capacity

No registered pharmacist or bona fide owner of a pharmacy or drug store regularly engaged in the sale of drugs at retail shall sell dispense distribute or give away any of said drugs except in pursuance of a written order signed by the person to whom such drugs are sold dispensed distributed or given Such order shall be preserved for a period of two years in such a way that it will be readily accessible to inspection by the proper authorities When such drugs are sold dispensed distributed or given to an individual in pursuance of a prescription such prescription shall be regarded as the written order herein required and no further written order shall be necessary

Whenever a pharmacist sells or dispenses any narcotic drug on a prescription issued by a physician dentist or veterinarian he shall affix to the container in which such drug is sold or dispensed a label showing date his own name address and registry number or the name adddress and registry number of the pharmacist for whom he is lawfully acting the name and address of the patient or if the patient is an animal the name and address of the owner of the animal and the species of the animal the name address and registry number of the physician dentist or veterinarian by whom the prescription was written and such directions as may be stated on the prescription Whenever a physician dentist or veterinarian dispenses any narcotic to a patient there must be affixed to the container in which said drug is dispensed a label showing date his own name address and registry number the name and address of the patient or if the patient is an animal the name and address of the owner of the animal and the species of the animal No person shall alter deface or remove any label so affixed

A person to whom or for whose use any narcotic drug has been prescribed sold or dispensed by a physician dentist apothecary or other person authorized under the provisions of section four of this act and the owner of any animal for which any such drug has been prescribed sold or dispensed by a veterinarian may lawfully possess it only in the container in which it was delivered to him by the person selling or dispensing the same

Section 4 Section eight of said act as last amended by the act approved the thirtieth day April one thousand nine hundred twenty-nine (P. L. 882) is hereby further amended to read as follows

Section 8 No physician or dentist shall sell dispense administer distribute give or prescribe any of said drugs to any person known to such physician or dentist to be an habitual user of any said drugs unless said drug is prescribed administered dispensed or given for the cure or treatment of some malady other than the drug habit Provided however That if any physician desires to undertake in good faith the cure of the habit of taking or using opium or any of its derivatives in any form such physician may prescribe or dispense opium or its derivatives to a patient under proper nursing supervision or institutional care provided such opium or its derivatives are prescribed or dispensed in good faith for the purpose of curing such patient of such habit and not merely for the purpose of satisfying a craving for the drug In the treatment of drug addiction as such narcotics must not be furnished either on dispensing or prescribing in writing by physicians to the addict himself but must be personally administered by the physician or be placed in the hands of a nurse or other reliable person who is not an addict and who is held personally responsible for carrying out the directions of the physician in charge Written records must be kept of all such administration of narcotics In every such case the physician shall himself make a physical examination of the patient and shall report in writing within seventy-two hours to the Department of Health the name and address of such patient together with his diagnosis of the case and the amount and nature of the drug prescribed or dispensed in the first treatment When the patient leaves his care such physician shall report in writing within seventy-two hours to the State Department of Health the result of his said treatment Any person who in the course of treatment is supplied with narcotic drugs or a prescription therefor by the treating physician and who without disclosing the fact to such physician is supplied during such treatment with narcotic drugs or a prescription therefor by another physician shall be guilty of a violation of this article No person shall obtain or attempt to obtain a narcotic drug or procure or attempt to procure the administration of a narcotic drug (a) by fraud deceit misrepresentation or subterfuge or (b) by the forgery or alteration of a prescription or of any written order or (c) by the concealment of a material fact or (d) by the use of a false name or the giving of a false address Information communicated to a physician in an effort unlawfully to procure a narcotic drug or unlawfully to procure the administration of any such drug shall not be deemed a privileged communication No person shall wilfully make a false statement in any prescription order report or record required by this article No person shall for the purpose of obtaining a narcotic drug falsely assume the title of or represent himself to be a manufacturer wholesaler apothecary physician dentist veterinarian or other authorized

person No person shall make or utter any false or forged prescription or false or forged written order No person shall affix any false or forged label to a package or receptacle containing narcotic drugs

Any person divulging any information contained in any such report except for the purpose of enforcing this act or to a physician who may in the opinion of the Secretary of Health be entitled to such information for the purpose of enabling him to comply with the provisions of this act shall be sentenced to pay a fine not exceeding one thousand dollars or to undergo an imprisonment not exceeding one year or both in the discretion of the court Provided That it shall be lawful for the Department of Health to advise the Department of Revenue upon its request in writing whether or not any offender against the laws relating to the operation of motor vehicles is listed with said Department of Health as an habitual user of narcotic drugs

Section 5 Section fifteen is hereby amended to read as follows

[Section 15 Whenever any physician dentist veterinarian pharmacist druggist or registered nurse is convicted in a court having jurisdiction of any violation of this act the license of such physician dentist veterinarian pharmacist druggist or registered nurse may be revoked or suspended by the proper officers or boards having power to issue licenses to any of the foregoing classes after giving such licensee reasonable notice and opportunity to be heard

The term "license" as used in sections fourteen and fifteen of this act shall be construed to include all licenses heretofore issued to any physician dentist veterinarian pharmacist druggist or registered nurse whether said license was issued by the officers or boards at present having power to issue the same or whether granted under previous authority]

[The term "officers or boards" as used in sections fourteen and fifteen of this act shall be construed to designate such officers or boards as have power to issue licenses to physicians dentists veterinarians pharmacists druggists or registered nurse at the time the power to revoke or suspend the license is exercised]

Section 15 The appropriate professional licensing boards in the Department of Public Instruction are hereby authorized to revoke or suspend the registration or license of any physician surgeon dentist veterinarian pharmacist druggist or registered nurse when such person has pleaded guilty entered a plea of nolo contendere or has been found guilty by a judge or jury of violating any State or Federal law pertaining to the sale use or distribution of narcotics

Before any registration or license is suspended or revoked the holder thereof shall be given a hearing before the appropriate board after notice of the time and place of such hearing and of the charges made against him At such hearing the accused may be represented by counsel and shall be entitled to compulsory attendance of witnesses

Section 6 All acts and parts of acts in so far as they are inconsistent herewith are hereby repealed

Section 7 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Edmonds,	Leader,	Tallman,
Berger,	Farrell,	Letzler,	Taylor,
Blass,	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	Margie,	Troutman,
Carr,	Haluska,	McCreesh,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland.	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones.	Snowden,	Woodring.
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 344, on third reading, entitled:

An Act to further amend section five hundred and forty of the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" further defining the duties of the secretary to the board of supervisors and providing for the preservation and turning over to the successor in office of township records and for the destruction of certain records

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 360, as follows:

An Act to amend the title and section two of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 340) entitled "An act empowering cities of the third class boroughs incorporated towns and townships to co-operate with each other through joint agreements in the exercise of their governmental powers duties and functions relating to the public health recreation zoning and municipal planning" by extending the power of municipalities to co-operate in the exercise of their powers duties and functions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 340) entitled "An act empowering cities of the third class boroughs incorporated towns and townships to co-operate with each other through joint agreements in the exercise of their governmental powers duties and functions relating to the public health recreation zoning and municipal planning" is hereby amended to read as follows

An Act empowering cities of the third class boroughs incorporated towns and townships adjoining each other to co-operate with each other through joint agreements in the exercises of their [governmental] powers duties and functions [relating to the public health recreation zoning and municipal planning]

Section 2 Section two of said act is hereby amended to read as follows

Section 2 Two or more adjoining municipalities may jointly cooperate in the exercise and in the performance of their respective [governmental] powers duties and functions [relating to the public health recreation zoning and municipal planning] and in carrying into effect provisions of law relating to said subject which are common to all of such joining municipalities and which each may under existing law separately exercise and perform. For the purpose of carrying the provisions of this act into effect the municipalities joining shall enter into such joint agreements as may be deemed appropriate for such purposes

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Edmonds,	Leader,	Tallman,
Berger,	Farrell,	Letzler,	Taylor,
Blass,	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	Margie,	Troutman,
Carr,	Haluska,	McCreesh,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 382, on third reading, entitled:

An Act to amend section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by authorizing such townships to regulate parking

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HOLLAND. Mr. President, this bill is not on our desks, therefore I as unanimous consent that House Bill No 412 on third reading, entitled:

An Act to amend subdivision five of the Compact contained in the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1664) entitled "An act to ratify and adopt a compact or agreement negotiated by commissioners designated by the Governor of the Commonwealth of Pennsylvania and commissioners designated by the Governor of the State of Ohio relative to the development use and control of the Pymatuning Lake and the State owned land surrounding said lake for fishing hunting recreational and park purposes" so as to permit the operation on portions thereon of boats equipped with motors of six horsepower or less

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 499, on third reading, entitled:

An Act to further amend the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by revising and changing the provisions of said act relating to the times of registering electors their enrollment as members of political parties change of party enrollment removal notices and comparing and correcting the general and district registers

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 548, on third reading, entitled:

An Act providing that when the contract of a fiduciary is made by him or approved by court inadequacy of price or an offer to deal on other terms shall not relieve the fiduciary of his obligation or constitute ground for any court to set aside the contract or to refuse to enforce it

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order.

The Senate proceeded to the third reading and consideration of Senate Bill No. 570, as follows:

A Joint Resolution proposing an amendment to article nine section eight of the Constitution of the Commonwealth of Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows

Section 1 The following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That article nine section eight of the Constitution of Pennsylvania is hereby amended to read as follows

Section 8 The debt of any county city borough township school district or other municipality or incorporated district except as provided herein and in section fifteen

of this article shall never exceed seven (7) per centum upon the assessed value of the taxable property therein nor shall any such county municipality or district incur any debt or increase its indebtedness to an amount exceeding two (2) per centum upon such assessed valuation of property without the consent of the electors thereof at a public election in such manner as shall be provided by law The debt of the city of Philadelphia may be increased in such amount that the total debt of said city shall not exceed twelve and one-half (12½) per centum upon the average of the last ten annual assessed valuations of the taxable realty therein but said city shall not increase its indebtedness to an amount exceeding two and one-half (2½) per centum upon such average assessed valuation of realty without the consent of the electors thereof at a public election in such manner as shall be provided by law No debt shall be incurred by or on behalf of the county of Philadelphia and within such county only the city of Philadelphia and the school district of Philadelphia shall have power to incur debt

In ascertaining the debt-incurring capacity of the city of Philadelphia at any time there shall be deducted from the debt of said city so much of such debt as shall have been incurred or is about to be incurred and the proceeds thereof expended or about to be expended upon any public improvement or in the construction purchase or condemnation of any public utility or part thereof or facility therefor if such public improvement or public utility or part thereof or facility therefor whether separately or in connection with any other public improvement or public utility or part thereof or facility therefor may reasonably be expected to yield revenue in excess of operating expenses sufficient to pay the interest and sinking fund charges thereon The method of determining such amount so to be deducted may be prescribed by the General Assembly

In incurring indebtedness for any purpose the city of Philadelphia may issue its obligations maturing not later than fifty (50) years from the date thereof with provision for a sinking fund sufficient to retire said obligations at maturity the payment of such sinking fund to be in equal or graded annual or other periodical installments Where any indebtedness shall be or shall have been incurred by said city of Philadelphia for the purpose of the construction or improvement of public works or utilities of any character from which income or revenue is to be derived by said city or for the reclamation of land to be used in the construction of wharves or docks owned or to be owned by said city such obligations may be in an amount sufficient to provide for and may include the amount of the interest and sinking fund charges accruing and which may accrue thereon throughout the period of construction and until the expiration of one year after the completion of the work for which said indebtedness shall have been incurred and said city shall not be required to levy a tax to pay said interest and sinking fund charges as required by section ten of this article until the expiration of said period of one year after the completion of said work

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. WOODWARD. Mr. President, there is no dinner party tonight, no cocktails at six-thirty, and therefore, I have all the time there is to explain. The subject matter of a joint resolution to amend the Constitution never appears very clearly on the Calendar, and I would like to take a few moments to make two points in favor of this joint resolution.

There is an immediate object and a remote object. Briefly, the immediate object—it is a Philadelphia bill, I would like to say—is to make our Philadelphia debt limit more stable. As you all know, or most of you know, Philadelphia has a debt limit of ten per cent upon both realty and personal property. Outside of Philadelphia there is a debt limit of seven per cent in the same way.

We are proposing in Philadelphia to separate the two items of real estate and personal property from the borrowing base. The reason for this is that the personal property tax is very fluctuating and we do not know where we are; we do not have a stable limit on our borrowing capacity. As you know, a man can remove his personal property and take it across the river to New Jersey if he wishes, but the real estate stays put.

This bill will punch a hole in our borrowing limit. Therefore we are asking to raise the debt limit from 10 per cent to 12½ per cent upon all realty alone, excluding personal property. That is the immediate object of this resolution.

The remote object is perhaps much more interesting. It is to get rid of possibly the world's worst tax, namely, the four mill tax on personal property. As you will remember, in the heyday or haywire era of the Earle Administration, Governor Earle learned about the four mills tax bringing in a lot of money, and so, being impulsive and a good sportsman, he doubled it, so it was eight mills, four mills to the state and four mills to the county, and I will say that the state tax was much better collected than the county tax, but not being strong in mathematics, I employed an actuary to estimate, in terms of income tax, what the Earle eight-mill-tax would do, and it came out over twenty per cent income tax.

I never heard of any state in the Union that had a tax of more than six or seven per cent, and this was twenty per cent. The state tax, fortunately, has lapsed, but the county tax has not lapsed.

As a matter of interest, I once had the privilege of sitting in the gallery, not on the floor, of the House of Commons in London, and I heard a member get up and say that principal is an opinion, income is a fact, and that applies to this miserable four mills tax. As the very intelligent Senator from Lehigh remarked in committee, this is a tax on the principal of the security and not on the income.

We all know, I think some of us certainly do, that we may hold securities on mortgages that offer no return whatever to the holder, but when we make out a personal property declaration they have a market value and therefore we have to include them. The four mills county tax can not be repealed unless and until we separate it from the real estate tax as a borrowing base.

I am very sorry that this bill has to be confined to Philadelphia. I have in my desk a companion bill that would make this state-wide, in order to get rid of the four mills tax, but having scouted around the Senate I know that bill has no chance, and it is always better to know when you are licked in advance, and not wait until the crucial moment.

With these brief remarks, I hope the Senate will support this resolution.

Mr. McGINNIS. I am glad that the Senator from Philadelphia advised us that the purpose of this resolution ultimately was to wipe out the personal property tax. I think we made a great mistake when we removed the four mills tax as a state tax. We do have the four mills tax back in our counties, and to me it is a most

just tax. It taxes those who have, and most of the property that is taxed is giltledged, stocks and bonds and mortgages that return a fine income to the owner.

In Pittsburgh those who hold real estate, it may be idle, and they have got to pay forty mills tax a year on that real estate, and it does seem to me that any person who has personal property that has a value and an income, 99 per cent of them or 90 per cent, at least, of the stocks, bonds, and mortgages, have an income, they are the people who have, and I feel that in this state more taxes ought to be raised in that way and apportioned back to our communities that are in distress.

I am seriously opposed to this resolution, if it has as its ultimate aim to wipe out the four mills tax in counties.

Mr. BARR. I wish to correct the gentleman in his statement. The people of Pittsburgh have to pay a 56 mills tax on their property, including city tax, county tax, and school department tax. It is 56 mills instead of 40 mills.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WOODWARD. May I make one remark in reply to the statement of the gentleman from Allegheny, Senator McGinnis?

The PRESIDENT. The gentleman from Philadelphia will proceed.

Mr. WOODWARD. Mr. President, I am just as much in favor of an income tax as he is, but this is a very poor way of getting a rich man's money and it is not a fair tax. The income tax is the fairest tax ever invented and this is the world's worst tax.

And the question recurring,

Shall the bill pass finally?

(During the calling of the roll the following occurred:)

Mr. COX. Mr. President, having voted under a misapprehension I desire to change my vote from "aye" to "no".

The PRESIDENT. The vote of the gentleman from Allegheny will be so recorded.

Mr. GOURLEY. Mr. President, having voted under a misapprehension I desire to change my vote from "no" to "aye".

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Becker,	Edmonds,	Letzler,	Thomas,
Berger,	Farrell,	Mallery,	Troutman,
Blass,	Geltz,	Margie,	Tyler,
Bowers,	Gourley,	Rosenfeld,	Wade,
Carr,	Haluska,	Ruth,	Wagner,
Chapman,	Hevburn,	Scarlett,	Walker,
Crider,	Homsher,	Snowden,	Wilson,
Crowe,	Jones,	Stevenson,	Woodring,
Dent,	Kephart,	Tallman,	Woodward,
Ealy,	Leader,	Taylor,	

NAYS—10

Barr,	DiSilvestro,	Klein,	McGinnis,
Coleman,	Holland,	McCreesh,	Stiefel,
Cox,	Jaspan,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 573, as follows:

An Act to further amend section one of the act approved the fourth day of June one thousand nine hundred fifteen (P. L. 828) entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations co-partnership associations and joint-stock associations providing the manner of collecting such tax and prescribing penalties" by modifying the rates of tax imposed by the said act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the fourth day of June one thousand nine hundred fifteen (P. L. 828) entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations co-partnership associations and joint-stock associations providing the manner of collecting such tax and prescribing penalties" as amended by the act approved the eighth day of May one thousand nine hundred nineteen (P. L. 120) is hereby further amended to read as follows

Section 1 Be it enacted &c That a State tax of two cents on each one hundred dollars of the [face] market value or fraction thereof not exceeding however two cents on each one hundred dollars of the face value or fraction thereof or in the case of shares or certificates of stock without designated monetary value not exceeding two cents per share is hereby imposed on all sales or agreements to sell or memoranda of sales of stock and upon any and all deliveries or transfers of shares or certificates of stock in any domestic or foreign corporation or copartnership association or joint-stock company made on or after the date when this act takes effect whether made upon or shown by the books of the corporation copartnership association or joint-stock company or by any assignment in blank or by any delivery or by any paper or agreement or memorandum or other evidence of sale or transfer whether intermediate or final and whether investing the holder with the beneficial interest in or legal title to said stock merely with the possession or use thereof for any purpose or to secure the future payment of money or the future transfer of any stock

[In cases where the shares or certificates of stock are issued without designated monetary value the tax hereby imposed shall be at the rate of two cents for each and every share of such stock instead of being based upon the face value thereof as hereinbefore provided]

Every person or persons making or effectuating any such sale or transfer shall procure affix and cancel the stamps and pay the tax provided by this act Provided That stock of building and loan associations sales or agreements to sell or memoranda of sales of stock of said associations and all deliveries or transfers of shares or certificates of stock thereof shall be exempt from the provisions of this act

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31

Becker,	Ealy,	Letzler,	Troutman,
Berger,	Edmonds,	Mallery,	Tyler,
Blass,	Farrell,	Scarlett,	Wade,
Bowers,	Geltz,	Snowden,	Wagner,
Carr,	Heyburn,	Stevenson,	Walker,
Chapman,	Homsher,	Tallman,	Wilson,
Crider,	Jones,	Taylor,	Woodward,
Crowe,	Kephart,	Thomas,	

NAYS—18

Barr,	Gourley,	Leader,	Rosenfeld,
Coleman,	Haluska,	Margie,	Ruth,
Cox	Holland,	McCreesh,	Stiefel,
Dent,	Jaspan,	McGinnis,	Woodring,
DiSilvestro,	Klein,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. STIEFEL. Mr. President, I ask unanimous consent that House Bill No. 662, on third reading, entitled:

An Act to promote interestate cooperation for the conservation and protection of water resources in the Delaware River Basin

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 696, entitled:

An Act to further amend sections one two three and four of the act approved the twenty-first day of May one thousand nine hundred thirty-seven (P. L. 787) entitled as amended "An act authorizing subject to approval of the court of common pleas the compromise or reduction of tax and municipal claims on real property purchased by any county city borough town school district or poor district at any sale for the nonpayment of taxes or municipal claims and the reconveyance or private sale of such property" requiring such reconveyance and private sale to have the approval of the municipality or municipalities having a majority interest therein

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. STEVENSON. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Title, page 1, line 12 of title, by striking out the words "the municipality or" and inserting in lieu thereof "a majority of the"; Amend Title, page 1, line 13 of title, by striking out the words "a majority" and inserting in lieu thereof "an"; Amend Section 1 (sec. 1), page 2, line 22, by inserting after the word "of" the following: "a majority of"; Amend Section 1 (sec. 1), page 2, line 22, by striking out the words "municipality or"; Amend Section 1 (sec. 1), page 2, line 23, by striking out the words "which either singly or combined have a majority" and inserting in lieu thereof "having an"; Amend Section 1 (sec. 1), page 3, line 4, by striking out the words "a majority" and inserting in lieu thereof "an"; Amend Section 1 (sec. 2), page 3, line 13, by inserting after the word "of" the following: "a majority of"; Amend Section 1 (sec. 2), page 3, line 13, by striking out the words "municipality or"; Amend Section 1 (sec. 2), page 3, lines 13 and 14, by striking out the words "a majority" and inserting in lieu thereof "an"; Amend Section 1 (sec. 3), page 3, line 17, by striking out the word "the" and inserting in lieu thereof "any"; Amend Section 1 (sec. 3), page 3, line 18, by striking out the words "a majority" and inserting in lieu thereof "an"; Amend Section 2 (sec. 4), page 4, line 6, by inserting after the word "that" the following: "a majority of"; Amend Section 2 (sec. 4), page 4, line 6, by striking out the words "municipality or"; Amend Section 2 (sec. 4), page 4, line 6, by striking out the words "a majority" and inserting in lieu thereof "an"; Amend Section 2 (sec. 4), page 4, line 7, by striking out the word "has" and inserting in lieu thereof "have".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing on final passage.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1, entitled

An Act to amend the title and certain sections and to add certain new sections to the act approved the twenty-second day of June one thousand nine hundred thirty-seven (P. L. 1987) entitled "An act to preserve and improve the purity of the waters of the Commonwealth for the protection of the public health animal and aquatic life and for industrial consumption and recreation empowering and directing the creation of indebtedness or the issuing of non-debt revenue bonds by political subdivisions to provide works to abate pollution providing protection of water supply providing for the jurisdiction of courts magistrates aldermen and justices of the peace in the enforcement thereof and providing additional remedies for abating pollution of waters imposing certain penalties and repealing certain acts" by changing the definitions of 'establishment' and 'industrial waste' by changing requirement of notice to discontinue discharges of industrial waste by changing penalties for violations and requiring prosecutions to be instituted or approved by the Attorney General by prohibiting the discharge of silt into any waters of the Commonwealth and regulating the discharge of acid mine drainage into waters thereof authorizing the Sanitary Water Board to establish standards of purity and to determine the time for compliance with the provisions of the act in certain cases and requiring the Board's approval of plans for

opening reopening or extending coal mines by authoring the acquisition by purchase or condemnation or otherwise by the Sanitary Water Board of easement or right of ways and the acquisition or construction of pipes conduits drains or tunnels and pumps and pumping equipment and providing for the payment of the costs thereof by the Commonwealth

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendment:

Amend Section 2, page 5, line 27, by striking out with light-faced brackets the following "[include]" and inserting in lieu thereof the following "include".

It was agreed to.

The section was agreed to as amended.

The third and fourth sections were read and agreed to.

The fifth section was read.

On the question,

Will the Senate agree to the section?

Mr. GOURLEY. Mr. President, as I read it, this bill provides that the sole decision for the making of prosecutions under the penal provisions of this bill rests with the Attorney General; he can either make a prosecution or with his consent some other person can make a prosecution. I know of no provision under the laws of this Commonwealth where any sole authority is vested in any one person to decide whether or not a criminal prosecution should be made for a violation of any act of assembly.

I have had five years' experience in a district attorney's office and I have some knowledge of our criminal code. It appears to me to be unjust to give absolute authority to any one person to have the right to decide whether or not a prosecution should be made, if a violation has occurred, and therefore the amendment that I have prepared would provide that the Attorney General could make a prosecution, or any other person, as now provided by law, in criminal proceedings, which would mean, if a violation existed, any ditsrict attorney, or any other person in any of the other counties of the state, would decide that a violation did exist, that the district attorney or any other person who might be aggrieved would have a right to proceed with prosecution of any violation of the act, and I therefore offer the following amendment.

And the question recurring,

Will the Senate agree to the section?

Mr. GOURLEY offered the following amendment:

Amend Section 5 (Sec. 309) page 10, lines 11 and 12 by striking out the words "by and with" in line 11, all of line 12, and insert in lieu thereof the following: "as now provided by law in criminal proceedings".

On the question,

Will the Senate agree to the amendment?

Mr. HEYBURN. I ask for a roll call, Mr. President.

The PRESIDENT. Does the gentleman from Delaware request a roll call on the amendment?

POINT OF INFORMATION

Mr. HEYBURN. I rise on a point of information.

The PRESIDENT. The gentleman from Delaware will state his point of information.

Mr. HEYBURN. It is my understanding that the question now before the Senate is on the adoption of the amendment offered by the gentleman from Washington; is that right?

The PRESIDENT. Yes, but it has been the custom of the Senate, where there is no objection, that the section as amended be considered; where there is objection, first the amendment is considered and then the section.

Mr. HEYBURN. Mr. President, we can not agree to the section, as amended, as then the amendments offered by the gentleman from Washington would be accepted.

AMENDMENT WITHDRAWN

Mr. GOURLEY. Mr. President, I desire to withdraw the amendment I introduced.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DENT. Mr. President, the amendments are withdrawn because of the fact that we do not want any misunderstandings on the part of anybody as to our intentions. This amendment was drawn because we believe, under the present provisions in this bill, the Attorney General receives unprecedented powers and he can, if he so desires, make fish out of one and fowl out of another; he can prosecute an individual who perhaps does not believe in the same political philosophy that he believes in, and he can let another party go free who does believe in his philosophy.

We do not believe that any act of Legislature ought to give to any individual the sole right to institute proceedings, or to approve the institution of proceedings against a violator of any act of the Legislature, any act on the statute books of the Commonwealth.

However, in order that we are not blamed by certain persons who can not clearly understand the proceedings in the Legislature for delaying action on this bill—we understand fully that the bill was written by the Attorney General, is pushed by the Attorney General, and is being voted for by the Attorney General, and all the amendments that are now contained in this bill are the Attorney General's amendments.

I read an article which stated the Senate had put crippling amendments into the bill. I belong to that committee and the amendments that we approved were the Attorney General's amendments, and that is all.

Now we are in the same position we happened to be in once before in this beautiful Senate hall; we had other legislation before us, and we had other Attorneys-General who drafted legislation, and we were not allowed to cross a "t" or dot an "i", and that is the position we are in on this piece of legislation.

I predict to the Senate, if it passes this bill the way it is, that it will be recalled from the Governor by this very same body to do the very same thing that we are trying to do now.

And the question recurring,

Will the Senate agree to the section?

It was agreed to.

The sixth, seventh and eighth sections and title were read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 40, on second reading, entitled:

An Act to amend or further amend the title and sections one five seven nine and ten of the act approved the eighth day of June one thousand nine hundred seven (P. L. 496) entitled "An act to establish a Board of Commissioners of Navigation for the river Delaware and its navigable tributaries regulating their jurisdiction over ships vessels and boats and wharves piers bulkheads docks slips and basins and exempting cities of the first class from certain of its provisions and making an appropriation therefor" changing the membership of the Navigation Commission for the Delaware River and its navigable tributaries and excepting the Port of Chester from certain provisions of said act

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 170, on second reading, entitled:

An Act to amend section seven hundred one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" abolishing capital punishment in the case of murder of the first degree

be recommitted to the Committee on Judiciary General for the purpose of further study.

Mr. WADE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. COX. Mr. President, the fact that the Senate of Pennsylvania today can consider a bill of this nature gives me renewed faith in the democratic system of government. Today all over the world people are dying in untold numbers, and yet we have before us for our consideration a bill which concerns itself with the question as to whether we should take the lives of men, many of whom are enemies to society.

No more important bill could come before this Senate than this bill, because it deals with the most important possession any man can have—his life.

This bill came out of committee so that we could sample public opinion in Pennsylvania. I will try to make my remarks as brief as I can. I have received many letters from every section of Pennsylvania pertaining to the bill and, inasmuch as they indicate the attitude of the people of Pennsylvania, I would like to read into the record excerpts from these letters, both pro and con.

I have before me now two letters from judges of the Common Pleas Court of Allegheny County. Rather than name the judges I would like to label the letters "a" and "b". I quote from the first letter:

"Giving attention to yours of the 22nd in which you advise that you presented Senate Bill No. 170 which abolishes capital punishment in Pennsylvania, will advise that I have always opposed abolishment of this penalty for the principal reason we have too many criminals in this country who do not take the sentence of life imprisonment too serious, as after that sentence is pronounced it is only but a short while until, through some spineless organization, the sentence is commutated and they are eventually pardoned.

"I think as the verdict stands now, giving the jury the opportunity to say life or death, it is a very good solution to the problem."

Mr. President, it is absolutely impossible for me to discuss this bill unless I can have the attention of the members of the Senate.

The PRESIDENT. The Senate will come to order.

Mr. COX. Mr. President, letter "b", which is from another judge of the Court of Common Pleas of Allegheny County, shows a divergent viewpoint. It is as follows:

"A law to abolish capital punishment would be a highly progressive addition to our penal code. I have never been and am not now in favor of taking away the life of any man under any circumstances and consider it one of the burdens of government to segregate from society those who commit crimes which under our present law merits capital punishment."

I have here again two letters from wardens of penitentiaries. The first letter is from Warden Herbert Smith, warden of the Eastern Penitentiary in Philadelphia. I quote:

"I have your letter of the 23rd in which you request that I inform you as to my position relative to capital punishment. For the past 39 years I have been connected with law enforcement, both as an officer and prison keeper and have arrived at the following conclusion.

"It is my thought that persons who willfully and deliberately take a human life, count the cost of danger involved in the death penalty, but base their hopes upon not being detected; delays in their trials; possibilities of an acquittal, and if convicted, of receiving not more than a life sentence from which their influence or political friends attempt to obtain their release in a few years. To arm themselves for the purpose of resisting interference is deliberate and premeditated. The weapon is to provide a means of escape even to the extent of taking human life. Therefore, it is my thought the only restraint against wholesale killings is a fear on the part of the criminal of losing his life as a penalty. To this type of person a life sentence is not a deterrent as hopes of clemency destroys its effectiveness.

"When the criminal understands punishment will be swift and certain, then and only then will the death sentence become a powerful deterrent. I am in favor of capital punishment. Not as it exists today, but when in force to one and all alike, regardless of their station in life.

"If the death penalty is removed and a life sentence substituted, what assurance have we that the criminal would not continue to kill even behind prison walls? He has nothing to fear because he has already received one life sentence and the taking of another human life would certainly not add greatly to his misfortune. Thus, the lives of officials within a prison would depend to a great extent upon the attitude of the vicious, desperate criminal confined therein.

"I reiterate that capital punishment should be enforced and the killers made to realize that they cannot escape the law and its consequences. Retain the death penalty and we are at least guaranteed a measure of safety to the law abiding citizens of the State. Abolish capital punishment and we are creating a grave and dangerous situation, one the extent of which no person can predict."

HERBERT SMITH, Warden.

I also have here a letter from Warden Lewis E. Laws, which is as follows:

"I was happy to learn from Mr. A. G. Fraser, Execu-

tive Secretary of the Pennsylvania Prison Society that you introduced a bill which would abolish capital punishment in your State. Such legislation has my unqualified support.

"Some contend that the death penalty deters crime, but this argument is not based upon fact. The bulk of murderers commit their crimes during an argument or a period of blind fury. Such individuals, obviously, do not think of punishment. Nor do the so-called professional criminals, because few, if any believe they will be caught.

"Capital punishment should be abolished since it serves no useful purpose, and is a relic of an unenlightened era. Our aim today should be to rehabilitate the offender—if at all possible—not destroy him. Besides, capital punishment is irrevocable and there is always a danger that an innocent man may be put to death. In fact, there have been such cases.

"Of course, much more can be said in opposition to the death penalty and if you so desire, I will be glad to furnish you with additional material, as Mr. Fraser suggested. Much of it, though, is summarized in my books: Man's Judgment of Death; Twenty Thousand Years in Sing Sing; and Meet the Murderer. Unfortunately, I do not have extra copies, but doubtlessly they are available at your State Library.

"If there is anything else I can do to help further your bill, do not hesitate to call on me."

LEWIS E. LAWES.

I have two letters which were written by women. The first letter is rather embarrasing to read, and after I have read it I think you will understand why I was embarrassed. It is as follows:

"Dear Sir:

"The following clippings were brought into the regular Wednesday night meeting of the Ladies' Civic Club. We want you to know you should be ashamed of yourself sponsoring such a bill. In plain words, do you think yourself smart to aid criminals to escape a just punishment?

"All of us women for instance agree that this girl, (naming the person), who so brutally murdered her employer should be given the death penalty. I might mention here her being a Negro has nothing to do with our opinion as we are in favor of better education and better living conditions for the Negro. Suppose this woman so brutally murdered your wife, would you not consider her as unfit for society to contend with and taxpayers to keep institutions full of people serving life sentences for murder?

"Mr. Cox, criminals in this country are not punished severely enough, that is why for instance, we have so many cases of crimes committed by parolees. Not enough attention is paid to conditions in the state's institutions, prisons and asylums, why do you not divert your efforts toward these problems, instead of bringing up such foolish legislature at a time like this, or any time for that matter.

"Stop and think of what you are doing and if you think you are right visit some courtrooms and hear some of the trials of criminals. Who, for instance, is to benefit by the passage of such legislature, the overburdened taxpayer who will keep murderers in institutions. Such legislature! What you ought to do is bring back the old public whipping post and perhaps we would not have so much crime."

As contrasted with that letter I now read this letter, which was also written by a woman:

"I have heard of Bill S-170 which you introduced in the Senate—I hope it will be passed. I have long been opposed to capital punishment."

Gentlemen, I have read the excerpts from these letters because I think they properly present the various points of view on this subject. I shall now read from the Prison Journal, October issue of 1932, from an article entitled:

"CAN THE DEATH PENALTY PREVENT CRIME?

By George B. Vold

Associate Professor of Sociology

University of Minnesota

"The question of the deterrent effect of the death penalty is an old controversy on which much has been written. Those who favor the penalty assume that fear of punishment is the basic factor in social control which leads to conformity and observance of the law. Opponents call attention to the absence of "factual proof" in support of the claims made for its deterrent effects and argue that the whole question of crime prevention must be regarded as one of treatment rather than punishment. The controversy has thus become a battle ground on which clash the antithetical views of opposite schools of thought in criminology No space can be given in the present paper to a consideration of the wide ramifications of the whole problem of the desirability of the death penalty. Attention will be focused on the single insistent question of the title. Can the death penalty prevent crime? That is, can—and does—the death penalty have an influence on potential criminals such that they refrain from executing the lawless acts (crimes) that they would otherwise commit?"

This brief quotation, of course, raises a question which it seems will be the battle-ground where the question of abolishment of capital punishment will be fought, namely, that capital punishment would engender in any potential murderer such a fear that he would not commit a crime. It is obvious that it is impossible to know how many people have not committed the crime of murder because of the fact that in Pennsylvania it is possible to be executed if you commit wilful, premeditated murder.

Possibly the only thing that would bear on this question statistically is a comparison of what has happened in those states in the United States which have abolished capital punishment, as compared with statistics in those states which still retain capital punishment.

As I said before, I am not going to argue at great length, but statistics unquestionably show that there is such little difference that, if statistics can be used as an argument, we certainly can say they are in favor of the conception that capital punishment does not prevent murder.

The second thing I would like to talk about or argue is this, recurring all through these letters, not only through the letters of the judges but through the letters of the wardens and through the letters of individual citizens of this Commonwealth, is a misconception which is so prevalent today in our thinking on this question of penal affairs, and that is this, on the question of punishment, long ago in Pennsylvania and America we wrote out of our social viewpoint and our theory of penology the question of punishment. We do not put people in prison today to punish them; we put them in prison, first, to protect society from other persons who might commit crime, because the surety of punishment would prevent them from committing a crime by serving as an object lesson to them; secondly, we put them in prison because we feel they are anti-social, that they can not get along in the social system, and therefore we must take them out of society; thirdly, and most important, we put them in prison because we desire to rehabilitate them and when we have rehabilitated them,

give them back to society as useful members of the social system

Capital punishment in Pennsylvania today is the last remnant of lex talonis—an eye for an eye, a tooth for a tooth, and a life for a life. In Pennsylvania today we do not believe in that ancient and medieval philosophy, and yet we have on our statute books a law which provides for execution of murderers, as a remnant of that law.

I am satisfied that within fifty years every state in America will have abolished capital punishment, and I say to many of the members of this Legislature who are in accord with my views on this subject, that all we have been able to do in this session of the Legislature is to add our little bit to the fight to abolish capital punishment in this state. I am satisfied that this fight is going on and on.

Since 1941, when I came to the Senate, I have seen great progress in Pennsylvania in our understanding of the problem of penology, in our scientific approach to the solution of that problem. In 1941 we passed one of the most important pieces of legislation in many decades in Pennsylvania, when we realized the scientific truth that you could not parole men to society unless you helped those men after they were paroled, and then we passed a parole act.

There are many other pieces of legislation which are before this body and before the House. Some of them will get out of committee and to the floor of the respective legislative bodies, where they can be talked about and returned to committee, but I know ultimately once again we are going to abolish this act which certainly has no place in the statutes of our Commonwealth.

My experience in the Senate has proved to me that the legislative mill grinds very slowly, that the legislative mill many times is far back of public opinion, but I have also found this, that it grinds surely, and eventually many of the things that at present seem utopian and which seemed impossible to have enacted into legislation, in the future are accepted as ordinary solutions to the problem and are passed without any fanfare.

If the law of political averages is kind to me, the possibility is that this perhaps is my last session in the Senate. For that reason it is extremely important to me that many of the things that I have fought for since I have been a member of this body will become law, or that I have some assurance there is growing sentiment in this body so that eventually they may become acts of our Legislature.

I want to thank the members of the Senate for the courtesy that they extended to me as an individual, in putting this bill out of committee. I am going to keep my word, if it is the desire of this body that the bill be reported back to committee, and not oppose it.

Mr. CARR. Mr. President and fellow Senators, I hesitate to speak at this late hour of the day, but for a long time I have been thoroughly convinced that capital punishment is not only unnecessary but that it is immoral.

I have frequently said in the course of telling people about my experiences here, that we people who are elected to the Legislature of our state do not make laws—that what we try to do is to carry into statute form that which is the law that God has made from the beginning, and as I look back into the fundamental law of all laws, the Decalogue, I find four words there that I believe are still the will of God—thou shall not kill—and those words, I believe, are just as effective upon a body of the state as they are upon individuals.

As a member of that body, therefore, there seems to rest upon me the duty and the obligation to do everything I can to prevent the state from doing that which I could not personally do, and I ask every gentleman here this evening to ask yourself one simple fundamental question: could you as an individual go to Rockview Penitentiary and throw the switch that would throw into eternity the soul of any of your fellowmen? Personally I could not do that act, and therefore I feel that the obligation rests upon me to resist with all the power I have the compelling of any other man to do that which I would not do myself.

The thing about capital punishment that makes it, to my mind, doubly wrong is the fact that it is so final; from it there is no appeal. I do not believe that any of you would disagree with me in saying that many times, after some innocent person has suffered the death penalty, evidence has been discovered to prove that person innocent. Because of that finality, because there is no appeal from an execution, I think that we are very presumptuous as human beings when we set ourselves up to be the judges of a fellowman's existence or death.

If, which is absolutely improbable, I should ever be the Governor of this State, I do not believe that my nerves would be sufficiently strong to enable me to sign a death warrant of any of my fellowmen, and therefore I believe the obligation is upon me to refuse to be a party, so far as I may have the opportunity of making that refusal, to the compelling of any other man to do that act.

For these reasons I ask to be recorded as voting against recommittal of this bill.

And the question recurring,

Will the Senate agree to the motion?

(A voice vote having been taken the question was determined in the affirmative.)

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 199, entitled:

An Act to further amend section one of the act approved the sixteenth day of May one thousand nine hundred twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" by adding certain claims of Municipal Authorities in the definition of "municipal claim" and further amending the definition of "municipality" to include county institution districts and bodies politic or corporate created as Municipal Authorities

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 208, entitled:

An Act to further amend Section one of the act approved the fifteenth day of July one thousand eight hundred ninety-seven (P. L. 292) entitled "An act to provide revenue by taxation" by modifying the procedure for the collection and payment of tax

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill 209, entitled:

An Act to further amend section one of the act approved the thirteenth day of June one thousand nine hundred seven (P. L. 640) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" by reducing the rate of said tax and modifying the procedure for the collection and payment of said tax

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 223 on second reading, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" and known as The Fiscal Code by authorizing the Commonwealth of Pennsylvania to petition for a resettlement of claims against the Commonwealth by the Auditor General and State Treasurer and to petition for a review of settlements by the Board of Finance and Revenue and to appeal from the decisions of the Board of Finance and Revenue to the Court of Common Pleas of Dauphin County

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McCREESH. Mr. President, I ask unanimous consent that Senate Bill No. 239 on second reading, entitled:

An Act to promote the public welfare and to protect mental defectives by prescribing circumstances under which selective sterilization of certain types of individuals may be performed without civil or criminal liability; and providing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that House Bill No. 240 on second reading, entitled:

An Act providing for local referendums in wards of cities of the first class before public parks may be diverted to other use

be recommitted to the Committee on Municipal Government.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 248, entitled:

An Act to authorize certain persons to take affidavits and acknowledgments in connection with the administration of the affairs of veterans and their dependents; making certain offenses punishable as perjury and imposing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 296 on second reading, entitled:

An Act providing that taxes levied by political subdivisions of the Commonwealth on real estate of service persons shall not bear interest or be subject to penalties and providing for abatement of certain accrued interest and penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 321 on second reading, entitled:

An Act to amend the title and section one of the act approved the eleventh day of May one thousand eight hundred ninety-nine (P. L. 289) entitled "An act providing for the payment to the county or counties of the moneys or bonus which any foreign railway corporation is required to pay into the State Treasury for the right to pass through said county or counties and by which payment such foreign railway corporation is relieved from local taxation" by providing for payments to counties irrespective of whether relief from payment of local taxes results from payment of the bonus

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 387 on second reading, entitled:

An Act to further amend section fourteen of the act approved the nineteenth day of March one thousand nine hundred nine (P. L. 46) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" by further regulating grounds for refusal revocation or suspension of the right to practice as osteopaths in the State of Pennsylvania

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 413, entitled:

An Act to amend section one of the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 607) entitled "An act authorizing administrative boards within the Department of Public Instruction for the duration of the present War to admit to examination and grant licenses or registration to certain applicants who are less than twenty-one but not less than twenty years of age" by reducicng temporarily the age limit of persons who may take Pennsylvania State pharmacy examinations

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 461 on second reading, entitled:

An Act concerning devices bequests or gifts in trust for the care and maintenance of cemeteries cemetery lots in perpetuity trustees and substituted trustees thereof sureties of said trustees excess income from said funds and the investment of such trust funds accounts of said trustees approving actions and proceedings prior to this act and repealing conflicting laws

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 474 on second reading, entitled:

An Act providing for the granting of certificates of licensure to practice professions, or work at any trade or occupation in this Commonwealth for which licenses are issued by any State board or other State agency to certain persons who served in the military or naval forces of the United States

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 475 on second reading, entitled:

An Act requiring cities, boroughs, towns and townships to notify adjacent political subdivisions of proposed streets, roads and highways leading into them

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 500 on second reading, entitled:

An Act to further amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; perscribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, regstrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legislation" by revising and changing the provisions of said act relating to the times of registering electors, their enrollment as members of political parties, change of party enrollment, removal notices, and comparing and correcting the general and district registers

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 501 on second reading, entitled:

An Act to further amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 814), entitled "An act to provide for the permanent

personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; perscribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointeees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," by revising and changing the provisions of said act relating to the times of registering electors, their enrollment as members of political parties, change of party enrollment, removal notices, comparing and correcting general and district registers, preparing preliminary street lists and street lists

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 502 on second reading, entitled:

An Act to further amend the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" by revising and changing the provisions of said act relating to the times of registering electors and comparing and correcting the general and district registers

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 503 on second reading, entitled:

An Act to further amend the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1132), entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," by revising and changing the provisions of said act relating to the times of registering electors, their enrollment as members of political parties, change of party enrollment, removal notices, comparing and correcting general and district registers, preparing preliminary street lists and street lists

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 507 on second reading, entitled:

An Act to further amend section eight hundred two of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," regulating contracts and purchases by townships; and prescribing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 548 on second reading, entitled:

An Act relating to chattel mortgages on any chattel or chattels of any kind or description, including among other things livestock, poultry, farm machinery, farm equipment and crops grown, growing or to be grown; designating the operation and effect of the lien of such mortgages; providing for the filing, indexing and docketing of such mortgages and related instruments in prothonotaries' offices, and prescribing prothonotaries' fees; providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states; regulating the assignment, release,, satisfactcion and extension of the lien of such mortgages; prescribing methods of foreclosure; defining defaults and violations; and fixing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 563, entitled:

An Act prohibiting the sale of surplus property as defined in the Federal Surplus Property Act of 1944 by or to certain persons using words or names indicating an official relationship with the United States government making exceptions in certain cases and imposing penalties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 591, entitled:

An Act to amend the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contributions requiring all societies to make annual and other reports and appointing the Insurance Commission as attorney for service of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" by authorizing the bringing of suits against domestic fraternal benefit societies in counties in which they maintain subordinate lodges and where claimant resides and providing for the service of process on the Insurance Commissioner as attorney therefore

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 604, entitled:

An Act providing for and regulating the contractural powers of schcool districts during the period of the present wars in which the United States is engaged and until six months after proclamation by the President of the United States that hostilities in such wars have ceased

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 611 on second reading, entitled:

An Act to further amend the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2603) entitled "An act relating to vocational education creating vocational school districts for the purpose of conducting systems of vocational schools departments or classes providing for their government prescribing their powers and duties conferring powers and imposing duties on School districts and on the State Board for Vocational Education and providing for referendum in certain cases" limiting the taxing power of vocational school districts and providing for determining the question of establishing vocational schools, departments or classes by the directors of the school district or the several school districts constituting the vocational school district

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 621 on second reading entitled:

An Act to further amend paragraph (d) and to amend paragraph (f) of section one thousand two hundred five of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further regulating the employment dismissal suspension demotion and retirement of professional employes

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 625 on second reading, entitled:

An Act to amend section ten of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 242) entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties" by further regulating the number of apprentices in beauty shops

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that House Bill No. 688 on second reading, entitled:

An Act to further amend section twenty-one of the act approved the sixth day of August one thousand nine hundred forty-one (P. L. 861) entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the "Pennsylvania Board of Parole" conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases providing for the methods of appointment of its members regulating the appointment removal and discharge of its officers clerks and employes dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the boards and of certain other officers and employes thereof making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation" empowering the Board of Parole to grant paroles to convicted persons before the expiration of their minimum sentence with the consent of the sentencing judge or the Pardon Board

be recommitted to the Committee on Judiciary General.

Mr. TALLMAN. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 695 on second reading, entitled:

An Act to amend Section eight hundred one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the

same and the method of collecting such revenue and repealing all laws general special or local or any part thereof that are or may be inconsistent therewith" providing for special meetings of school directors under jurisdiction of county superintendents

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that House Bill No. 721 on second reading, entitled:

An Act to amend section ten and to further amend section twelve of the act approved the twelfth day of May one thousand nine hundred twenty-five (P. L. 603) entitled "An act concerning conditional sales and to make uniform the law relating thereto" by changing the fees to which the filing officer shall be entitled

be recommitted to the Committee on County Government.

Mr. BECKER. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 789 on second reading, entitled:

An Act validating county treasurers' sales of unseated lands heretofore made where such sales were held under laws not at that time applicable to such lands

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 791 on second reading, entitled:

An Act to further amend section two of the act approved the ninth day of March one thousand eight hundred forty-seven (P. L. 278) entitled "An act in relation to the sales of unseated lands in the several counties of this Commonwealth" by providing that the cost of advertising such sales shall be paid out of the proceeds of the sale

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 805, entitled:

An Act to amend Article VIII of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by making it unlawful to injure, tap or make unauthorized connections with telegraph and telephone facilities, to receive or send communications by means of such unauthorized connections or to induce such actions by another; and providing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 898, entitled:

An Act conferring the power to administer oaths on minute clerks in the court of common pleas or the courts of quarter sessions of the Peace Oyer and Terminer and General Jail Delivery in counties of the second class

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 917, entitled:

An Act to validate certain acknowledgments and to regulate the effect thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

HOUSE BILL No. 321 Called Up

Mr. EALY. Mr. President, I call up House Bill No. 321, on page 13 of today's Calendar, for consideration at this time.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 321, entitled:

An Act to amend the title and section one of the act approved the eleventh day of May one thousand eight hundred ninety-nine (P. L. 289) entitled "An act providing for the payment to the county or counties of the moneys or bonus which any foreign railway corporation is required to pay into the State Treasury for the right to pass through said county or counties and by which payment such foreign railway corporation is relieved from local taxation" by providing for payments to counties irrespective of whether relief from payment of local taxes results from payment of the bonus

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. EALY offered the following amendments:

Amend Section 1, page 3, line 4, by striking out at the end of the line the words "and of the"; amend Section 1, page 3, lines 5 and 6, by striking out all of said lines.

They were agreed to.

The second section and title were read and agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING

Mr. HEYBURN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. EDMONDS. Mr. President, I second the motion.
The motion was agreed to.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 278, entitled:

An Act making it a felony for any person to bribe a a participant in any athletic contest.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 420, entitled:

An Act to amend section six hundred seven of the act, approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by prohibiting pool-selling and bookmaking in connection with any sporting event or athletic contest and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 423, entitled:

An Act to amend section two thousand three hundred eleven of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing temporarily for payment of State appropriations where schools are closed on account of impassable roads heavy snow or floods.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 426, entitled:

An Act to further amend subsection (b) of section four hundred fifteen of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by increasing the amount of group life insurance covering certain borrowers and purchasers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 479, entitled:

An Act to enable domestic stock and mutual insurance companies to comply with the taxing statutes and to relieve officers, directors and trustees of domestic stock and mutual insurance companies of personal liability by reason of the payment or determination not to contest payment of any license, excise, privilege, premium, occupation or other fee or tax imposed by any State or political subdivision thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 489, entitled:

An Act to amend Sections one and two and to repeal Section three of the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 606) entitled "An act relating to the sale transfer assignment and pledge of accounts receivable" making further provision for the sale assignment transfer or pledge of certain obligations due and to become due and the notation in certain cases of such sale, assignment, transfer or pledge.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 590, entitled:

An Act to further amend section two of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 685), entitled "An act designating certain life insurance companies as limited life insurance companies, and further describing the powers thereof," by further describing the powers of limited life insurance companies under certain conditions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 792, entitled:

An Act prescribing the question to be determined in certain cases where a new trial is granted

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 850, entitled:

An Act to further amend sections five hundred twenty-two and five hundred twenty-four, and to repeal section five hundred twenty-three of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureau, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by providing regulations relating to standard fire insurance policies.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

The PRESIDENT PRO TEMPORE (M. Harvey Taylor) in the Chair.

BILLS SIGNED

The PRESIDENT PRO TEMPORE (M. Harvey Taylor) announced that the Acting Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 756, entitled:

An Act to reenact and amend clause XIII of section fifteen hundred and two of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "First Class Township Law," by providing for the furnishing of street lighting by contract with lighting companies upon petition of property owners in villages, and for the assessments and collection of the costs and maintenance thereof upon property benefited thereby, and validating petitions of property owners, contracts entered into between townships and lighting companies, taxes levied to pay the costs and maintenance of lighting service, and the collection receipt and payment out of the revenues therefrom notwithstanding such petitions were filed, contracts entered into, and taxes levied, collected and paid out under unconstitutional laws; validating agreements and understandings between townships and lighting companies to continue lighting service pending the enactment of valid laws; regulating and providing for the expenditure of moneys arising from special lighting taxes and authorizing the payment of the costs and expenses of maintaining lighting service until valid laws are enacted to collect charges from property owners benefited thereby out of the township tax; and the creation and transfer of moneys to a special account for such purposes, at any time, notwithstanding the prior adoption of the budget; and authorizing any light and power company to apply the net rate and to waive the gross rate or to grant discounts and to waive penalties in the same manner as if payments had been made by the township within the time required by the contract and the company's schedules or tariffs.

House Bill No. 942, entitled:

An Act to amend the act approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 439), entitled "An act authorizing the Governor of the Commonwealth of Pennsylvania, with the advice of the Attorney General and the approval of certain members of the General Assembly, for a limited period of time, to suspend or modify laws, either in whole or in part, under certain circumstances, during the existence of the present war," by extending the effective period of the act.

Whereupon,

The PRESIDENT PRO TEMPORE (M. Harvey Taylor) in the presence of the Senate signed the same.

ADJOURNMENT

Mr. HEYBURN. Mr. President, I move that the Senate do now adjourn until Thursday, April 15, 1945, at 11:00 o'clock a. m., Eastern War Time.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 7:12 o'clock p. m., Eastern War Time until Thursday, April 5, 1945, at 11:00 o'clock a. m., Eastern War Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, April 4, 1945.

The House met at 1 p. m.

The SPEAKER (Ira T. Fiss) in the Chair.

PRAYER

The Chaplain, Rev. Lester C. Updegrove, offered the following prayer:

Almighty God, our heavenly Father, we come to Thee in obedience to Thy Word and because of our needs which are constant. Grant that we may be ever aware of Thy strength which will never fail us. May we always demonstrate that courage and loyalty, which is ours for the receiving, so that we may be true to those who have placed their trust in us, and to Thee, our God. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Tuesday, April 3, 1945.

The Clerk proceeded to read the Journal of Tuesday, April 3, 1945, when, on motion of Mr. STONIER unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILL INTRODUCED AND REFERRED

By Mr. LLOYD H. WOOD. HOUSE BILL No. 1275.

An Act making an appropriation to the Department of Welfare for use by the State Council for the Blind in supplying home instruction for adult blind persons residing in Bucks, Delaware, Montgomery and Philadelphia Counties.

Referred to the Committee on Appropriations.

RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. BONEY and WHITE.

RESOLUTION No. 46.

In the House of Representatives, March 3, 1945.

Whereas, It is "G. I. Joe," the enlisted man of the armed forces, who fights and wins the decisive battles of the global conflicts, and who earns the glory and the decorations of achievement; and

Whereas, The peace terms of past wars upon which were built the chances of avoiding recurrences of international conflicts have been made and determined without the participation of the men whose lives have been interrupted and endangered, and in many cases, whose health and strength have been impaired in the service of their country, and whose sons and daughters were destined to fight in the next war; therefore, be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania hereby respectfully petitions the President of the United States in the appointment of representatives of our government to sit at the peace tables following the victories over Germany and over Japan, to appoint at least one representative from the rank and file of the enlisted men or non-commissioned officers, who has actively participated in fighting the enemy, to sit as a member of the peace conference, and that a representative of the enlisted personnel be assigned to sit with the delegation representing the United States of America at the United Nations Conference at San Francisco; and be it further

Resolved, That a copy of these resolutions be certified by the Chief Clerk of the House of Representatives and transmitted to His Excellency, Franklin D. Roosevelt, President of the United States.

Referred to the Committee on Rules.

By Miss BRANCATO and Mr. SKALE.

(Concurrent) RESOLUTION No. 47.

In the House of Representatives, April 3, 1945.

It has been called to the attention of several members of the House of Representatives that conditions at the Philadelphia State Hospital, formerly known as Phiadelphia Hospital for Mental Diseases, and commonly referred to as Byberry Hospital are as follows:

1. Overcrowding.
2. Lack of proper sanitation.
3. Inadequate personnel.
4. Underpaid personnel.
5. Failure to properly segregate the various types of mental patients.

The complaints made may or may not be true but they have been so persistent that only an investigation can determine the true conditions, therefore be it

Resolved (if the Senate concurs), That a commission is hereby created which shall be composed of three members of the Senate to be appointed by the President of the Senate, and four members of the House of Representatives to be appointed by the Speaker of the House, whose duty it shall be to make a careful, thorough and impartial investigation of the Philadelphia State Hospital for Mental Diseases, (commonly referred to as Byberry Hospital) to particularly ascertain the existence and extent, if any, of the overcrowding of said institution, and also to ascertain the prevailing conditions of sanitation, adequacy of personnel and their compensation, and the method and manner of segregating the various types of mental patients therein; and be it further

Resolved, That the said committee shall have power to issue subpoenas under the hand and seal of its chairman requesting and commanding any person or persons to appear before them and to answer such questions touching matters properly being inquired into by the committee, and to produce such books, papers, records and documents as the committee may deem necessary. Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth. Each member of said committee shall have power to administer oaths and affirmations to witnesses appearing before the committee. Any person who shall wilfully neglect or refuse to testify before said committee or to produce any books, papers, records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases; and be it further

Resolved, That said committee shall make a report of its findings and recommendations to the General Assembly at this session as early as possible.

Referred to the Committee on Rules.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 293.

An Act to amend section one of the act approved the seventeenth day of May one thousand nine hundred twenty-nine (P. L. 1798, No. 591) entitled "An act providing a fixed charge payable by the Commonwealth on lands acquired by the State and the Federal Government for forest reserves or for the purpose of preserving and perpetuating a portion of the original forests of Pennsylvania and preserving and maintaining the same as public places and parks and the distribution of the same for county school township and road purposes in the counties school districts and townships where such forests are located and making an appropriation" increasing the amount which the counties will receive from the State for forest reserves.

Referred to the Committee on State Government.

SENATE BILL No. 342.

An Act to amend section two hundred thirty-two of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," requiring each register of wills to give a joint and several bond, approved by the judges of the orphans' court and by the Governor.

Referred to the Committee on Judiciary General.

SENATE BILL No. 457.

An Act to further amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," further revising and changing the penal laws of the Commonwealth

Referred to the Committee on Judiciary Special.

SENATE BILL No. 9

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of costs incurred by that Department in acting as purchasing agent for the Department of Highways.

Referred to the Committee on Appropriations.

SENATE BILL No. 459.

An Act to amend section six of the act approved the twelfth day of June one thousand eight hundred seventy-eight (P. L. 196) entitled "An act to consolidate revise and amend the penal laws of this Commonwealth" by fixing the time for the commencement and prosecution of indictments for certain felonies committed by certain persons

Referred to the Committee on Judiciary Special.

SENATE BILL No. 465.

An Act to further amend section one of the act approved the nineteenth day of July one thousand nine hundred thirty-five (P. L. 1356) entitled "An act to regulate the sale and delivery of solid fuel as herein defined providing for appointment of licensed weighmasters prescribing their powers and duties authorizing substitute licensed weighmasters imposing certain duties on the Department of Internal Affairs and providing penalties" by defining the word "vehicle."

Referred to the Committee on State Government.

SENATE BILL No. 519.

An Act to amend section eight of the act approved the third day of June one thousand nine hundred nineteen (P. L. 366) entitled "An act reorganizing the Department of State Police creating therein a Bureau of Fire Protection providing for a State Police Force and defining the powers and duties of the same including the enforcement of laws relating to game fish forestry and water supply and certain other laws and including the collection of information useful for the detection of crime and the apprehension of criminals providing for the equipment maintenance and transportation of such police providing for barracks and substations therefor and prescribing penalties" by providing for and requiring additional credit in examinations of honorably discharged persons who served in the armed forces of the United States during any war in which the United States was engaged.

Referred to the Committee on State Government.

SENATE BILL No. 527.

An Act providing for the indexing of the Legislative Journal and fixing the sum allowed therefor.

Referred to the Committee on State Government.

SENATE BILL No. 532.

An Act to amend section two of the Act approved the thirtieth day of April one thousand nine hundred and twenty-nine (P. L. 903) entitled "An act relating to corporations providing methods of determining what stockholders shall be entitled to vote at meetings or to receive dividends or allotments of rights or to exercise rights and the effect thereon of transfers of stock within sixty days of any election or meeting" by making further provision for such determination in lieu of closing the stock transfer books.

Referred to the Committee on Corporations and Industry.

SENATE BILL No. 538.

An Act to amend section eight of the act approved the eighth day of May one thousand nine hundred forty-four (Act No. 2) entitled "A supplement to the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled 'An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections'" by further regulating the disposition of military files.

Referred to the Committee on Elections.

SENATE BILL No. 539.

An Act to amend section nine of the act approved the fifth day of May one thousand nine hundred forty-four (Act No. 1) entitled "A Supplement to the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled 'An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections'" further regulating the disposition of military files.

Referred to the Committee on Elections.

SENATE BILL No. 579.

An Act to safeguard human life prohibiting the performance of operations previous to the making of certain preoperative studies and tests and the inspection thereof by the person performing the operation except an emergency operation defining an emergency operation and a pre-operative study and providing penalties.

Referred to the Committee on Public Health and Sanitation.

LEAVES OF ABSENCE

By consent of the House leave of absence was granted as follows:

Mr. Fleming for Mr. EWING for today and tomorrow's session because of illness in the family.

Mr. FULLERTON for himself for tomorrow's session.

Mr. NAGEL for himself for tomorrow's session.

Mr. GORE for himself for tomorrow's session.

Mr. Owens for Mr. CHERVENAK for today's session because of illness.

Mr. BROWN for himself for tomorrow's session.

Miss BRANCATO for herself for tomorrow's session.

Mr. Heatherington for Mr. REYNOLDS because of death in the family.

COMMITTEE REPORTS

Mr. LYONS from the Committee on Appropriations reported as committed House Bill No. 826, entitled:

An Act making an appropriation to the Department of Health to pay the costs of continuing its health programs in full, under certain conditions, and prohibiting the Department to accept Federal funds under certain conditions.

Mr. FLEMING from the Committee on Appropriations reported as committed House Bill No. 1175, entitled:

A Supplement to the act approved the fourth day of June, one thousand nine hundred forty-three (Appropriation Acts, page 59) entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and forty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and forty-three" providing for a deficiency in an appropriation made by the act for the fiscal biennium ending May thirty-first, one thousand nine hundred forty-five.

Mr. STUART from the Committee on Cities and Counties— Second Class re-reported as committed House Bill No. 936, entitled:

An Act to amend section two of the act approved the twelfth day of May one thousand nine hundred eleven (P. L. 295) entitled "A supplement to an act entitled 'An act for the government of cities of the second class' approved the seventh day of March Anno Domini one thousand nine hundred and one providing for the levy collection and disbursement of taxes and water-rents or rates and conferring certain powers and duties in reference thereto upon the city treasurer the board of water assessors and the collector of delinquent taxes and repealing certain acts relating to matters herein provided for" by fixing a limit for taxes to be levied on real estate

Mr. KIRLEY from the Committee on Cities and Counties—Second Class re-reported as committed House Bill No. 1050, entitled:

An Act to further amend clause I of section three of article XIX of the act approved the seventh day of March one thousand nine hundred one (P. L. 20) entitled "An act for the government of cities of the second class" making the real estate of public service companies subject to taxation and providing certain exceptions

Mr. STONIER from the Committee on Cities and Counties—Second Class re-reported as committed House Bill No. 1190, entitled:

An Act empowering cities of the second class to levy, assess and collect, or to provide for the levying, assessment and collection of, certain additional taxes for gen-

al revenue purposes; authorizing the establishment of reaus, and the appointment and compensation of of- ers and employes to assess and collect such taxes; id permitting penalties to be imposed and enforced.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, pre- nted a communication in writing from His Excellency ie Governor, which was read as follows:

MESSAGE TO THE GENERAL ASSEMBLY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, Pa.

lembers of the General Assembly:

In my message at the opening of this session of the egislature I recommended that the Legislature give con- deration to a program of liberalization of the Work- ıen's Compensation, Occupational Disease and Unem- loyment Compensation laws. I pointed out that such a rogram should give consideration to existing and pros- ective conditions confronting the State in competition ith similar conditions in other States. It was my hope ıat labor and industry would be able to agree upon fair nd equitable amendments to the present laws. I said If they cannot do so I will not shirk the obligation of aking specific recommendations to the Legislature."

Representatives of labor and industry have met from me to time and have made an honest effort to come to common understanding and agreement. It has been eported to me that although a better understanding and elationship has resulted from these many conferences, ıey are not, however, able to come to a full and com- lete agreement with reference to the necessary amend- ıents to these laws.

Therefore, carrying out the obligation in my original ıessage, I make the following specific recommendations:

Workmen's Compensation

I recommend that the maximum payments be increased rom $18.00 per week to $20.00 per week and that the ıinimum payments be increased from $9.00 per week o $10.00.

I recommend that the ceiling of $7,500 placed on per- ıanent and total disability cases be removed and that 00 weeks at $20.00 a week shall mean 500 weeks or 10,000 instead of $7,500.

I recommend that all other money benefits be raised 1 per cent to the even dollar.

Under existing law no compensation is provided for he loss of toes. I recommend that provision be made for pecific loss of toes on the following basis: for great toe, ompensation for a period of 40 weeks, and for other oe or toes for a period of 16 weeks.

I further recommend that the existing law which de- nes the loss of a hand or a foot as an amputation be- ow the elbow or below the knee joint be redefined so hat the loss of a hand or a foot by amputation at the rist or ankle joint shall be the loss of a hand or a foot.

I further recommend that a new classification for pecific loss be set up for amputations between the wrist oint and the elbow joint and between the ankle joint nd the knee joint: that compensation be paid for a period f 195 weeks in the case of an amputation between the wrist joint and the elbow joint, and for a period of 180 weeks for an amputation between the ankle joint and the knee joint.

I also recommend the elimination of the strict and stringent provisions of existing law with reference to hernia resulting from personal injury in the course of employment.

It is further recommended that the provisions of existing law with reference to medical services be liberalized so that the Workmen's Compensation Board may allow medical and surgical services for an additional 30 days beyond that now provided for, at an additional cost not to exceed $75.00, and that hospitalization be extended for an additional 30-day period.

Occupational Disease

I recommend that the Occupational Disease Act be amended so as to provide for the same benefits which I have recommended herein with reference to Workmen's Compensation.

Unemployment Compensation

It is recommended that the benefits under unemployment compensation be increased from $18.00 per week to $20.00 per week, and that the period of payment be extended from 16 weeks to 20 weeks; that the waiting period be reduced from two weeks to one week, and that the present law be amended so as to provide for benefits for partial unemployment.

In making these recommendations I have kept in mind and given consideration to existing and prospective conditions confronting this Commonwealth in competition with similar conditions in other states. If the benefits were to be further extended it might result in our inability to compete with similar industries outside of Pennsylvania.

This would result in unemployment. Instead of being beneficial to the employes of our State, it might deprive them of the opportunity to be gainfully employed.

I, therefore, suggest that these recommendations be enacted into law.

EDWARD MARTIN.

The SPEAKER. The message from the Governor will be printed full in the Legislative Journal.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, it is with profound gratification that we on this side of the House welcome the communication of His Excellency, the Governor.

We are pleased to find that in accordance with what we believe to be the proper duties of the Executive, His Excellency, the Governor, has laid aside the doctrine he has from time to time proclaimed, namely, that the Executive should not interfere in the affairs of the legislative branch of the government. We do not believe that the submission of recommendations upon the part of the Executive and proper efforts to secure the adoption of these recommendations is interference with the legislative function, and we would wish that in other matters of equal concern and upon which there is a possibility of an equal divergence of opinion, that His Ex-

cellency, the Governor, would supplement the statement of this morning with a statement concerning other matters of prime legislative concern, and give to the legislative program that should be now in our hands leadership which the legislative situation up to this time has lacked. It is not our portion, Mr. Speaker, to carry the legislative ball.

We take this position, that if the administration and the majority party of this House are running toward a goal in the right direction that we will not extend a foot to trip them up; we will help them over that goal, and if they do not run in that direction, we will try to divert them. I assure you, Mr. Speaker, that the minority party will carefully study the communication received this morning from His Excellency the Governor. We will inquire as to the measure in which this message, this statement fulfills commitments, direct or implied, previously made to the representatives of the labor groups, and if we find that this doctrine, this statement, complies with the representations previously made to the representatives of the labor groups, I assure you, Mr. Speaker, that we will place no obstacle in the way of legislation embodying those recommendations.

The SPEAKER. The Chair requests the gentleman from Allegheny, Mr. Baker, to preside during the first reading calendar.

MR. BAKER IN THE CHAIR

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 149, entitled:

An Act to amend section four hundred six of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligation on institution districts and on the Commonwealth regulating the affair of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" providing for the maintenance of persons suffering from contagious diseases in counties and cities of the first and second classes

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 210, entitled:

An Act to amend section seven of the act approved the sixteenth day of July one thousand nine hundred forty-one (P. L. 400) entitled "An act to protect the debtors obligors or guarantors of debts for which judgments ar entered or may be entered and owners of real propert affected thereby and others indirectly liable for the pay ment thereof by prescribing the method of fixing th fair market value of such property sold on execution an limiting the amount collectible thereafter on such judg ments" providing for the discharge of obligations secure by the bond mortgage or other evidence of indebtednes on which real property is sold and for satisfaction o judgments entered thereon

And said bill having been read at length the first time Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 217, entitled:

An Act to further amend the title and the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 176) entitled as amended "An act requiring cities of the second second A and third class to allow members of the police departments twenty-four consecutive hours of rest each week and fourteen days vacation each year except in emergency cases" extending the provisions of said act to cities boroughs incorporated towns and townships

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 391, entitled:

An Act making voidable releases of claims for personal injuries or death given within thirty days and providing for the avoidance of the same

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 641, entitled:

An Act to reenact and amend the title and sections one, two, three and four of the act approved the twenty-eighth day of May, one thousand nine hundred forty-three (P. L. 797), entitled "An act relating to the release, reduction or limitation of powers of appointment," by extending the terms of such act to cover a power of consumption and by providing for the release and disclaimer of any power of appointment, whether general or special, other than a power in trust, which is imperative, and of any interest in, to or over real or personal property, or the income therefrom, held or owned outright or in trust, or in any other manner, reserved or given to any person by deed, will or otherwise howsoever, and irrespective of any limitation of such power or interest by virtue of any restriction in the nature of a so-called spendthrift trust provision or similar provision, and providing for the execution, delivery and recording of such release or disclaimer.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1010, entitled:

An Act to add clause (k) to section one thousand three hundred two of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the

ommonwealth by the Executive Department thereof and ıe administrative departments boards commissions and ficers thereof including the boards of trustees of State ormal Schools or Teachers Colleges; abolishing creating eorganizing or authorizing the reorganization of certain ıdministrative departments boards and commissions; de- ning the powers and duties of the Governor and other xecutive and administrative officers and of the several ıdministrative departments boards commissions and of- cers fixing the salaries of the Governor Lieutenant Gov- rnor and certain other executive and administrative fficers providing for the appointment of certain admin- trative officers and of all deputies and other assistants nd employes in certain departments boards and commis- ions and prescribing the manner in which the number nd compensation of the deputies and all other assistants nd employes of certain departments boards and com- ıissions shall be determined," by providing for further egulation of secondary education and placing additional uties upon the Department of Public Instruction and econdary schools.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and considera- ion of House Bill No. 1036, entitled:

An Act relating to the rate of pay for policemen fire- nen and park guards in cities of the first class provid- ng for a system whereby policemen firemen and park uards of cities of the first class who shall enter or who hall have entered the military service during the pres- nt hostilities shall be paid upon honorable discharge nd re-entry into the police fire or park guard service t the same rate of pay as if they had actually served on he police force fire bureau or park guard force of cities f the first class during the years months or days they vere in the military service

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and considera- ion of House Bill No. 1119, entitled:

An Act to add subsection (d) to section eight of the act approved the seventh day of June one thousand nine nundred seventeen (P. L. 363) entitled "An act relating to the organization jurisdiction and procedure of the orphans' courts the powers and duties of the judges thereof and appeals therefrom" authorizing the clerk of the orphans' court to invest certain moneys in the custody of the court

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and considera- tion of House Bill No. 1195, entitled:

An Act to amend section ten of the act approved the fourth day of June one thousand nine hundred forty- three (P. L. 886) entitled "An act creating a Municipal Employes' Retirement System for the payment of re- tirement allowances to officers and employes of political subdivisions and institutions supported and maintained by them and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor imposing certain duties on the State Employes' Retirement Board and the actu- ary thereof providing the procedure whereby political subdivisions may join such system and imposing certain liabilities and obligations on such political subdivisions in connection therewith and as to certain existing retire- ment and pension system and upon officers and employes of such political subdivisions and institutions supported and maintained by them providing certain exemptions from taxation execution attachment levy and sale and making an appropriation" including any service as a member of the General Assembly in the period of service of a contributor upon his making certain back payments

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and considera- tion of Senate Bill No. 172, entitled:

An Act providing for the appointment of guardian in inter vivos gifts or under insurance or annuity policies

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and considera- tion of Senate Bill No. 300, entitled:

An Act to further amend sections twenty-five twenty- six and thirty-six of the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1237) entitled "An act affecting martial relations pre- scribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages and amending revising and consolidating the law relating thereto" by providing that libels in divorce may be presented sub- poenas awarded and masters appointed by a judge at chambers

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and considera- tion of House Bill No. 1017, entitled:

An Act to protect the public health and safety by re- quiring registration with and the securing of permits from the State Board of Pharmacy by persons copartner- ships associations and corporations engaged in the manu- facture or production of drugs and medical supplies regu- lating the manufacture of drugs and medical supplies as herein defined prohibiting the manufacture possession or sale of adulterated or misbranded drugs and medical supplies prescribing permits providing for inspections and the suspension and revocation of permits conferring powers on the State Board of Pharmacy and courts and providing penalties

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL NOT ON FILE

The SPEAKER pro tempore. House Bill No. 1017, Printer's No. 469, is not on file and will be passed over temporarily.

THE SPEAKER (Ira T. Fiss) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Allegheny, Mr. Baker, for presiding.

BILLS ON SECOND READING

Agreeably to order,

The bill having been called up from the postponed calendar, by Mr. LEE.

The House resumed the consideration on second reading of House Bill No. 181, entitled:

An Act to amend section one of the act, approved the twelfth day of June, one thousand nine hundred twenty-three (P. L. 692, No. 288), entitled "An act fixing the salary of county commissioners in counties of the first class," by increasing the salaries of such commissioners.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The bill having been called up from the postponed calendar, by Mr. LEE.

The House resumed the consideration on second reading of House Bill No. 183, entitled:

An Act fixing the salary of the controller in counties of the first class.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1071, entitled:

An Act to amend sections ten and fifty-five of the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1237), entitled "An act affecting marital relations; prescribing grounds and regulating proceedings for divorce and the annulment of bigmous marriages; and amending, revising, and consolidating the law relating thereto," by providing additional grounds for divorce and regulating the proceedings therefor.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. READINGER. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary General for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 438, entitled:

An Act authorizing cities boroughs incorporated towns and townships to abate certain interest charges and penalties added to municipal claims imposed or assessed for certain improvements prohibiting the sale of real property for the nonpayment of such claims for a certain period preserving the liens of such claims and providing for the extension thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FINAL PASSAGE

BILLS PASSED OVER

There being no objection
House Bill No. 685, Printer's No. 454 and
House Bill No. 915, Printer's No. 459
were passed over at the request of the SPEAKER.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. TROUT asked and obtained permission for the Committee on Motor Vehicles to meet during the session of the House.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection
House Bill No. 717, Printer's No. 332,
Senate Bill No. 195, Printer's No. 72 and
House Bill No. 411, Printer's No. 377
were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 211, as follows:

An Act providing for and regulating the appointment promotion and reduction in rank suspension and removal of paid operators of fire apparatus in boroughs incorporated towns and towns' ps of the first class creating a civil service commission in each borough incorporated town and township of the first class defining the duties of such civil service commission imposing certain duties and expenses on boroughs incorporated towns and townships of the first class imposing penalties and repealing inconsistent laws

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Appointments Etc As Operators Of Fire Apparatus In Boroughs Incorporated Towns And Townships Of The First Class Hereafter each and every appointment as a fire apparatus operator in every borough incorporated town and township of the first class (hereinafter referred to as a municipality) shall be made only according to qualifications and fitness to be ascertained by examination which shall be competitive as hereinafter provided

No person shall hereinafter be suspended removed or reduced in rank as a paid operator of fire apparatus of any municipality except in accordance with the provisions of this act

Section 2 Civil Service Commission Created Appointments Vacancies There is hereby created in each borough incorporated town and township of the first class where a fire apparatus operator is being maintained or employed a civil service commission hereinafter referred to as a commission Provided however That each borough incorporated town and township of the first class above mentioned shall have the option and privilege of not appointing a new civil service commission under this act and in lieu thereof may utilize and use for the purpose of carrying out the provisions of this act the civil service commission already existing and functioning under the provisions of section two of the act approved the fifth day of June one thousand nine hundred forty-one (P. L. 84)

Each commission shall consist of three commissioners who shall be qualified electors of the political subdivision for which appointed and shall be appointed initially to serve for the terms of two four and six years and as terms thereafter expire shall be appointed for a period of six years as follows

In the case of a borough the appointment shall be made by the borough council in the case of an incorporated town the appointments shall be made by the town council and in the case of the townships of the first class the appointments shall be made by the township commissioners

The members of each commission first appointed under the provisions of this act shall be so appointed within thirty days after the effective date of this act

Any vacancy occurring in any commission for any reason whatsoever shall be filled for the unexpired term

within the period of thirty days after such vacancy occurs Such vacancies shall be filled by the appointing power which made the original appointment

Each member of the commission created by this act before entering upon the discharge of the duties of his office shall take an oath or affirmation to support the Constitution of the United States and of the Commonwealth of Pennsylvania and to perform his official duties with fidelity

Section 3 Offices Incompatible With Civil Service Commission Political Activities Prohibited No member of the commission shall at the same time hold an elective or appointive office under the United States Government the Commonwealth of Pennsylvania or any any political subdivision of the Commonwealth except that one member of the commission may be a member of the council of the borough or incorporated town or board of township commissioners as the case may be

Section 4 Organization of Commission Quorum The commission of each municipality first appointed shall organize within ten days of its appointment and shall elect one of its members as the chairman and one as the secretary of the commission on the first Monday of each even numbered year Each commissioner shall be notified in writing of each and every meeting Two members of the commission shall constitute a quorum and no action of the commission shall be valid unless it shall have the concurrence of at least two members

Section 5 Clerks and Supplies Etc The municipality shall furnish to the commission on its requisition such clerical assistance as may be necessary for the work of the commission The municipality shall furnish a suitable and convenient room for the use of the commission The commission shall order from the municipality the necessary stationery postage printing or supplies and the elected and appointed officials of every municipality shall aid the commission in all proper ways in carrying out the provisions of this act

Section 6 Rules and Regulations Each commission shall have power to prescribe amend and enforce rules and regulations for carrying into effect the provisions of this act and shall be governed thereby Before any such rules and regulations are in force the same shall be approved by the council of the borough or incorporated town or the township commissioners which ever the case may be When such rules and regulations have been approved they shall not be annulled amended or added to without the approval of said council or commissioners All rules and regulations and modifications thereof shall be printed for public distribution at the expense of the municipality

Section 7 Minutes and Records Each commission shall keep minutes of its proceedings and records of examinations and other official actions All recommendations of applicants for appointments received by the commission shall be kept and preserved for a period of five years and all such records and all written causes of removal filed with the commission shall be kept subject to reasonable regulation and open to the public inspection

Section 8 Investigations The commission shall have power to make investigations concerning all matters touching the administration and enforcement of this act and rules and regulations adopted thereunder The acting chairman of the commission is hereby given power to administer oaths as oaths are administered by other public officers with the same force and carrying the same penalties

Section 9 Subpoenas The commission shall have power to issue subpoenas over the signature of the chairman to require the attendance of witnesses and the production of records and papers pertaining to any investigation or inquiry authorized by this act The fees of such witnesses for attendance and travel shall be the same as for witnesses appearing in the courts and shall be paid from the appropriations for the incidental expenses of the commission

All officers in public service and employes shall attend and testify when required to do so by the commission

If any person shall refuse or neglect to obey any subpoena issued by the commission he shall be guilty of violation of this act and upon summary conviction thereof shall be subject to a fine not to exceed one hundred dollars ($100) or imprisonment not to exceed thirty (30) days

If any person shall refuse or neglect to obey any subpoena issued by the commission it may apply by petition to the court of common pleas of the county for its subpoena requiring the attendance of such persons before the court there to testify and to produce the necessary papers or records and in default thereof shall be held in contempt of court and punished therefor

Section 10 Annual Report The commission shall make an annual report to the council or commissioners of the municipality as the case may be containing a brief summary of its work during the year which shall be available for public inspection five days after filing thereof

Section 11 General Provisions Relating to Examinations Each commission shall make rules and regulations to be approved as provided in section six hereof providing for the examinations of applicants for positions as fire apparatus operators and for promotion thereof which rules and regulations shall prescribe the minimum qualifications of all applicants to be examined and passing grades All examinations for promotions or positions as fire apparatus operators of any municipality shall be practical in character and shall relate to such matters and include such inquiries as will test the merit and fitness of the persons examined to discharge the duties of the employment sought by them

All examinations shall be open to all applicants who have the minimum qualifications required by the rules and regulations Each applicant for examination shall be subject to the regulations adopted by the commission and shall be required to submit to a physical examination before being admitted to the regular examination held by the commission

Public notice of the time and place of every examination together with the information as to the kind of position or place to be filled shall be given by publication once in a newspaper of general circulation in the municipality or in a newspaper circulating generally in the municipality at least two weeks prior to each examination and a copy of the notice shall be prominently posted in the office of the commission or other public place

The commission shall post in its office the eligible list containing the names and grades of those who have passed the examination for position

Under this act soldiers as defined by the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 872) who have successfully passed the examination shall be given the additional credits provided for by said act

Section 12 Application For Examination Each person desiring to apply for examination shall file with the commission a formal application in which the applicant shall state under oath or affirmation (a) his full name and residence or post office address (b) his citizenship place and date of birth (c) his condition of health and physical capacity for public service (d) his business or employment and his residence for the past five years (e) such other information as may be required by the commission's rules and regulations showing the applicant's qualifications for the position for which he is being examined

Section 13 Rejection of Applicant Hearing The commission may refuse to examine any applicant or if examined may refuse to certify after examination any person who is found to lack any of the minimum qualifications for examination prescribed in the rules and regulations adopted for the position or employment for which he has applied or who is physically disabled and unfit for the performance of the duties of the position to which he seeks employment or who is addicted to the habitual use of intoxicating liquors or drugs or who has been guilty of any crime involving moral turpitude or of infamous or notorious disgraceful conduct or who has been dismissed from public service for delinquency or misconduct in office or who is affiliated with any group

whose policies or activities are subversive to the form of government set forth in the Constitutions and laws of the United States and Pennsylvania

If any applicant or person feels himself aggrieved by the action of the commission in refusing to examine him or to certify him as eligible after examination the commission shall at the request of such person within ten days appoint a time and place where he may appear personally and by council whereupon the commission shall then review its refusal to make such examination of certification and take such testimony as may be offered The decision of the commission shall be final

Section 14 Manner of Filling Appointments Every position or employment unless filled by promotion reinstatement or reduction shall be filled only in the following manner

The appointing officer or body of the municipality shall notify the commission of any vacancy as a fire apparatus operator which is to be filled and shall request the certification of a list of eligibles The commission shall certify for each existing vacancy from the eligible list the names of three persons therefrom who have received the highest average in the last preceding examination held within a period of one year next preceding the date of the request for such eligibles The appointing officer or body shall thereupon with sole reference to the merits and fitness of the candidates make an appointment from the three names certified unless he or they make objections to the commission as to one or more of the persons so certified for any reason stated in section thirteen of this act Should such objections be sustained by the commission as provided in said section the commissioner shall thereupon strike the name of such person from the eligible list and certify the next highest name for each name striken off As each subsequent vacancy occurs in the same or another position precisely the same procedure shall be followed

Section 15 Age Residence No person shall be eligible to apply for examination unless he is more than twenty-one years old at the date of the application and has been a resident of the municipality for at least one year immediately preceding his application unless no resident applicants are available

Section 16 Probationary Period All original appointments to positions as fire apparatus operators shall be for a probationary period of six months but during the probationary period an appointee may be dismissed only for a cause specified in section thirteen of this act If at the close of the probationary period the conduct or fitness of the probationer has not been satisfactory to the appointing body or officer the probationer shall be notified in writing that he will not receive a permanent appointment Thereupon his appointment shall cease otherwise his retention shall be equivalent to a permanent appointment

Section 17 Provisional Appointments Whenever there are urgent reasons for the filling of a vacancy in any position and there are no names on the eligible list for such appointment the appointing officer or body may nominate to the commission for non-competitive examination and if such nominees shall be certified by the commission as qualified after such non-competitive examination he may be appointed provisionally to fill such vacancy until a selection and appointment can be made after competitive examination in the manner prescribed in this act No such provisional appointment shall continue for a period longer than three months nor shall a successive provisional appointment be made to the same position It shall thereafter be the duty of the commission to hold a competitive examination and certify the names of a list of eligibles and a regular appointment shall then be made from the names or name submitted by the commission Provided however That nothing herein contained shall prevent the temporary appointment without examination of persons as fire appartus operators in emergency cases

Section 18 Promotions Promotions shall be based on merits to be ascertained by examination to be prescribed by the commission All questions relative to promotions shall be practical in character and such as will fairly test the merit and fitness of persons seeking promotion

The appointing body or officer shall have power to determine whether an increase in salary shall constitute a promotion

Section 19 Physical Examinations All applicants for examination shall undergo a physical examination which shall be conducted under the supervision of a doctor of medicine appointed by the civil service commission No person shall be eligible to take an examination until said doctor certifies that the applicant is free from any bodily or mental defects deformity or disease that might incapacitate him from the discharge of the duties of the position desired

Section 20 Removals No person employed as a fire apparatus operator of any political subdivision shall be suspended removed or reduced in rank except for the following reasons (a) physical or mental disability affecting his ability to keep in service in which cases the person shall receive an honorable discharge from service (b) neglect or violation of any official duty (c) violation of any law of this Commonwealth which provided that such a violation constitutes a felony (d) inefficiency neglect intemperance disobedience of orders or conduct unbecoming a public sevant (e) intoxication while on duty (f) participation in the conducting of any political or election campaign otherwise than to exercise his own right of suffrage A person so employed shall not be removed for religious racial or political reasons A written statement of any charges made against any person so employed shall be furnish to such person within five days after the same are filed

If for reasons of economy or other reasons it shall be deemed necessary by any municipality to reduce the number of paid employes of fire apparatus operators then such political subdivision shall apply the following procedure (a) if there are any employes eligible for retirement under the terms of any retirement or pension law then such reduction in number shall be made if the party to be retired is sixty-five years of age or over (b) if the number of paid employes is insufficient to effect the necessary reduction or if there are no persons eligible for retirement or if no retirement or pension fund exists then the reduction shall be effected by furloughing the man or men including probationers last appointed as fire apparatus operators Such furloughing shall be effected by furloughing in numerical order from the last man appointed until such reduction shall have been accomplished

In the event the said fire apparatus operators shall again be increased the employes furloughed shall be reinstated in the order of their seniority in the service

Section 21 Hearings On Dismissals And Reductions If the person sought to be suspended removed or reduced in rank shall demand a hearing by the commission the demand shall be made to the commission Such person may make written answers to any charges filed against him The commission shall grant him a hearing which shall be held within a period of ten days from the filing of charges in writing and written answers thereto filed within five days and may be continued by the commission for cause or at the request of the accused At any such hearing the person against whom the charges are made may be present in person and by counsel The appointing officer or body may suspend any such person without pay pending the determination of the charges against him but in the event the commission fails to uphold the charges then the person sought to be suspended removed or demoted shall be reinstated with full pay for the period during which he was suspended and no charges shall be officially recorded against his record

A stenographic record of all testimony taken at such a hearing shall be filed with and preserved by the commission which record shall be sealed and not available for public inspection in case the charges are dismissed

In the event the commission shall sustain the charges and order the suspension removal or reduction in rank the person suspended removed or reduced in rank shall have immediate right to appeal to the court of common pleas of the county and the case shall be there de-

termined as the court deems proper No order or suspension made by the commission shall be for a longer period than a year Such appeal shall be taken within sixty days from the date of entry by the commission of its final order and shall be by petition Upon such appeal being taken and docketed the court of common pleas shall fix a day for a hearing and shall proceed to hear the appeal on the original record and no such additional proof or testimony as the person sought to be removed or reduced in rank may desire to offer in evidence shall be permitted to be introduced The decision of the courts affirming or reversing the decision of the commission shall be final and the employe shall be suspended discharged demoted or reinstated according to the order of the court The appointing officer and body and the person sought to be suspended removed or demoted shall at all times have the right to employ counsel before the commission and the aggrieved party or parties shall have the right to appeal to the court of common pleas and shall have the further right of appealing to the Superior Court or Supreme Court in such manner as is now provided by law

Section 22 Present Employes Exempted All appointments as fire appartus operators of municipalities upon the effective date of this act shall continue to hold their positions and shall not be required to take any examination under the provisions of this act except such as may be required for promotion Provided however That this section shall not be construed to apply to persons employed temporarily in emergency cases

Section 23 Discrimination On Account of Political Or Religious Affiliations No question in any form of application for examination or in any examination shall be so framed as to elicit information concerning the political or religious opinion of any applicant nor shall inquiry be made concerning such opinion or affiliation and all disclosures thereof shall be discountenanced No discrimination shall be exercised threatened or promised against or in favor of any applicant or employe because of racial political or religious opinions or affiliations or race and no benefit direct or indirect shall be paid to or received by any person for any act done or duty omitted or to be done under this act

Section 24 Penalty Any councilman or township commissioner who by his vote causes to be appointed any person as a fire apparatus operator of any municipality contrary to the provisions of this act or any councilman township commissioner or members of the commission who wilfully refuses to comply with or conform to the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one hundred dollars ($100) or suffer imprisonment not exceeding three (3) months or both

Section 25 Military Service If any operator of fire apparatus be called or enter the armed service of this country he shall be reinstated upon his return

In the event that a retirement or pension act or system is in effect the time spent in the armed service shall count towards said retirement or pension

Section 26 Salaries Of Civil Service Commission The civil service commission shall receive no compensation

Section 27 Repeal And Construction Except as provided in section one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 492) providing for the relaxation of civil service requirements during the war emergency and six months thereafter all other acts and parts of acts inconsistent with this act are hereby repealed

It is the purpose of this act to furnish a complete and exclusive system for the appointment promotion reduction or suspension or removal of operators of fire apparatus in every borough incorporated town and township of the first class within the Commonwealth which maintains fire apparatus

Section 28 Fire Apparatus Operators Defined "Fire apparatus operators" as used in this act shall mean any person who operates fire apparatus and devotes his normal working hours to operating any piece of fire apparatus or other services directly connected with fire protection work and who are paid a stated salary or compensation for such work directly or indirectly by the municipality

Section 29 Effective Date The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—166

Andrews,	Frost,	Lovett,	Regan,
Baker,	Fullerton,	Lyons,	Reidenbach,
Barrett,	Gaffney,	Madden,	Reilly,
Barton,	Gardner,	Madigan,	Riley,
Baumunk,	Getchey,	Mahany,	Robertson,
Bentzel,	Gibson,	McAtee,	Root,
Boies,	Goodling,	McClester,	Royer,
Bonawitz,	Gore,	McCormack,	Rudisill,
Boney,	Grant,	McDowell,	Salus,
Boorse,	Greer,	McKinney,	Serrill,
Boory,	Guthrie,	McMillen,	Shaffer,
Bower,	Gyger,	McNair,	Shoemaker,
Breisch,	Hall,	McNally,	Sloan,
Brice,	Hamilton,	Mihm,	Smith,
Brown,	Hare,	Mikula,	Snider,
Brunner, C. H.,	Haudenshield,	Miller,	Sollenberger,
Brunner, P. A.,	Heatherington,	Milliken,	Sorg,
Cadwalader,	Helm,	Mills,	Stank,
Chudoff,	Hennihan,	Mooney,	Stockham,
Cohen,	Hering,	Moore, C. E.,	Stuart,
Coleman,	Hewitt,	Moore, W. J.,	Tahl,
Cook,	Hoffman,	Moran,	Tate,
Cooper,	Howells,	Moser,	Tittle,
Corrigan,	Hunter,	Munley,	Trout,
Costa,	Huntley,	Murray, M. L.,	Turbett,
Coulson,	James,	Murray, P. G.,	Turner,
Cullen,	Jones,	Nagel,	Varallo,
Dague,	Kennedy,	Nelson,	Wachhaus,
Dalrymple,	Kirley,	O'Brien,	Wagner,
Dennison,	Kline,	O'Connor,	Waterhouse,
Depuy,	Kolankiewicz,	O'Dare,	Watkins,
Dix,	Komorofski,	O'Donnell,	Weiss,
Dougherty,	Kurtz,	O'Neill,	Welsh,
Dye,	Lane,	Owens,	Wescott,
Elder,	Laughner,	Pettigrew,	Wood, L. H.,
Erb,	Lee,	Pickens,	Wood, N.,
Finnerty,	Leisey,	Polaski,	Worley,
Flack,	Leonard,	Polen,	Wright,
Fleming,	Lichtenwalter,	Powers,	Yeakel,
Foor,	Loftus,	Propert,	Yester,
Fox	Longo,	Readinger,	Fiss,
Freed,	Lopez,	Reagan,	Speaker.

NAYS—3

Reese, D. P.,	Snyder,	Stonier,

NOT VOTING—33

Bentley,	Green,	Matthews,	Scanlon,
Brancato,	Greenwood,	McLanahan,	Schuster,
Chervenak,	Haberlen,	Modell,	Skale,
Coyle,	Herman,	Myhan,	Swope,
Dillon,	Hersch,	Pentrack,	Trachtman,
Duffy,	Hoggard,	Petrosky,	Trent,
Elish,	Hoopes,	Reese, R. E.,	Verona,
Gallagher,	Levy,	Rose,	White,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 854, as follows:

An Act to further amend section two hundred and two of and to add section four hundred and fifty-three to the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" creating a departmental administrative board in the Department of Public Instruction known as State Real Estate Commission and fixing qualifications and compensation of members

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred and two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the sixth day of June one thousand nine hundred forty-three (P. L. 443) is hereby further amended to read as follows

Section 202 Departmental Administrative Boards Commissions and Officers The following boards commissions and offices are hereby placed and made departmental administrative boards commissions or offices as the case may be in the respective administrative departments mentioned in the preceding section as follows

In the Department of State
State Employes' Retirement Board
In the Department of Justice
State Council of Education
Board of Pardons
Board of Commissioners on Uniform State Laws
In the Treasury Department
Board of Finance and Revenue
In the Department of Internal Affairs
Board of Property
In the Department of Public Instruction
State Real Estate Commission
Pennsylvania State Board of Censors
Public School Employes' Retirement Board
Pennsylvania Historical Commission
Board of Trustees of Thaddeus Stevens Industrial School
Board of Trustees of Pennsylvania State Oral School for the Deaf
Board of Trustees of Pennsylvania Soldiers' Orphan School
Board of Trustees of West Chester State Teachers College
Board of Trustees of Millersville State Teachers College
Board of Trustees of Kutztown State Teachers' College
Board of Trustees of East Stroudsburg State Teachers College
Board of Trustees of Mansfield State Teachers' College
Board of Trustees of Bloomsburg State Teachers College
Board of Trustees of Shippensourg State Teachers College
Board of Trustees of Lock Haven State Teachers College
Board of Trustees of Indiana State Teachers' College
Board of Trustees of California State Teachers' College
Board of Trustees of Slippery Rock State Teachers' College
Board of Trustees of Edinboro State Teachers' College
Board of Trustees of Clarion State Teachers' College
Board of Trustees of Cheyney Training School for Teachers
State Board of Medical Education and Licensure
State Board of Pharmacy
State Dental Council and Examining Board
State Board of Optometrical Examiners
State Board of Osteopathic Examiners
Osteopathic Surgeons' Examining Board
State Board of Examiners for the Registration of Nurses
State Board of Veterinary Medical Examiners
State Board for the Examination of Public Accountants
State Board of Examiners of Architects
Anthracite Mine Inspector's Examining Board
Mine Inspectors' Examining Board for the Bituminous Coal Mines of Pennsylvania
State Registration Board for Professional Engineers
State Civil Service Commissions
In the Department of Military Affairs
Armory Board of the State of Pennsylvania
Board of Trustees of Pennsylvania Soldiers' and Sailors' Home
In the Department of Banking
Board to License Private Bankers
Pennsylvania Securities Commission
In the Department of Agriculture
State Farm Products Show Commission
In the Department of Forests and Waters
Water and Power Resources Board
Geographic Board
[Lake Erie and Ohio River Canal Board]
Pennsylvania State Park and Harbor Commission of Erie
Washington Crossing Park Commission
Valley Forge Park Commission
Fort Washington Park Commission
In the Department of Mines
Anthracite Mine Inspectors
Bituminous Mine Inspectors
In the Department of Highways
State Bridge Commission
In the Department of Health
Sanitary Water Board
State Board of Undertakers
In the Department of Labor and Industry
Workmen's Compensation Board
Workmen's Compensation Referees
State Workmen's Insurance Board
The Industrial Board
In the Department of Welfare
State Council for the Blind
Board of Trustees of Eastern State Penitentiary

Board of Trustees of Western State Penitentiary
Board of Trustees of Pennsylvania Industrial School which upon the completion of the present Pennsylvania Industrial School at Huntingdon for the reception care maintenance detention employment and training of defective delinquents shall thereafter be known as the Board of Trustees of Pennsylvania Institution for Defective Delinquents
Board of Trustees of State Industrial Home for Women
Board of Trustees of Pennsylvania Training School
Board of Trustees of Allentown State Hospital
Board of Trustees of Danville State Hospital
Board of Trustees of Farview State Hospital
Board of Trustees of Harrisburg State Hospital
Board of Trustees of Norristown State Hospital
Board of Trustees of Warren State Hospital
Board of Trustees of Wernersville State Hospital
Board of Trustees of Torrance State Hospital
Board of Trustees of Ashland State Hospital
Board of Trustees of Blossburg State Hospital
Board of Trustees of Coaldale State Hospital
Board of Trustees of Connellsville State Hospital
Board of Trustees of Hazleton State Hospital
Board of Trustees of Locust Mountain State Hospital
Board of Trustees of Nanticoke State Hospital
Board of Trustees of Philipsburg State Hospital
Board of Trustees of Scranton State Hospital
Board of Trustees of Shamokin State Hospital
Board of Trustees of Laurelton State Village
Board of Trustees of Pennhurst State School
Board of Trustees of Polk State School
Board of Trustees of Selinsgrove State Colony for Epileptics

In addition to the foregoing there are hereby created as departmental administrative boards in the Department of Welfare boards of trustees for the respective institutions which are acquired by the Commonwealth from counties cities or institution districts for actual use as State mental hospitals under the provisions of act number twenty-one approved the twenty-ninth day of September one thousand nine hundred thirty-eight Each respective board of trustees shall be known as the Board of Trustees of the .....
(desriptive name of political subdivision in which institution is located)
State Hospital
In the Department of Property and Supplies
Board of Commissioners of Public Grounds and Buildings State Art Commission
In the Department of Revenue
State Athletic Commission
In the Department of Public Assistance
State Board of Public Assistance
In the Department of Commerce
Pennsylvania Aeronautics Commission
State Planning Board

All of the foregoing departmental administrative boards and commissions shall be organized or reorganized as provided in this act

Section 2 Said act is hereby amended by adding thereto after section four hundred and fifty-two a new section to read as follows

Section 453 State Real Estate Commission The State Real Estate Commission is hereby created and shall consist of the Superintendent of Public Instruction ex officio and five other persons each of whom shall at the time of his appointment be a licensed and qualified real estate broker under the existing law of this Commonwealth and shall have been engaged in the real estate business in this Commonwealth for a period of not less than ten years immediately prior to his appointment Each of said five members of the board shall be appointed by the Governor from a list of not more than ten persons qualified as aforesaid recommended by the Pennsylvania Real Estate Association In case of the failure of said association to submit such a list to the Governor he shall appoint any person qualified as aforesaid without restriction

The term of office of each of said five members shall be five years from his appointment or until his successor has been appointed and qualified except that of the original members one shall be appointed for a term of one year one for a term of two years one for a term of three years one for a term of four years one for a term of five years from the date of his appointment or until his successor is appointed and qualified In the event that any of said members shall die or resign during his term of office his successor shall be appointed in the same way and with the same qualifications as above set forth and shall hold office for the unexpired term

Three members of the commission shall constitute a quorum The board shall elect a chairman from among its members and a secretary who need not be a member of the commission The secretary shall serve at the pleasure of the commission and shall receive such reasonable compensation as it with the approval of the Superintendent of Public Instruction shall fix The secretary shall have such powers and perform such duties not contrary to law as the commission may prescribe

Each member of the Commission other than the Superintendent of Public Instruction shall receive actual traveling expenses and per diem compensation at the rate of twenty-five dollars ($25) per day for the time actually devoted to the business of the commission

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—169

Andrews,	Gaffney,	Madden,	Reidenbach,
Baker,	Gardner,	Madigan,	Reilly,
Barrett,	Getchey,	Mahany,	Riley,
Barton,	Gibson,	McAtee,	Robertson,
Baumunk,	Goodling,	McClester,	Root,
Bentzel,	Gore,	McCormack,	Royer,
Boies,	Grant,	McDowell,	Rudisill,
Bonawitz,	Greer,	McKinney,	Salus,
Boney,	Guthrie,	McMillen,	Serrill,
Boorse,	Gyger,	McNair,	Shaffer,
Bower,	Hall,	McNally,	Shoemaker,
Brancato,	Hamilton,	Mihm,	Sloan,
Breisch,	Hare,	Mikula,	Smith,
Brice,	Haudenshield,	Miller,	Snider,
Brown,	Heatherington,	Milliken,	Snyder,
Brunner, C. H.,	Helm,	Mills,	Sollenberger,
Brunner, P. A.,	Hennihan,	Mooney,	Sorg,
Cadwalader,	Hering,	Moore, C. E.,	Stank,
Chudoff,	Hewitt,	Moore, W. J.,	Stockham,
Cohen,	Hoffman,	Moran,	Stonier,
Coleman,	Howells,	Moser,	Stuart,
Cook,	Hunter,	Munley,	Tahl,
Cooper,	Huntley,	Murray, M. L.,	Tate,
Corrigan,	James,	Murray, P. G.,	Tittle,
Costa,	Jones,	Nagel,	Trout,
Coulson,	Kennedy,	Nelson,	Turbett,
Cullen,	Kirley,	O'Brien,	Turner,
Dague,	Kline,	O'Connor,	Varallo,
Dalrymple,	Kolankiewicz,	O'Dare,	Wachhaus,
Dennison,	Komorofski,	O'Donnell,	Wagner,
Depuy,	Kurtz,	O'Neill,	Waterhouse,
Dix,	Lane,	Owens,	Watkins,
Dougherty,	Laughner,	Pettigrew,	Weiss,
Dye,	Lee,	Pickens,	Welsh,
Elder,	Leisey,	Polaski,	Wescott,
Erb,	Leonard,	Polen,	Wood, L. H.,
Finnerty,	Lichtenwalter,	Powers,	Wood, N.,
Flack	Loftus,	Propert,	Worley,
Fleming,	Longo,	Readinger,	Wright,
Foor	Lopez,	Reagan,	Yeakel,
Fox,	Lovett,	Reese, D. P.,	Yester,
Freed,	Lyons,	Regan,	Fiss,
Frost,			Speaker.
Fullerton,			

NAYS—0

NOT VOTING—33

Bentley,	Green,	Matthews,	Scanlon,
Boory,	Greenwood,	McLanahan,	Schuster,
Chervenak,	Haberlen,	Modell,	Skale,
Coyle,	Herman,	Myhan,	Swope,
Dillon,	Hersch,	Pentrack,	Trachtman,
Duffy,	Hoggard,	Petrosky,	Trent,
Elish,	Hoopes,	Reese, R. E.,	Verona,
Gallagher,	Levy,	Rose,	White,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 969, Printer's No. 147 and

Senate Bill No. 63, Printer's No. 134

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 52, entitled:

An Act relating to the practice procedure regulations and adjudications of departments departmental administrative boards and commissions independent administrative boards and commissions officers and other administrative agencies of this Commonwealth and judicial review thereof and preserving equitable jurisdiction in certain cases.

On the question,

Will the House agree to the bill on third reading?

Mr. MOSER. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend Section 2, page 2, line 26, by inserting after the word "do" the following: "but shall not be construed to include the name or facts of any adjudication giving rise to such regulation."

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1012, as follows:

An Act to further amend section one thousand and three of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by further regulating the newspaper publication of the auditor's report

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand and three of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" as amended by the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1176) is hereby further amended to read as follows

Section 1003 Surcharges Publication and Filing of Statements Financial Report to Be Made to Department of Internal Affairs The auditors shall complete their audit settlement and adjustment within as short a time as possible Any officer or person whose act or neglect has contributed to the financial loss of the township shall be surcharged by the auditors with the amount of such loss They shall within ten days thereafter publish by advertisement in at least one newspaper of general circulation [printed] published in the township or if no newspaper is published therein then in one newspaper published in the county and circulating generally in the township a concise itemized statement of the receipts and expenditures of the several officers for the preceding fiscal year They shall also within ten days thereafter file a copy of such statement with the secretary of the township and another copy of such statement with the clerk of the court of quarter sessions When any two offices are exercised by the same person only one statement shall be required

The auditors shall also annually make a report of the financial condition of the township to the Department of Internal Affairs within sixty days after the close of the fiscal year The report shall be made on a uniform form prepared and furnished as provided in section one thousand seven hundred and one A of this act Such report shall be signed by all of the auditors and duly verified by the oath of one of the auditors Any auditor refusing or wilfully neglecting to file such report shall upon conviction thereof in a summary proceeding brought at the instance of the Department of Internal Affairs be sentenced to pay a fine of five dollars for each day's delay beyond sixty days and costs All fines recovered shall be for the use of the Commonwealth

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—172

Andrews,	Gaffney,	Madden,	Reilly,
Baker,	Gardner,	Madigan,	Riley,
Barrett,	Getchey,	Mahany,	Robertson,
Barton,	Gibson,	McAtee,	Root,
Baumunk,	Goodling,	McClester,	Royer,
Bentzel,	Gore,	McCormack,	Rudisill,
Boies,	Grant,	McDowell,	Salus,
Bonawitz,	Greer,	McKinney,	Scanlon,
Boney,	Guthrie,	McMillen,	Serrill,
Boorse,	Gyger,	McNair,	Shaffer,
Bower,	Haberlen,	McNally,	Shoemaker,
Brancato,	Hall,	Mihm,	Sloan,
Breisch,	Hamilton,	Mikula,	Smith,
Brice,	Hare,	Miller,	Snider,
Brown,	Haudenshield,	Milliken,	Snyder,
Brunner, C. H.,	Heatherington,	Mills,	Sollenberger,
Brunner, P. A.,	Helm,	Mooney,	Sorg,
Cadwalader,	Hennihan,	Moore, C. E.,	Stank,
Chudoff,	Hering,	Moore, W. J.,	Stockham,
Cohen,	Hewitt,	Moran,	Stonier,
Coleman,	Hoffman,	Moser,	Stuart,
Cook,	Howells,	Munley,	Tahl,
Cooper,	Hunter,	Murray, M. L.,	Tate,
Corrigan,	Huntley,	Murray, P. G.,	Tittle,
Costa,	James,	Nagel,	Trout,
Coulson,	Jones,	Nelson,	Turbett,
Coyle,	Kennedy,	O'Brien,	Turner,
Dague,	Kirley,	O'Connor,	Varallo,
Dalrymple,	Kline,	O'Dare,	Wachhaus,

Dennison,	Kolankiewicz,	O'Donnell,	Wagner,
Depuy,	Komorofski,	O'Neill,	Waterhouse,
Dix,	Kurtz,	Owens,	Watkins,
Dougherty,	Lane,	Pettigrew,	Weiss,
Dye,	Laughner,	Pickens,	Welsh,
Elder,	Lee,	Polaski,	Wescott,
Erb,	Leisey,	Polen,	Wood, L. H.,
Finnerty,	Leonard,	Powers,	Wood, N.,
Flack,	Lichtenwalter,	Propert,	Worley,
Fleming,	Loftus,	Readinger,	Wright,
Foor,	Longo,	Reagan,	Yeakel,
Fox,	Lopez,	Reese, D. P.,	Yester,
Freed,	Lovett,	Regan,	Fiss,
Frost,	Lyons,	Reidenbach,	Speaker.
Fullerton,			

NAYS—0

NOT VOTING—30

Bentley,	Green,	McLanahan,	Schuster,
Boory,	Greenwood,	Modell,	Skale,
Chervenak,	Herman,	Myhan,	Swope,
Cullen,	Hersch,	Pentrack,	Trachtman,
Dillon,	Hoggard,	Petrosky,	Trent,
Duffy,	Hoopes,	Reese, R. E.,	Verona,
Elish,	Levy,	Rose,	White,
Gallagher,	Matthews,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 553, as follows:

An Act to further amend section two hundred twelve of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" changing the retaliatory provisions of law so as to equalize the burdens and prohibitions as herein defined placed on and relating to the insurance business and the insurance of motorists and motor vehicles between other states and this Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred twelve of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureau and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" as last amended by the act approved the twenty-fourth day of May one thousand nine hundred thirty-three (P. L. 988) is hereby further amended to read as follows

Section 212 Effect of Additional Restrictions of Other States [If by the laws of any other state any taxes fines penalties licenses fees or other obligations or prohibitions additional to or in excess of those imposed by the laws of this Commonwealth upon insurance agents brokers public adjusters public adjusters' solicitors or insurance companies associations and exchanges of other states are imposed on insurance agents brokers or public adjusters or public adjusters' solicitors or insurance companies associations and exchanges of this Commonwealth doing business in such state like obligations and prohibitions shall be imposed upon all insurance agents brokers public adjusters public adjusters' solicitors and insurance companies associations and exchanges of such state doing business in this Commonwealth so long as such laws remain in force] As used in this section the term

"Insurance Companies" includes insurance companies insurance associations and insurance exchanges

"Agents" includes insurance agents insurance brokers public adjusters and public adjusters' solicitors

"Burdens or Prohibitions" includes taxes fines penalties licenses fees rules regulations obligations and prohibitions including prohibitions against writing particular kinds of insurance by insurance companies and including laws rules or regulations which provide that a particular kind or kinds of insurance may be written only by a state or an agency or instrumentality thereof

If any other state imposes any burdens or prohibitions on insurance companies or agents of this state doing business in such other state which are in addition to or in excess of the burdens or prohibitions imposed by this Commonwealth on insurance companies and agents like burdens and prohibitions shall be imposed on all insurance companies and agents of such other state doing business in this Commonwealth so long as the burdens and prohibitions of such other state remain in force

If any other state requires additional or other insurance covering motorists or motor vehicles that are insured in Pennsylvania insurance companies or in insurance companies of other states that are licensed to do business in this Commonwealth in order to use the highways of such other state like additional or other insurance shall be required to cover all motorists and motor vehicles of such other state using the highways of this Commonwealth so long as the requirement of such other state shall remain in force

Section 2 This act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. NAGEL. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Somerset, Mr. Wagner, permit himself to be interrogated?

Mr. WAGNER. I shall, Mr. Speaker.

Mr. NAGEL. Will the sponsor of this bill explain to this House what this bill aims to do?

Mr. WAGNER. Mr. Speaker, this bill further amends the present insurance code of the Commonwealth of Pennsylvania by clarifying Section 212 of the Act. The aim of this bill is to protect the Pennsylvania insurance companies and Pennsylvania insurance agents by saying to the insurance companies of other states: "You can write insurance in Pennsylvania and do business in Pennsylvania, those same things which you allow under the laws of your state other companies from Pennsylvania to do in the states in which your home office may at present be established."

It further aims to say to other states who impose burdens and prohibitions on motorists from Pennsylvania who might be traveleing in those states, and who may be

subject to the insurance laws of the other state by reason of an accident that occured in that state, that any burdens or prohibitions that you impose in your state on motorists from Pennsylvania traveling in your states, such like prohibition that you impose shall be imposed on motorists from your state when they travel the highways of Pennsylvania.

Mr. NAGEL. Mr. Speaker, I would like to ask the gentleman after he has stated that it is a benefit to the insurance companies, what benefit will accrue to the masses of the people of our state if this bill is enacted into law?

Mr. WAGNER. The benefit that would accrue to the people of the Commonwealth of Pennsylvania is that no such burdens or prohibitions shall be imposed upon them while in other states or by the laws of other states. Insofar as their insurance is concerned it shall likewise be retaliatory under the laws of the Commonwealth of Pennsylvania

Mr. NAGEL. Mr. Speaker, will the gentleman tell us whether or not it will make the insurance cheaper or higher for employers in workmen's compensation?

Mr. WAGNER. In answer to the gentleman, the rates for workmen's compensation insurance are determined by the Rating Bureau of the Commonwealth of Pennsylvania, and all companies writing compensation insurance shall write it at the rate prescribed by the bureau.

Mr. NAGEL. That is all, and I thank the gentleman.

Mr. Speaker, this seems to be a sort of retaliatory measure, placing a bar at the borders of our state. I cannot see that the passage of this bill will in any way benefit the people of our state, and it is these people, the masses, that we must aim to benefit. I cannot see that it will cheapen the insurers of workmen's compensation to any degree, but I am afraid it will put out of business in this particular line certain insurance organizations now doing business in our state, even if they be incorporated in other states. I ask the Members of the House of the House to give this bill careful consideration in their voting. I ask you to vote "no."

Mr. WAGNER. Mr. Speaker, in answer to the statement of the gentleman from Beaver, I want to clear the record by stateing that this a reciprocity law similar to what the Commonwealth of Pennsylvania has enacted insofar as the Motor Vehicle Code is concerned; similar to what is already on the statute books in connection with other laws in Pennsylvania. We have certain laws relative to hunting and fishing, into which the reciprocity features enter, and for that reason we are attempting to clarify the law relative to reciprocity on the part of insurance companies.

Mr. LOVETT. Mr. Speaker, I desire to interrogate the gentleman from Somerset, Mr. Wagner.

The SPEAKER. Will the gentleman from Somerset permit himself to be interrogated?

Mr. WAGNER. I shall, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, I would like to ask the gentleman if in any way this bill affects the Farm Bureau Mutual Company from selling workmen's compensation in Pennsylvania?

Mr. WAGNER. In answer to the gentleman, Mr. Speaker, I would state that the Farm Bureau Mutual Insurance Company of Columbus, Ohio, would be affected by this bill in selling compensation insurance in Pennsylvania only for a certain time, only for such period of time as the State of Ohio does not allow Pennsylvania insurance companies to sell insurance in the State of Ohio.

Mr. LOVETT. Is it not true, Mr. Speaker, that no company can sell workmen's compensation insurance in Ohio because they have a monoply in Ohio?

Mr. WAGNER. That is correct, Mr. Speaker.

Mr. LOVETT. That is all.

Mr. Speaker, I feel that this is a bad bill, because I have continually tried to set up the same monoply in Pennsylvania for workmen's compensation. I feel that this bill is bad, it is trying to destroy what I consider good legislation in Ohio, and I ask you to vote against this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—120

Barton,	Freed,	Longo,	Robertson,
Baumunk,	Frost,	Lyons,	Root,
Bonawitz,	Fullerton,	Madden,	Royer,
Boney,	Gaffney,	Madigan,	Salus,
Boorse,	Gardner,	Mahany,	Serrill,
Bower,	Getchey,	McAtee,	Shoemaker,
Brancato,	Gibson,	McClester,	Sloan,
Breisch,	Goodling,	McCormack,	Smith,
Brice,	Greer,	McDowell,	Snyder,
Brunner, C. H.,	Guthrie,	McKinney,	Sollenberger,
Brunner, P. A.,	Gyger,	McMillen,	Sorg,
Cadwalader,	Haberlen,	Mikula,	Stockham,
Coleman,	Hall,	Miller,	Stonier,
Cook	Hare,	Milliken,	Stuart,
Cooper,	Haudenshield,	Moore, C. E.,	Swope,
Costa,	Helm,	Moser,	Tahl,
Coulson,	Hewitt,	Murray, P. G.,	Tittle,
Dague,	Hoffman,	Nelson,	Trout,
Dalrymple,	Howells,	O'Brien,	Turbett,
Dennison,	Huntley,	O'Connor,	Turner,
Depuy,	James,	O'Dare,	Wachhaus,
Dix,	Jones,	Pickens,	Wagner,
Duffy,	Kennedy,	Polaski,	Waterhouse,
Dye,	Kline,	Polen,	Watkins,
Elder,	Kurtz,	Propert,	Wescott,
Erb,	Laughner,	Readinger,	Wood, L. H.,
Flack,	Lee,	Reagan,	Wood, N.,
Fleming,	Leisey,	Reese, D. P.,	Yeakel,
Foor,	Lichtenwalter,	Reilly,	Yester,
Fox,	Loftus,	Riley,	Fiss, Speaker.

NAYS—44

Andrews,	Gore,	Matthews,	Regan,
Baker,	Hamilton,	McNair,	Rudisill,
Barrett,	Heatherington,	McNally,	Schuster,
Boory,	Hennihan,	Mihm,	Snider,
Chudoff,	Hunter,	Moran,	Stank,
Cohen,	Kirley,	Nagel,	Tate,
Coyle,	Kolankiewicz,	O'Donnell,	Varallo,
Cullen,	Komorofski,	O'Neill,	Weiss,
Dougherty,	Lane,	Owens,	Welsh,
Elish,	Leonard,	Pentrack,	Worley,
Finnerty,	Lopez,	Powers,	Wright,

NOT VOTING—36

Bentley,	Greenwood,	Modell,	Reidenbach,
Bentzel,	Hering,	Mooney,	Rose,
Boies,	Herman,	Moore, W. J.,	Scanlon,
Brown,	Hersch,	Munley,	Shaffer,
Chervenak,	Hoggard,	Murray, M. L.,	Skale,
Corrigan,	Hoopes,	Myhan,	Trachtman,
Dillon,	Levy,	Petrosky,	Trent,
Gallagher,	Lovett,	Pettigrew,	Verona,
Grant,	McLanahan,	Reese, R. E.,	White,
Green,	Mills,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE

The Clerk of the Senate, Mr. Steinfelt, being introduced, presented extracts from the Journal of the Senate which were laid on the table.

WOMEN'S CLUB WELCOMED

The SPEAKER. The Chair welcomes to the House this afternoon the Home and Citizenship Division of the Women's Club of Pottsville, who are guest of the gentlemen from Schuylkill Messrs. Watkins and Kline.

The SPEAKER. The Chair recognizes the gentleman from Schuylkill, Mr. Watkins.

Mr. WATKINS. Mr. Speaker, it is with great pleasure that I am allowed to present to the Members of the House the Women's Club of the City of Pottsville, our guests, who are visiting the state capitol today.

This is a high privilege, because this group represents many families of outstanding citizens who have been interested in the promotion of the better things of life in their community over a long period of years. This group, I might say, finds it possible to take time off from their domestic affairs to be interested in the activities of all public affairs, not only local, state wide, but also in the national scope. Their activities show that they are interested in the advancement of good government, and we are also dedicated to that cause, so therefore I say they are one of us in this forward movement.

Mr. Speaker, I present this group to the Members of the House.

The SPEAKER. The Chair is also pleased to welcome these ladies to the House of Representatives this morning. We hope you can come back again to visit us.

FORMER MEMBERS WELCOMED

The Chair welcomes to the House this afternoon a former Member, the gentleman from Fayette, Mr. Harry J. Brownfield.

The Chair also welcomes another former Member, the gentleman from Cambria, Mr. Dennis L. Westrick.

SENATE MESSAGES

The Clerk of the Senate, Mr. Steinfeld, being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence 374, 425, 446, 452, 462, 493, 523, 530, 544, 574, 607, 60.

House Bills concurred in by Senate 281, 307, 457, 719, 756, 942, 315, 281, 307, 457, 719, 756, 942.

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 281.

An Act to amend section two thousand twenty-two of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," authorizing township commissioners to record certificates denying responsibility for certain roads, streets, lanes, alleys or drainage facilities in connection therewith

HOUSE BILL No. 307.

An Act to further amend section two thousand five hundred four of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by further providing for the triennial assessment of taxable property

HOUSE BILL No. 457.

An Act to permit the sale and purchase of imitation butter or oleomargarine for consumption by inmates and employes of charitable and penal institutions within the Commonwealth for a period of two years and suspending certain provisions of the law prohibiting such sales and purchase for the same period of time under certain circumstances requiring the keeping of records and the making of reports and providing penalties

HOUSE BILL No. 719.

An Act to amend section one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 558) entitled "An act authorizing the Department of Property and Supplies to sell and convey a lot or piece of land in Delaware County" correcting an erroneous measurement

HOUSE BILL No. 756.

An Act to reenact and amend clause XIII of section one thousand five hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by providing for the furnishing of street lighting by contract with lighting companies upon petition of property owners in villages and for the assessment and collection of the costs and maintenance thereof upon property benefited thereby and validating petitions of property owners contracts entered into between townships and lighting companies taxes levied to pay the costs and maintenance of lighting service and the collection receipt and payment out of the revenues therefrom notwithstanding such petitions were filed contracts entered into and taxes levied collected and paid out under unconstitutional laws validating agreements and understandings between townships and lighting companies to continue lighting service pending the enactment of valid laws regulating and providing for the expenditure of moneys arising from special lighting taxes and authorizing the payment of the costs and expenses of maintaining lighting service until valid laws are enacted to collect charges from property owners benefited thereby out of the township tax and the creation and transfer of moneys to a special account for such purposes at any time notwithstanding the prior adoption of the budget and authorizing any light and power company to apply the net rate and to waive the gross rate or to grant discounts and to waive penalties in the same manner as if payments had been made by the township within the time required by the contract and the company's schedules or tariffs

HOUSE BILL No. 942.

An Act to amend the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 439) entitled "An act authorizing the Governor of the Commonwealth of Pennsylvania with the advice of the Attorney General and the approval of certain members

of the General Assembly for a limited period of time to suspend or modify laws either in whole or in part under certain circumstances during the existence of the present war" by extending the effective period of the act

With the information that the Senate has passed the same without amendments.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection

House Bill No. 329, Printer's No. 452 and

House Bill No. 330, Printer's No. 456

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1002, as follows:

An Act providing for vocational rehabilitation for disabled individuals by the State Board of Vocational Education authorizing cooperation with other departments and agencies and reciprocal agreements with other states requiring cooperation with the Federal government making the State Treasurer custodian and disbursement agent of Federal vocational rehabilitation funds prohibiting misuse of vocational rehabilitation lists and records limiting political activity by persons engaged in the administration of vocational rehabilitation and prescribing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act shall be known and may be cited as the "Vocational Rehabilitation Act of one thousand nine hundred forty-five"

Section 2 Definitions As used in this act

(1) "State board" means the State Board of Vocational Education which is also known as the State Board of Vocational Rehabilitation

(2) "Employment handicap" means a physical or mental condition which constitutes contributes to or if not corrected will probably result in an obstruction to professional or occupational performance

(3) "Disabled individual" means any person who has a substantial employment handicap

(4) "Vocational rehabilitation" and "vocational rehabilitation services" mean any services provided directly or through public or private instrumentalities found to be necessary to compensate a disabled individual for his employment handicap and to enable him to engage in a remunerative occupation or profession including but not limited to medical and vocational diagnosis vocational guidance counseling and placement rehabilitation training or instruction physical restoration transportation occupational licenses occupational tools equipment and supplies maintenance and training books supplies and materials

(5) "Rehabilitation training or instruction" means all necessary training or instruction provided to a disabled individual to compensate for his employment handicap including but not limited to manual pre-conditioning prevocational vocational and supplementary training or instruction and training or instruction provided for the purpose of achieving broader or more remunerative skills and capacities

(6) "Physical restoration" means any medical surgical or therapeutic treatment necessary to correct or substantially reduce a disabled individual's employment handicap within a reasonable length of time including but not limited to medical psychiatric dental and surgical treatment nursing services hospital and convalescent home care drugs medical and surgical supplies and prosthetic appliances but excluding curative treatment for acute or transitory conditions

(7) "Prosthetic appliance" means any artificial device necessary to support or take the place of a part of the body or to increase the acuity of a sense organ

(8) "Occupational licenses" means any license permit or other written authority required by any governmental unit to be obtained in order to engage in an occupation

(9) "Maintenance" means money payments necessary to meet living requirements during vocational rehabilitation

(10) "Occupational tools equipment and supplies" means such customary implements appliances apparatus fixtures and materials necessary in the particular case for the successful prosecution of the disabled individual's employment objective

(11) "Severely handicapped individual" means a disabled individual for whom it is found that because of the nature of his disabilities participation in competitive employment will not be practicable even after provision of vocational rehabilitation services

(12) "Regulations" means regulations made by the State board

Section 3 Regulations In carrying out its duties under this act the State board shall make regulations governing personnel standards the protection of records and confidential information the manner and form of filing applications eligibility and investigation and determination thereof for vocational rehabilitation services procedures for fair hearings and such other regulations as it finds necessary to carry out the purposes of this act

Section 4 Administration Except as otherwise provided by State law with respect to vocational rehabilitation of the blind the State board shall provide vocational rehabilitation services to disabled individuals determined to be eligible therefor and in carrying out the purposes of this act the State board is authorized among other things

(1) To cooperate with other departments agencies and institutions both public and private in providing for the vocational rehabilitation of disabled individuals in studying the problems involved therein and in establishing developing and providing in conformity with the purposes of this act such programs facilities and services as may be necesary or desirable

(2) To enter into reciprocal agreements with other states to provide for the vocational rehabilitation of residents of the states concerned

(3) To conduct research and compile statistics relating to the vocational rehabilitation of disabled individuals

Section 5 Cooperation with Federal Government The State board shall cooperate pursuant to agreements with the Federal government in carrying out the purposes of any Federal statues pertaining to vocational rehabilitation and is authorized to adopt such methods of administration as are found by the Federal government to be necessary for the proper and efficient opeartion of such agreements or plans for vocational rehabilitation and to comply with such conditions as may be necessary to secure the full benefits of such Federal statutes

Section 6 Receipts and Disbursement of Vocational Rehabilitation Funds The State Treasurer is hereby designated as the custodian of all funds received from the Federal government for the purpose of carrying out any Federal statutes pertaining to vocational rehabilitation The State Treasurer shall make disbursements from such funds and from all State funds available for vocational rehabilitation purposes in accordance with law

Section 7 Eligibility for Vocational Rehabilitation Vocational rehabilitation services shall be provided to any disabled individual (1) who is a resident of the State at the time of filing his application therefor and whose vocational rehabilitation the State board determines after full investigation can be satisfactorily achieved or (2) who is eligible therefor under the terms of a reciprocal agreement with another state or with the Federal government Provided That except as otherwise provided by law or as specified in any agreement with the Federal government with respect to classes of individuals certified to the State board thereunder the following rehabilitation services shall be provided at public cost only to disabled individuals found to required financial assistance with respect thereto

(1) Physical restoration

(2) Transportation not provided to determine the eligibility of the individual for vocational rehabilitation services an dthe nature and extent of the services necessary

(3) Occupational licenses

(4) Occupational tools equipment and supplies

(5) Maintenance

Section 8 Maintenance not Assignable No right of a disabled individual under this act shall be transferable or assignable at law or in equity

Section 9 Hearings Any individual applying for or receiving vocational rehabilitation who is aggrieved by any action or inaction of any officer or agent of the State board shall be entitled in accordance with regulations to a fair hearing by the State board

Section 10 Misuse of Vocational Rehabilitation Lists and Records It shall be unlawful except for purposes directly connected with the administration of the vocational rehabilitation program and in accordance with regulations for any person or persons to solicit disclose receive or make use of or authorize knowingly permit participate in or acquiesce in the use of any list of or names of or any information concerning persons applying for or receiving vocational rehabilitation directly or indirectly derived from the records papers files or communications of the State or subdivisions or agencies thereof or acquired in the course of the performance of official duties Any officer or employe violating this provision shall be subject to discharge or suspension after due hearing

Section 11 Limitation on Political Activity No officer or employe engaged in the administration of the vocational rehabilitation program shall use his official authority or influence or permit the use of the vocational rehabilitation program for the purpose of interfering with an election or affecting the results thereof or for any partisan political purpose No such officer or employer shall take any active part in the management of political campaigns or participate in any political activity except that he shall retain the right to vote as he may please and to express his opinions as a citizen on all subjects No such officer or employe shall solicit or receive nor shall any such officer or employe be obliged to contribute or render any service assistance subscription assessment or contribution for any political purpose Any officer or employe violating this provision shall be subject to discharge or suspension after due hearing

Section 12 Repeals The act approved the eighteenth day of July one thousand nine hundred nineteen (P. L. 1045) entitled "An act providing for the establishment of a Bureau of Rehabilitation in the Department of Labor and Industry and conferring upon the Commissioner of Labor and Industry the power to supervise and direct the rendering of certain physically handicapped persons fit to engage in remunerative occupations providing for the appointment of a chief of the bureau subordinate officers and employes and furnishing suitable accommodations and making an appropriation" and the act approved the second day of March one thousand nine hundred twenty-one (P. L. 12) entitled "An act relating to vocational rehabilitation accepting to provisions and benefit of the act of Congress approved the second day of June one thousand nine hundred and twenty entitled 'An act to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment' providing for the rehabilitation of disabled persons and their return to civil employment and providing for the cooperation of the State Board of Education and the Department of Labor and Industry in carrying out the provisions of this act" are hereby repealed

Section 13 All other acts and parts of acts inconsistent herewith are hereby repealed

Section 14 Effective Date The provisions of this act shall become effective on the first day of June one thousand nine hundred forty-five

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—181

Andrews,	Gaffney,	Madigan,	Reilly,
Baker,	Gardner,	Mahany,	Riley,
Barrett,	Getchey,	Matthews,	Robertson,
Barton,	Gibson,	McAtee,	Root,
Baumunk,	Goodling,	McClester,	Royer,
Bentzel,	Gore,	McCormack,	Rudisill,
Boles,	Grant,	McDowell,	Salus,
Bonawitz,	Green,	McKinney,	Scanlon,
Boney,	Greer,	McMillen,	Schuster,
Boorse,	Guthrie,	McNair,	Serrill,
Bower,	Gyger,	McNally,	Shaffer,
Brancato,	Haberlen,	Mihm,	Shoemaker,
Breisch,	Hall,	Mikula,	Sloan,
Brice,	Hamilton,	Miller,	Smith,
Brown,	Hare,	Milliken,	Snider,
Brunner, C. H.,	Haudenshield,	Mills,	Snyder,
Brunner, P. A.,	Heatherington,	Mooney,	Sollenberger,
Cadwalader,	Helm,	Moore, C. E.,	Sorg,
Chudoff,	Hennihan,	Moore, W. J.,	Stank,
Cohen,	Hering,	Moran,	Stockham,
Coleman,	Hewitt,	Moser,	Stonier,
Cook,	Hoffman,	Munley,	Stuart,
Cooper,	Howells,	Murray, M. L.,	Swope,
Corrigan,	Hunter,	Murray, P. G.,	Tahl,
Costa,	Huntley,	Nagel,	Tate,
Coulson,	James,	Nelson,	Tittle,
Coyle,	Jones,	O'Brien,	Trout,
Cullen,	Kennedy,	O'Connor,	Turbett,
Dague,	Kirley,	O'Dare,	Turner,
Dalrymple,	Kline,	O'Donnell,	Varallo,
Dennison,	Kolankiewicz,	O'Neill,	Verona,
Depuy,	Komorofski,	Owens,	Wachhaus,
Dix,	Kurtz,	Pentrack,	Wagner,
Dougherty,	Lane,	Pettigrew,	Waterhouse,
Duffy,	Laughner,	Pickens,	Watkins,
Dye,	Lee,	Polaski,	Weiss,
Elder,	Leisey,	Polen,	Welsh,
Erb,	Leonard,	Powers,	Wescott,
Finnerty,	Lichtenwalter,	Propert,	Wood, L. H.,
Flack	Loftus,	Readinger,	Wood, N.,
Fleming,	Longo,	Reagan,	Worley,
Foor,	Lopez,	Reese, D. P.,	Wright,
Fox,	Lovett,	Reese, R. E.,	Yeakel,
Freed,	Lyons,	Regan,	Yester,
Frost,	Madden,	Reidenbach,	Fiss,
Fullerton,			Speaker.

NAYS—0

NOT VOTING—21

Bentley,	Greenwood,	Levy,	Rose,
Boory,	Herman,	McLanahan,	Skale,
Chervenak,	Hersch,	Modell,	Trachtman,
Dillon,	Hoggard,	Myhan,	Trent,
Elish,	Hoopes,	Petrosky,	White,
Gallagher,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 432, as follows:

An Act to amend section nine of the act approved the twenty-fifth day of ay one thousand nine hundred thirty-three (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the bureau of fire in cities of the second class creating a

board for the management thereof providing the mode and manner of payment to beneficiaries and for the care and disposition of its funds and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created" by changing the amount and method of contributions for and payment of death benefits

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause two of section nine of the act approved the twenty-fifth day of May one thousand nine hundred thirty-three (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the bureau of fire in cities of the second class creating a board for the management thereof providing the mode and manner of payment to beneficiaries and for the care and disposition of its funds and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created" as amended by the act approved the twelfth day of May one thousand nine hundred thirty-nine (P. L. 129) is hereby further amended to read as follows

Section 9 Any individual eligible to membership in such fund as aforesaid shall be required

* * * * *

(2) To contribute to said fund [three] five per centum of his rated monthly salary or wages which shall be deducted from his salary or wages by the city controller from the payroll for the last half of each month and paid into the fund All beneficiaries of the fund shall in addition thereto pay the sum of one dollar a month into the said fund and in the case of active members the city controller shall deduct said contribution from the payroll of the last half of each month and the secretary of the fund shall deduct the sum of one dollar from the pension paid each pensioner The amount so collected shall be paid into the firemen's relief and pension fund and out of the funds of the firemen's relief and pensions fund there shall be paid to the beneficiary of any deceased member of the fund the sum of one thousand two hundred dollars

When any member of the fund shall resign or be dismissed from service or shall die while in active service there shall be paid to him or to his executor or administrator if his service has been terminated by death from the fund all dues paid by him into the fund Substitute employes of the bureau of fire shall be credited for pension and pay on the basis of actual days served in the bureau of fire Regular and substitute employes shall serve at least fifteen days in each month and appear on both semi-monthly payrolls of said bureau of fire in said month in order to be credited for one month's service for pension under this act

Section 2 Section twelve of said act as amended by the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2635) is hereby amended to read as follows

Section 12 Beneficiaries under said fund shall be rated and classified and shall be entitled to receive from the fund per month the amounts indicated in the following table to wit

Classification	Composed of		Monthly Payments
I Chief	Bureau of Fire		$150.00
Superintendent	Bureau of Electricity		
II Deputy Chiefs	Bureau of Fire	[$125.00]	$130.00
Deputy Superintendents	Bureau of Electricity		
III Battalion Chiefs	Bureau of Fire	[$105.00]	$110.00
Chief Inspectors	Division of Fire Prevention		
Chief Wiring Inspectors	Bureau of Electricity		
IV Training School Instructors	Bureau of Fire	[$97.50]	$100.00
V Captains	Bureau of Fire	[$95.00]	$100.00
Assistant Engineers	Bureau of Electricity		
Supervisors of Construction	Bureau of Electricity		
Fire Alarm Operators			
VI Lieutenants	Bureau of Fire	[$90.00]	$100.00
Engineers	Bureau of Fire		
Pumpmen	Bureau of Fire		
VII Drivers	Bureau of Fire	[$85.00]	$100.00
Electric Wiring Inspectors	Bureau of Building Inspection		
VIII Hose and Laddermen	Bureau of Fire	[$80.00]	$100.00
Aides	Bureau of Fire		
Assistant Engineers	Bureau of Fire		
Fire Alarm Box Inspectors	Bureau of Electricity		$100.00
Police Box Inspectors	Bureau of Electricity		
Instrument Repairmen	Bureau of Electricity		
Battery Men	Bureau of Electricity		
Line Foremen	Bureau of Electricity		
Lineman	Bureau of Electricity		
Inspector	Bureau of Fire		
Inspector	Division of Fire Prevention		

The classification of any applicant for retirement or disability pension shall be determined as follows

(1) If the applicant has held the position he holds at the time of making the application continuously for one year or more prior thereto pension shall be granted as of the classification into which such position falls

(2) If the applicant has not held such position continuously for one year or more pension shall be granted as of the classification into which the last preceding position which he held continuously for one year or more falls whether such classification is higher or lower than the classification of the position held by applicant at the time of making the application

No application to become a beneficiary of the fund shall be filed or accepted until thirty days after the effective date of this act It is further provided that any member making such application who thereafter withdraws the same shall not be permitted to file a new application until one year after the date of the first application

And said bill having been read at length the third time considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—181

Andrews,	Gaffney,	Mahany,	Riley,
Baker,	Gardner,	Matthews,	Robertson,
Barrett,	Getchey,	McAtee,	Root,
Barton,	Gibson,	McClester,	Royer,
Baumunk,	Goodling,	McCormack,	Rudisill,
Bentzel,	Gore,	McDowell,	Salus,
Boies,	Grant,	McKinney,	Scanlon,
Bonawitz,	Green,	McMillen,	Schuster,
Boney,	Greer,	McNair,	Serrill,
Boorse,	Guthrie,	McNally,	Shaffer,
Bower,	Gyger,	Mihm,	Shoemaker,
Brancato,	Haberlen,	Mikula,	Sloan,
Breisch,	Hall,	Miller,	Smith,
Brice,	Hamilton,	Milliken,	Snider,
Brown,	Hare,	Mills,	Snyder,
Brunner, C. H.,	Haudenshield,	Mooney,	Sollenberger,
Brunner, P. A.,	Heatherington,	Moore, C. E.,	Sorg,
Cadwalader,	Helm,	Moore, W. J.,	Stank,

Chudoff,	Hennihan,	Moran,	Stockham,
Cohen,	Hering,	Moser,	Stonier,
Coleman,	Hewitt,	Munley,	Stuart,
Cook,	Hoffman,	Murray, M. L.,	Swope,
Cooper,	Howells,	Murray, P. G.,	Tahl,
Corrigan,	Hunter,	Nagel,	Tate,
Costa,	Huntley,	Nelson,	Tittle,
Coulson,	James,	O'Brien,	Trout,
Coyle,	Jones,	O'Connor,	Turbett,
Cullen,	Kennedy,	O'Dare,	Turner,
Dague,	Kirley,	O'Donnell,	Varallo,
Dalrymple,	Kline,	O'Neill,	Verona,
Dennison,	Kolankiewicz,	Owens,	Wachhaus,
Depuy,	Komorofski,	Pentrack,	Wagner,
Dix,	Kurtz,	Pettigrew,	Waterhouse,
Dougherty,	Lane,	Pickens,	Watkins,
Duffy,	Laughner,	Polaski,	Weiss,
Dye,	Lee,	Polen,	Welsh,
Elder,	Leisey,	Powers,	Wescott,
Erb,	Leonard,	Propert,	Wood, L. H.,
Finnerty,	Lichtenwalter,	Readinger,	Wood, N.,
Flack,	Loftus,	Reagan,	Worley,
Fleming,	Longo,	Reese, D. P.,	Wright,
Foor,	Lopez,	Reese, R. E.,	Yeakel,
Fox,	Lovett,	Regan,	Yester,
Freed,	Lyons,	Reidenbach,	Fiss,
Frost,	Madden,	Reilly,	Speaker.
Fullerton,	Madigan,		

NAYS—0

NOT VOTING—21

Bentley,	Greenwood,	Levy,	Rose,
Boory,	Herman,	McLanahan,	Skale,
Chervenak,	Hersch,	Modell,	Trachtman,
Dillon,	Hoggard,	Myhan,	Trent,
Elish,	Hoopes,	Petrosky,	White,
Gallagher,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 827, Printer's No. 390

was passed over at the request of the SPEAKER.

Agreeably to orler,

The House proceeded to the third reading and consideration of House Bill No. 884, as follows:

An Act relating to the Tuberculosis Hospital of the City of Pittsburgh Pittsburgh Pennsylvania providing for the transfer of such institution to the Commonwealth providing for the management and operation of closing and abandonment thereof and maintenance of tuberculosis patients therein including the collection of maintenance in certain cases providing for the retransfer under certain circumstances conferring powers and imposing duties on the Governor and Department of Health

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All buildings acquired or erected by the City of Pittsburgh Pennsylvania for the care maintenance and treatment of tuberculosis patients by the Tuberculosis Hospital of the City of Pittsburgh the personal property within such buildings or incidental thereto and any and all other grounds and lands connected therewith or annexed thereto are hereby transferred to and vested in the Commonwealth of Pennsylvania

Section 2 Any property so transferred to and vested in the Commonwealth shall if found suitable in accordance with this act be thereafter used as a State tuberculosis hospital but if such property shall within one year thereafter be found unsuitable for such purpose or shall within one year after transfer to and use by the Commonwealth as a State tuberculosis hospital be thereafter abandoned by the Commonwealth as such a hospital before substantial improvements thereto have been made then in either event such building lands and personal property so transferred to the Commonwealth shall absolutely revert to and vest in the City of Pittsburgh and the Commonwealth shall have no further claim or title thereto

Before the management and operation of any institution is taken over by the Department of Health the Governor shall issue his proclamation setting forth the date on which the Department of He lth will take over the management and operation of the institution In the event it shall be determined that the institution is to be closed the Governor shall issue a proclamation setting forth the date on which such institution will be closed The original of any such proclamation shall be filed in the office of the Secretary of the Commonwealth and a copy thereof shall be furnished the City of Pittsburgh authorities having charge of such institution

Section 3 The institution subject to this act which the Governor shall direct the Department of Health to operate and manage shall be operated and managed by such department as a State tuberculosis hospital in accordance with the laws of the Commonwealth relating to such hospitals The Department of Health in managing and operating any such institution shall have all the powers and perform all the duties vested in and imposed upon boards of trustees of State hospitals by the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) and its amendments designated as The Administrative Code of one thousand nine hundred twenty-nine All tuberculosis patients in such institution at the time the management and operation thereof is assumed by the Department of IIcalth shall have the same status as if originally admitted to a State tuberculosis hospital The Department of Health shall have power to designate the counties of the Commonwealth from which admissions may be made to such institution

The institution acquired and operated by the Commonwealth under this act as a State tuberculosis hospital shall be known as the Pittsburgh Tuberculosis State Hospital

Section 4 When the Commonwealth through the Department of Health assumes the control and management of the institution subject to this act the terms of all officers and employes and the local management of such institution shall cease and terminate The officers and employes of such institution shall thereupon become employes of the Commonwealth subject to removal by the Secretary of Health

Section 5 In the event it shall be determined that the institution subject to this act shall be closed the Department of Health shall take charge of such institution and the terms of all officers and employees and the local management of such institution shall cease and terminate The officers and employes of such institution shall thereupon become the employes of the Commonwealth subject to removal by the Secretary of H lth when their services are no longer required No new patients shall be admitted to such institution after the date specified for its closing The Department of Health shall as soon as practicable transfer the patients in the institution to any other State tuberculosis hospital including any institution transferred to and being operated by the Commonwealth under any act as a State tuberculosis institution As far as practicable the department shall transfer such patients to such State tuberculosis hospital nearest to the City of Pittsburgh After the patients in such institution are transferred therefrom the Department of Health shall with the approval of the Governor turn the institution and its grounds over to the Department of Property and Supplies for use for any other State purpose as may be deemed necessary and advisable by the Governor unless such institution under the provisions of section two of this act would revert to the City of Pittsburgh in which event such institution shall be turned over to the proper authorities thereof and shall thereafter be used for such purposes as the City of Pittsburgh may determine

Section 6 After the effective date of this act and until the management and operation of the institution is formally assumed by the Department of Health or until the institution is closed under the provisions of this act but not later than the thirty-first day of May one thousand nine hundred forty-six the City of Pittsburgh shall continue to bear the expense of administering and operating the institution and the Commonwealth shall contribute towards the expense of indigent patients therein to the same extent and in the same manner as pertained under existing laws on the effective date of this act

Section 7 All amounts due the City of Pittsburgh for the care of any tuberculosis patient in the institution transferred to the Commonwealth by this act that have accrued and remain unpaid on the date that the Commonwealth shall take over the operation and management of such instiuttion or the date such institution is closed may be collected by the city in the same manner as if the control and management of the institution were still vested in such city Provided however That where there is a claim against the estate of any such tuberculosis patient both on behalf of the Commonwealth and on behalf of the City of Pittsburgh and there is not sufficient in the estate to pay the claim in full the same shall be paid pro rata to the Commonwealth and the city in the proportion of the amount of maintenance legally recoverable by each

Section 8 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—181

Andrews,	Gaffney,	Madigan,	Reilly,
Baker,	Gardner,	Mahany,	Riley,
Barrett,	Getchey,	Matthews,	Robertson,
Barton,	Gibson,	McAtee,	Root,
Baumunk,	Goodling,	McClester,	Royer,
Bentzel,	Gore,	McCormack,	Rudisill,
Bonawitz,	Grant,	McDowell,	Salus,
Boies,	Green,	McKinney,	Scanlon,
Boney,	Greer,	McMillen,	Schuster,
Boorse,	Guthrie,	McNair,	Serrill,
Bower,	Gyger,	McNally,	Shaffer,
Brancato,	Haberlen,	Mihm,	Shoemaker,
Breisch,	Hall,	Mikula,	Sloan,
Brice,	Hamilton,	Miller,	Smith,
Brown,	Hare,	Milliken,	Snider,
Brunner, C. H.,	Haudenshield,	Mills,	Snyder,
Brunner, P. A.,	Heatherington,	Mooney,	Sollenberger,
Cadwalader,	Helm,	Moore, C. E.,	Sorg,
Chudoff,	Hennihan,	Moore, W. J.,	Stank,
Cohen,	Hering,	Moran,	Stockham,
Coleman,	Hewitt,	Moser,	Stonier,
Cook,	Hoffman,	Munley,	Stuart,
Cooper,	Howells,	Murray, M. L.,	Swope,
Corrigan,	Hunter,	Murray, P. G.,	Tahl,
Costa,	Huntley,	Nagel,	Tate,
Coulson,	James,	Nelson,	Tittle,
Coyle,	Jones,	O'Brien,	Trout,
Cullen,	Kennedy,	O'Connor,	Turbett,
Dague,	Kirley,	O'Dare,	Turner,
Dalrymple,	Kline,	O'Donnell,	Varallo,
Dennison,	Kolankiewicz,	O'Neill,	Verona,
Depuy,	Komorofski,	Owens,	Wachhaus,
Dix,	Kurtz,	Petrosky,	Wagner,
Dougherty,	Lane,	Pettigrew,	Waterhouse,
Duffy,	Laughner,	Pickens,	Watkins,
Dye,	Lee,	Polaski,	Weiss,
Elder,	Leisey,	Polen,	Welsh,
Erb,	Leonard,	Powers,	Wescott,
Finnerty,	Lichtenwalter,	Propert,	Wood, L. H.,
Flack,	Loftus,	Readinger,	Wood, N.,
Fleming,	Longo,	Reagan,	Worley,
Foor,	Lopez,	Reese, D. P.,	Wright,
Fox,	Lovett,	Reese, R. E.,	Yeakel,
Freed,	Lyons,	Regan,	Yester,
Frost,	Madden,	Reidenbach,	Fiss,
Fullerton,			Speaker.

NAYS—0

NOT VOTING—21

Bentley,	Greenwood,	Levy,	Rose,
Boory,	Herman,	McLanahan,	Skale,
Chervenak,	Hersch,	Modell,	Trachtman,
Dillon,	Hoggard,	Myhan,	Trent,
Elish,	Hoopes,	Pentrack,	White,
Gallagher,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1001, as follows:

An Act to further amend section two hundred two to add section one thousand three hundred seven point one and to repeal section two thousand two hundred nine of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" designating the State Council of Education as the State Board of Vocational Education for certain purposes and transferring the administration of vocational rehabilitation from the Department of Labor and Industry to the State Board of Vocational Education

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In so far as it relates to the Department of Public Instruction section two hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain

departments boards and commissions shall be determined" as last amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 443) and by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 496) is hereby further amended to read as follows

Section 202 Departmental Administrative Boards Commissions and Offices The following boards commissions and offices are hereby placed and made departmental administrative boards commissions or offices as the case may be in the respective administrative departments mentioned in the preceding section as follows

* * * * *

In the Department of Public Instruction

State Council of Education also designated as State Board of Vocational Education also designated as the State Board of Vocational Rehabilitation
Pennsylvania State Board of Censors
Public School Employes' Retirement Board
Pennsylvania Historical Commission
Board of Trustees of Thaddeus Stevens Industrial School
Board of Trustees of Pennsylvania State Oral School for the Deaf
Board of Trustees of Pennsylvania Soldiers' Orphan School
Board of Trustees of West Chester State Teachers' College
Board of Trustees of Millersville State Teachers' College
Board of Trustees of Kutztown State Teachers' College
Board of Trustees of East Stroudsburg State Teachers' College
Board of Trustees of Mansfield State Teachers' College
Board of Trustees of Bloomsburg State Teachers' College
Board of Trustees of Shippensburg State Teachers' College
Board of Trustees of Lock Haven State Teachers' College
Board of Trustees of Indiana State Teachers' College
Board of Trustees of California State Teachers' College
Board of Trustees of Slippery Rock State Teachers' College
Board of Trustees of Edinboro State Teachers' College
Board of Trustees of Clarion State Teachers' College
Board of Trustees of Cheyney Training School for Teachers
State Board of Medical Education and Licensure
State Board of Pharmacy
State Dental Council and Examining Board
State Board of Optometrical Examiners
State Board of Osteopathic Examiners
Osteopathic Surgeons' Examining Board
State Board of Examiners for the Registration of Nurses
State Board of Veterinary Medical Examiners
State Board for the Examination of Public Accountants
State Board of Examiners of Architects
Anthracite Mine Inspectors' Examining Board
Mine Inspectors' Examining Board for the Bituminous Coal Mines of Pennsylvania
State Registration Board for Professional Engineers
State Civil Service Commissions

* * * * *

All of the foregoing departmental administrative boards and commissions shall be organized or reorganized as provided in this act

Section 2 Article thirteen of said act is hereby amended by adding between sections one thousand three hundred seven and one thousand three hundred eight thereof a new section to read as follows

Section 1307.1 State Board of Vocational Education The State Board of Vocational Education acting as the State Board of Vocational Rehabilitation in the administration of vocational rehabilitation shall have the power and its duty shall be

(a) To administer the expenditure of funds made available by the government of the United States for vocational rehabilitation

(b) To make surveys to ascertain the number and condition of physically handicapped persons within the Commonwealth

(c) To administer the laws of the Commonwealth providing for vocational rehabilitation

Section 3 Section two thousand two hundred nine of said act is hereby repealed

Section 4 All persons employed by the Department of Labor and Industry in administering the laws relating to vocational rehabilitation on the effective date of this act are hereby transferred to and shall become employes of the State Board of Vocational Rehabilitation in the Department of Public Instruction and shall be assigned to the Board of Vocational Rehabilitation to continue the administration of said laws The status of every such person under any law or regulation providing for civil service shall not be affected by such transfer The Department of Public Instruction shall make similar provisions therefor

All files records and equipment of the Department of Labor and Industry pertaining to the administration of the laws relating to vocational rehabilitation shall be transferred to the Board of Vocational Education designated as the State Board of Vocational Rehabilitation in the Department of Public Instruction

Section 5 The provisions of this act shall become effective the first day of June one thousand nine hundred forty-five

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—180

Andrews,	Gaffney,	Madigan,	Reilly,
Baker,	Gardner,	Mahany,	Riley,
Barrett,	Getchey,	Matthews,	Robertson,
Barton,	Gibson,	McAtee,	Root,
Baumunk,	Goodling,	McClester,	Royer,
Bentzel,	Gore,	McCormack,	Rudisill,
Boles,	Grant,	McDowell,	Salus,
Bonawitz,	Green,	McKinney,	Scanlon,
Boney,	Greer,	McMillen,	Schuster,
Boorse,	Guthrie,	McNair,	Serrill,
Boory,	Gyger,	McNally,	Shaffer,
Bower,	Haberlen,	Mihm,	Shoemaker,
Brancato,	Hall,	Mikula,	Sloan,
Breisch,	Hamilton,	Miller,	Smith,
Brice,	Hare,	Milliken,	Snider,
Brown,	Haudenshield,	Mills,	Snyder,
Brunner, C. H.,	Heatherington,	Mooney,	Sollenberger,
Brunner, P. A.,	Helm,	Moore, C. E.,	Sorg,
Cadwalader,	Hennihan,	Moore, W. J.,	Stank,
Chudoff,	Hering,	Moran,	Stockham,
Cohen,	Hewitt,	Moser,	Stonier,
Coleman,	Hoffman,	Munley,	Stuart,
Cook,	Howells,	Murray, M. L.,	Swope,
Cooper,	Hunter,	Murray, P. G.,	Tahl,
Corrigan,	Huntley,	Nagel,	Tate,
Costa,	James,	Nelson,	Tittle,
Coulson,	Jones,	O'Brien,	Trout,
Coyle,	Kennedy,	O'Connor,	Turbett,
Cullen,	Kirley,	O'Dare,	Turner,
Dague,	Kline,	O'Donnell,	Varallo,
Dalrymple,	Kolankiewicz,	O'Neill,	Verona,
Dennison,	Komorofski,	Owens,	Wachhaus,
Depuy,	Kurtz,	Pentrack,	Wagner,
Dix,	Lane	Pettigrew,	Waterhouse,
Dougherty,	Laughner,	Pickens,	Watkins,
Duffy,	Lee,	Polaski,	Weiss,
Dye,	Leisey,	Polen,	Welsh,
Elder,			

Erb,	Leonard,	Powers,	Wescott,
Finnerty,	Lichtenwalter,	Propert,	Wood, L. H.,
Flack,	Loftus,	Readinger,	Wood, N.,
Fleming,	Longo,	Reagan,	Worley,
Foor,	Lopez,	Reese, D. P.,	Wright,
Fox,	Lovett,	Reese, R. E.,	Yeakel,
Freed,	Lyons,	Regan,	Fiss,
Frost,	Madden,	Reidenbach,	Speaker.
Fullerton,			

NAYS—1

Yester,

NOT VOTING—21

Bentley,	Greenwood,	Levy,	Rose,
Chervenak,	Herman,	McLanahan,	Skale,
Dillon,	Hersch,	Modell,	Trachtman,
Elish,	Hoggard,	Myhan,	Trent,
Gallagher,	Hoopes,	Petrosky,	White,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1081, as follows:

An Act to amend clause twelve of section three of the act approved the tenth day of May one thousand nine hundred thirty-nine (P. L. 111) entitled "An act relating to and providing for the promotion and development of business industry and commerce in the Commonwealth conferring powers and duties upon the Department of Commerce and other agencies of the Commonwealth abolishing the Pennsylvania State Publicity Commission terminating the terms of its members and conferring its powers upon and transferring and appropriating the balance of its current appropriation to the Department of Commerce and repealing certain laws" providing for the inspection of mineral production the gathering and compilation of composite statistics for reports to the General Assembly by agencies administering production control plans and for the termination of such plans under certain circumstances

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause twelve of section three of the act approved the tenth day of May one thousand nine hundred thirty-nine (P. L. 111) entitled "An act relating to and providing for the promotion and development of business industry and commerce in the Commonwealth conferring powers and duties upon the Department of Commerce and other agencies of the Commonwealth abolishing the Pennsylvania State Publicity Commission terminating the terms of its members and conferring its powers upon and transferring and appropriating the balance of its current appropriation to the Department of Commerce and repealing certain laws" as added by the act approved the seventh day of July one thousand nine hundred forty-one (P. L. 275) is hereby amended to read as follows

Section 3 The Department of Commerce shall have the power and its duty shall be

* * * * *

(12) (a) To promulgate a "Production Control" plan or plans or amendments thereof upon written petition and with the approval of Pennsylvania producers of seventy-five per centum of the Pennsylvania output of any United States mineral resource industry located preponderantly within the Commonwealth or to adopt and promulgate any such plan or plans in operation at the time of the enactment of this act with the sanction of Pennsylvania producers of seventy-five per centum of the Pennsylvania output of such industry and to administer or secure the cooperation of others including State officers producers' representatives or employes' representatives in any industry where there are general collective bargaining arrangements in administering such plan or plans or amendments thereof upon a voluntary basis Provided however That no production control plan or rules or regulations relating thereto shall apply to producers who are not petitioning producers or who do not otherwise assent to the production control plan promulgated and adopted

(b) A "Production Control" within the meaning of this act is any system of regulated production in any industry as above defined which currently controls the daily weekly and monthly volume of allowable production of said industry in Pennsylvania for the purpose of adequately supplying market demand avoiding waste of mineral resources or the exploitation thereof without adequate return to the Commonwealth her political subdivisions and people protecting capital invested therein from unwise depletion and dissipation promoting employment and security for the payment of wages and benefits to those employed in such industry and achieving other express purposes of the Commerce Law (1) by allocating or apportioning to each producer in the industry a fair and equitable distributive portion of the total allowable production (2) by providing for the adjustment of inequities in assigned distributive portions and for fair and equitable adjustments of distributive portions whenever transfers of mineral properties or facilities take place between or among producers based upon the position in the industry fairly and equitably attributable to such properties or facilities (3) by providing for the admission under such plan of new operations and for the assignment of a fair and equitable distributive portion of the total allowable production to such operations (4) by providing where applicable for the establishment of fair and equitable standards of preparation to ensure purity and proper sizing and grading of the product in order to protect consumers and to prevent unfair trade practices (5) and also by establishing and providing for reasonable rules and regulations to effectuate such control plan

(c) The department or any other agency administering any production control plan may inspect the production of any producer under such plan and of such other producers as may desire such inspection to determine whether any standards of purity sizing and grading established under any plan are being complied with

(d) The department on its own initiative or at the request of any agency administering a production control plan and in such case at the expense of such agency may through its own staff or through a recognized accounting agency gather and compile composite statistics of volume value and geographical distribution of sales both within and outside the Commonwealth realization on sales production costs employment and wages relating to any industry functioning under a production control plan and such other statistics as may be deemed appropriate by any such administering agency Such statistics shall be available for inspection only in composite form Any other department of the Commonwealth collecting any of such statistics shall make them available to the department

(e) The department or agency administering any such production control plan including the Production Conrol Plan for the Anthracite Industry heretofore promulgated and now functioning under the provisions of this act shall make a report to each regular session of the General Assembly showing inter alia the percentage of the output of the industry under such plan and the experience of the industry thereunder and shall include therein any recommendations such agency may have with respect to further legislation which will be helpful in carrying out the purposes of this act

(f) No production control plan promulgated by the department under the authority of this act shall be con-

tinued whenever the department if it administers the plan or the officers of the State or a majority of such officers administering or assisting in the administration of any such plan shall report to the Governor and the Governor shall find that such plan no longer accomplishes the purposes of this act or no longer is in the public interest

Section 2 This act shall become effective immediately upon final enactment

Mr. WATKINS. Mr. Speaker, this bill to amend the production control plan for the inspection of mineral resources of the Commonwealth, I feel is not contraversial. I have prepared a statement on the subject. I do not, however, care to take the time of the House, and I would ask unanimous consent to have this statement extended as part of my remarks in the record.

The SPEAKER. Will the House give its unanimous consent to extend the gentleman's remarks upon the record? Is there objection? The Chair hears none and consent is granted.

EXTENDED REMARKS OF MR. WATKINS

Mr. Speaker, it is with great pride that I, as one of the sponsors arise to initiate the discussion of this bill. It is, as you will see, indelibly linked with the economic destiny of the Commonwealth. It provides the machinery through which there may be an orderly exploitation of our mineral resources with a decent regard for the needs of the generations to come.

The members will recall that in 1941 the Commerce Act was amended to authorize the Department of Commerce to promulgate a voluntary production control plan for any mineral resources industry located preponderately in Pennsylvania. It was provided that such a control plan would have to be designed to, first, adequately supply market demand; second, avoid the waste of the mineral resources or the exploitation thereof without adequate return to the State and the political subdivisions; third, protect capital investment from unwise depletion, and, fourth, promote employment and security for the payment of wages.

In line with the provisions of the amendments of 1941, a production control plan was evolved by the Department of Commerce for the anthracite industry in November of that year. That plan has been functioning without interruption to this day.

Through the bill now before this House, amendments are being proposed further to strengthen the plan and particularly to stress those features of the plan which are designed for the protection of consumers of anthracite and the advancement of the public interest. I might say here that these amendments are completely non-controversial. They have the endoresement of the Administration, the producers of anthracite, and organized labor, all of which parties cooperate in administering the production control plan. No voice, to my knowledge, has been raised against these amendments since their introduction, and I am, Mr. Speaker, confident that none will be raised.

Under the authority of the plan now in operation, the Anthracite Committee—made up of representatives of the industry, the United Mine Workers of America, and the State Administration—has established standards of sizes and purity of anthracite applicable to those who cooperate under the plan. Approximately 90 per cent of all legitimate production is represented by those participating in the plan.

Inspections are being made regularly to assure that anthracite produced by the participating companies meet the established standards. One of the amendments now proposed is designed to confirm not only the inspection service now carried on but to extend that inspection to all legitimate producers who desire to have their product inspected. Such inspection is not made compulsory but is to be offered to any producer who wishes to avail himself of it.

The inspections made during the past year, I might say, have shown that the coal produced by the participating parties has, with few exceptions, conformed to the standards and in many instances been appreciably better than required by the standards. The Solid Fuels Administration for War has also adopted standards for anthracite, but those set up by the Anthracite Committee are even higher.

Through the extension of the application of these inspections it is hoped that in the near future consumers will be assured that in purchasing anthracite from reputable dealers they will be getting a product of guaranteed quality.

The cost of the inspections, it should be pointed out, is paid by the anthracite industry. The State does not pay any part of it.

The Anthracite Committee to which I have referred is made up of three representatives apiece from the industry, from labor and from the State—nine members in all. The State representatives, by the way, are the Secretaries of Commerce and Mines and a Deputy Attorney General. One of the proposed amendments provides that the agency or committee administering such a plan shall make a report to each regular session of the Legislature, showing the percentage of the industry which is cooperating under the plan, the experiences under the plan, and making such recommendations for the amendment of the law relating to the plan as may appear necessary or desirable.

Another amendment provides that if the representatives of the State report to the Governor and the Governor finds that a Production Control Plan no longer serves the purpose of the law, it shall be discontinued. This is, needless to say, an important provision and will assure that a production plan will always be administered in the public interest.

The bill we are now considering also authorizes the Department of Commerce to gather and compile statistics relating to the anthracite industry such as production volume, production and realization costs, employment and wages. By this provision it is not proposed to duplicate statistics already being gathered but to bring together in one place as a public record a complete set of reliable statistics. Here again no expense to the State is involved. If the statistics are gathered and compiled at the request of an agency administering a plan, then the agency must agree to assume the cost.

While the production control plan presently does not involve actual production control because the industry finds itself, during the war period, with a market demand in excess of production possibilities, the continuation of the plan with the provisions added by the amendments will be necessary for the post-war era, Mr. Speaker, to

prevent over-production and chaos in the industry such as existed during the period from 1929 to 1940.

In closing, let me repeat that there is nothing proposed here that is controversial. The bill has the support of all interested parties. I commend it to you now for prompt and favorable action.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—181

Andrews,	Fullerton,	Madigan,	Riley,
Baker,	Gaffney,	Mahany,	Robertson,
Barrett,	Gardner,	Matthews,	Root,
Barton,	Getchey,	McAtee,	Royer,
Baumunk,	Gibson,	McClester,	Rudisill,
Bentzel,	Goodling,	McCormack,	Salus,
Bonawitz,	Gore,	McDowell,	Scanlon,
Boies,	Grant,	McKinney,	Schuster,
Boney,	Green,	McMillen,	Serrill,
Boorse,	Greer,	McNair,	Shaffer,
Boory,	Guthrie,	McNally,	Shoemaker,
Bower,	Gyger,	Mihm,	Sloan,
Brancato,	Haberlen,	Mikula,	Smith,
Breisch,	Hall,	Miller,	Snider,
Brice,	Hamilton,	Milliken,	Snyder,
Brown,	Hare,	Mills,	Sollenberger,
Brunner, C. H.,	Haudenshield,	Mooney,	Sorg,
Brunner, P. A.,	Heatherington,	Moore, C. E.,	Stank,
Cadwalader,	Helm,	Moore, W. J.,	Stockham,
Chudoff,	Hennihan,	Moran,	Stonier,
Cohen,	Hersch,	Moser,	Stuart,
Coleman,	Hewitt,	Munley,	Swope,
Cook,	Hoffman,	Murray, M. L.,	Tahl,
Cooper,	Howells,	Murray, P. G.,	Tate,
Corrigan,	Hunter,	Nagel,	Tittle,
Costa,	Huntley,	Nelson,	Trout,
Coulson,	James,	O'Brien,	Turbett,
Coyle,	Jones,	O'Connor,	Varallo,
Cullen,	Kennedy,	O'Dare,	Turner,
Dague,	Kirley,	O'Donnell,	Verona,
Dalrymple,	Kline,	O'Neill,	Wachhaus,
Dennison,	Kolankiewicz,	Owens,	Wagner,
Depuy,	Komorofski,	Pentrack,	Waterhouse,
Dix,	Kurtz,	Pettigrew,	Watkins,
Dougherty,	Lane,	Pickens,	Weiss,
Duffy,	Laughner,	Polaski,	Welsh,
Dye,	Lee,	Polen,	Wescott,
Elder,	Leisey,	Powers,	Wood, L. H.,
Erb,	Leonard,	Propert,	Wood, N.,
Finnerty,	Lichtenwalter,	Readinger,	Worley,
Flack,	Loftus,	Reagan,	Wright,
Fleming,	Longo,	Reese, D. P.,	Yeakel,
Foor,	Lopez,	Reese, R. E.,	Yester,
Fox,	Lovett,	Regan,	Fiss,
Freed,	Lyons,	Reidenbach,	Speaker.
Frost,	Madden,	Reilly,	

NAYS—0

NOT VOTING—21

Bentley,	Greenwood,	Levy,	Rose,
Chervenak,	Hering,	McLanahan,	Skale,
Dillon,	Herman,	Modell,	Trachtman,
Elish,	Hoggard,	Myhan,	Trent,
Gallagher,	Hoopes,	Petrosky,	White,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 986, as follows:

An Act to further amend section ten of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" including any service as a member of the General Assembly or as a member of the public school employes' retirement association in the period of service of a contributor upon his making certain back payments

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section ten of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retairement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as amended by the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 683) is hereby further amended to read as follows

Section 10 In computing the length of service of a contributor for retirement purposes under the provisions of this act full credit shall be given to each original member by the retirement board for each year of prior service as a State employe as defined in section one paragraph six and thirteen of this act As soon as practicable after each original member shall have joined the retirement association the retirement board shall issue to him or her a certificate certifying to the aggregate length of his or her prior service Such certificate shall be final and conclusive as to his or her prior service unless thereafter modified by the retirement board either upon application by the member or upon its own initiative The time during which a State employe is absent without pay shall not be counted in computing the service or the average salary of a contributor In the case of a contributor who has at any time prior to his becoming a State employe been a member of the General Assembly of this Commonwealth or a member of the public school employes' retirement association the period of his service as such member shall be included in computing the period of service of such contributor provided he shall have paid or shall agree to pay to the State employes' retirement association in a lump sum or through regular payroll deductions a sum equal to all the back payments which he would have made if a member of the State employes' retirement association during the period of such membership

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—180

Andrews,	Fullerton,	Madden,	Reilly,
Baker,	Gaffney,	Madigan,	Riley,
Barrett,	Gardner,	Mahany,	Robertson,
Barton,	Getchey,	Matthews,	Root,
Baumunk,	Gibson,	McAtee,	Royer,

Bentzel,	Goodling,	McClester,	Rudisill,
Boies,	Gore,	McCormack,	Salus,
Bonawitz,	Grant,	McDowell,	Scanlon,
Boney,	Green,	McKinney,	Schuster,
Boorse,	Greer,	McMillen,	Serrill,
Boory,	Guthrie,	McNair,	Shaffer,
Bower,	Gyger,	McNally,	Shoemaker,
Brancato,	Haberlen,	Mihm,	Sloan,
Breisch,	Hall,	Mikula,	Smith,
Brice,	Hamilton,	Miller,	Snider,
Brown,	Hare,	Milliken,	Snyder,
Brunner, C. H.,	Haudenshield,	Mills,	Sollenberger,
Brunner, P. A.,	Heatherington,	Mooney,	Sorg,
Cadwalader,	Helm,	Moore, C. E.,	Stank,
Chudoff,	Hennihan,	Moore, W. J.,	Stockham,
Cohen,	Hering,	Moran,	Stonier,
Coleman,	Hewitt,	Moser,	Stuart,
Cook,	Hoffman,	Munley,	Swope,
Cooper,	Howells,	Murray, M. L.,	Tahl,
Corrigan,	Hunter,	Murray, P. G.,	Tate,
Costa,	Huntley,	Nagel,	Tittle,
Coulson,	James,	Nelson,	Trout,
Coyle,	Jones,	O'Brien,	Turbett,
Cullen,	Kennedy,	O'Connor,	Turner,
Dague,	Kirley,	O'Dare,	Varallo,
Dalrymple,	Kline,	O'Donnell,	Verona,
Dennison,	Kolankiewicz,	O'Neill,	Wachhaus,
Depuy,	Komorofski,	Owens,	Wagner,
Dix,	Kurtz,	Pentrack,	Waterhouse,
Dougherty,	Lane,	Pettigrew,	Watkins,
Duffy,	Laughner,	Pickens,	Weiss,
Dye,	Lee,	Polaski,	Welsh,
Elder,	Leisey,	Polen,	Wescott,
Erb,	Leonard,	Powers,	Wood, L. H.,
Finnerty,	Lichtenwalter,	Propert,	Wood, N.,
Flack,	Loftus,	Readinger,	Worley,
Fleming,	Longo,	Reese, D. P.,	Wright,
Foor,	Lopez,	Reese, R. E.,	Yeakel,
Fox,	Lovett,	Regan,	Yester,
Freed,	Lyons,	Reidenbach,	Fiss,
Frost,			Speaker.

NAYS—1

Reagan,

NOT VOTING—21

Bentley,	Greenwood,	Levy,	Rose,
Chervenak,	Herman,	McLanahan,	Skale,
Dillon,	Hersch,	Modell,	Trachtman,
Elish,	Hoggard,	Myhan,	Trent,
Gallagher,	Hoopes,	Petrosky,	White,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 314, as follows:

An Act relating to officers and employes of the Senate and House of Representatives providing for and fixing the compensation of an additional employe changing the compensation of certain existing employes and making an appropriation therefor and for contingent expenses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In addition to the employes of the House of Representatives now provided for by law the Secretary of the House of Representatives is hereby authorized to appoint a stenographer to the Secretary of the House of Representatives who shall receive a salary of eighteen hundred dollars ($1,800) per annum

Section 2 The superintendent of the storeroom of the House of Representatives shall receive a salary of three thousand dollars ($3,000) per annum The chief custodian of the Senate shall receive a salary of twenty-seven hundred dollars ($2,700) per annum The custodian of the Senate chamber and the custodian of the hall of the House of Representatives and the day watchman and the night watchman of each house shall each receive the sum of one hundred sixty-five dollars ($165) per month For each regular biennial special or extraordinary session the assistant custodians of the Senate chamber and of the hall of the House of Representatives shall each receive four dollars ($4) per diem and during the interim between legislative sessions one assistant custodian of the Senate chamber shall receive one hundred dollars ($100) per month and the other assistant custodians of the Senate chamber and all of the assistant custodians of the hall of the House of Representatives shall each receive one hundred twenty-five dollars ($125) per month For each regular biennial special or extraordinary session the stenographer to the chief clerk of the Senate the message clerk of the House of Representatives and the clerk having in charge the preparation of the House history shall each receive ten dollars ($10) per diem For each regular biennial special or extraordinary session the stenographers for the use of the members and officers of the Senate and the stenographers for the use of the members and officers of the House of Representatives shall each receive seven dollars ($7) per diem

Section 3 The following sums or as much thereof as may be necessary are hereby specifically appropriated from the General Fund to the Senate and to the House of Representatives of the General Assembly for the purposes hereinafter set forth for the balance of the two fiscal years ending May thirty-first one thousand nine hundred forty-five Said sums shall be in addition to any sums heretofore appropriated to the Senate or to House of Representatives for any of said purposes

To the Senate

For the payment of increases in salaries and in per diem compensations provided for in this act the sum of fifteen hundred dollars ($1,500)

For the payment of contingent expenses including extra services of emlpoyes of the Senate and clerical stenographic traveling and discretionary charges of the President pro tempore of the Senate for the legislative session of one thousand nine hundred forty-five the sum of one thousand dollars ($1,000)

For the payment of contingent expenses including extra services of employes of the Senate and clerical stenographic traveling and discretionary charges of the majority floor leader for the legislative session of one thousand nine hundred forty-five the sum of five hundred dollars ($500)

For the payment of contingent expenses including extra services of employes of the Senate and clerical stenographic traveling and discretionary charges of the minority floor leader for the legislative session of one thousand nine hundred forty-five the sum of five hundred dollars ($500)

To the House of Representatives

For the payment of salaries provided for in this act and for the payment of increases in salaries and in per diem compensation provided for in this act the sum of two thousand dollars ($2,000)

For the payment of contingent expenses including extra services of employes of the House and clerical stenograph traveling and discretionary charges of the Speaker of the House of Representatives for the legislative session of one thousand nine hundred forty-five the sum of one thousand dollars ($1,000)

For the payment of contingent expenses including extra services of employes of the House and clerical stenographic traveling and discretionary charges of the majority floor leader for the legislative session of one thousand nine hundred forty-five the sum of five hundred dollars ($500)

For the payment of contingent expenses including extra services of employes of the House and clerical stenographic traveling and discretionary charges of the minority floor leader for the legislative session of one thousand

nine hundred forty-five the sum of five hundred dollars ($500)

Section 4 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 5 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—182

Andrews,	Fullerton,	Madden,	Reilly,
Baker,	Gaffney,	Madigan,	Riley,
Barrett,	Gardner,	Mahany,	Robertson,
Barton,	Getchey,	Matthews,	Root,
Baumunk,	Gibson,	McAtee,	Royer,
Bentzel,	Goodling,	McClester,	Rudisill,
Boies,	Gore,	McCormack,	Salus,
Bonawitz,	Grant,	McDowell,	Scanlon,
Boney,	Green,	McKinney,	Schuster,
Boorse,	Greer,	McMillen,	Serrill,
Boory,	Guthrie,	McNair,	Shaffer,
Bower,	Gyger,	McNally,	Shoemaker,
Brancato,	Haberlen,	Mihm,	Sloan,
Breisch,	Hall,	Mikula,	Smith,
Brice,	Hamilton,	Miller,	Snider,
Brown,	Hare,	Milliken,	Snyder,
Brunner, C. H.,	Haudenshield,	Mills,	Sollenberger,
Brunner, P. A.,	Heatherington,	Mooney,	Sorg,
Cadwalader,	Helm,	Moore, C. E.,	Stank,
Chudoff,	Hennihan,	Moore, W. J.,	Stockham,
Cohen,	Hering,	Moran,	Stonier,
Cook,	Hewitt,	Moser,	Stuart,
Cooper,	Hoffman,	Munley,	Swope,
Corrigan,	Howells,	Murray, M. L.,	Tahl,
Costa,	Hunter,	Murray, P. G.,	Tate,
Coulson,	Huntley,	Nagel,	Tittle,
Coyle,	James,	Nelson,	Trout,
Cullen,	Jones,	O'Brien,	Turbett,
Dague,	Kennedy,	O'Connor,	Turner,
Dalrymple,	Kirley,	O'Dare,	Varallo,
Dennison,	Kline,	O'Donnell,	Verona,
Depuy,	Kolankiewicz,	O'Neill,	Wachhaus,
Dix,	Komorofski,	Owens,	Wagner,
Dougherty,	Kurtz,	Pentrack,	Waterhouse,
Duffy,	Lane,	Pettigrew,	Watkins,
Dye,	Laughner,	Pickens,	Weiss,
Elder,	Lee,	Polaski,	Welsh,
Elish,	Leisey,	Polen,	Wescott,
Erb,	Leonard,	Powers,	Wood, L. H.,
Finnerty,	Lichtenwalter,	Propert,	Wood, N.,
Flack,	Loftus,	Readinger,	Worley,
Fleming,	Lopez,	Reagan,	Wright,
Foor,	Longo,	Reese, D. P.,	Yeakel,
Fox,	Lovett,	Reese, R. E.,	Yester,
Freed,	Lyons,	Regan,	Fiss,
Frost,		Reidenbach,	Speaker.

NAYS—1

Coleman,

NOT VOTING—19

Bentley,	Herman,	McLanahan,	Skale,
Chervenak,	Hersch,	Modell,	Trachtman,
Dillon,	Hoggard,	Myhan,	Trent,
Gallagher,	Hoopes,	Petrosky,	White,
Greenwood,	Levy,	Rose,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 446, as follows:

An Act to amend section six hundred eight of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by authorizing school boards to re-acquire old school buildings having historical value

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six hundred eight of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" is hereby amended to read as follows

Section 608 The board of school directors of any school district may enter upon and acquire any land in said district either vacant or occupied that it may require for school purposes or re-acquire old school buildings and grounds having an historical value not in excess of one in any school district in compliance with the provisions of this act except the following

Any burial ground or any land belonging to any incorporated institution of learning incorporated hospital association or unincorporated church incorporated or unincorporated religious association which land is actually used or held for the purpose for which such burial ground institution of learning hospital association church or religious association was established

And said bill having been read at length the third time, considered and agreed to.

on the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—183

Andrews,	Fullerton,	Madigan,	Riley,
Baker,	Gaffney,	Mahany,	Robertson,
Barrett,	Gardner,	Matthews,	Root,
Barton,	Getchey,	McAtee,	Royer,
Baumunk,	Gibson,	McClester,	Rudisill,
Bentzel,	Goodling,	McCormack,	Salus,
Boies,	Gore,	McDowell,	Scanlon,
Bonawitz,	Grant,	McKinney,	Schuster,
Boney,	Green,	McMillen,	Serrill,
Boory,	Greer,	McNair,	Shaffer,
Boorse,	Guthrie,	McNally,	Shoemaker,
Bower,	Gyger,	Mihm,	Sloan,
Brancato,	Haberlen,	Mikula,	Smith,
Breisch,	Hall,	Miller,	Snider,
Brice,	Hamilton,	Milliken,	Snyder,
Brown,	Hare,	Mills,	Sollenberger,
Brunner, C. H.,	Haudenshield,	Mooney,	Sorg,
Brunner, P. A.,	Heatherington,	Moore, C. E.,	Stank,
Cadwalader,	Helm,	Moore, W. J.,	Stockham,
Chudoff,	Hennihan,	Moran,	Stonier,
Cohen,	Hering,	Moser,	Stuart,
Coleman,	Hewitt,	Munley,	Swope,
Cook,	Hoffman,	Murray, M. L.,	Tahl,
Cooper,	Howells,	Murray, P. G.,	Tate,
Corrigan,	Hunter,	Nagel,	Tittle,
Costa,	Huntley,	Nelson,	Trout,
Coulson,	James,	O'Brien,	Turbett,
Coyle,	Jones,	O'Connor,	Turner,
Cullen,	Kennedy,	O'Dare,	Varallo,
Dague,	Kirley,	O'Donnell,	Verona,
Dalrymple,	Kline,	O'Neill,	Wachhaus,
Dennison,	Kolankiewicz,	Owens,	Wagner,
Depuy,	Komorofski,	Pentrack,	Waterhouse,

Dix,	Kurtz,	Pettigrew,	Watkins,
Dougherty,	Lane,	Pickens,	Weiss,
Duffy,	Laughner,	Polaski,	Welsh,
Dye,	Lee,	Polen,	Wescott,
Elder,	Leisey,	Powers,	Wood, L. H.,
Elish,	Leonard,	Propert,	Wood, N.,
Erb,	Lichtenwalter,	Readinger,	Worley,
Finnerty,	Loftus,	Reagan,	Wright,
Flack,	Longo,	Reese, D. P.,	Yeakel,
Fleming,	Lopez,	Reese, R. E.,	Yester,
Foor,	Lovett,	Regan,	Fiss,
Fox,	Lyons,	Reidenbach,	Speaker.
Freed,	Madden,	Reilly,	
Frost,			

NAYS—0

NOT VOTING—20

Bentley,	Herman,	McLanahan,	Skale,
Chervenak,	Hersch,	Modell,	Trachtman,
Dillon,	Hoggard,	Myhan,	Trent,
Gallagher,	Hoopes,	Petrosky,	White,
Greenwood,	Levy,	Rose,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 639, as follows:

An Act to amend section four of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1409) entitled as amended "An act authorizing the creation of State mining commissions with judicial powers to have exclusive jurisdiction with certain exceptions over the mining of coal within or under land easements or right of ways purchased condemned or otherwise acquired by the Commonwealth and over the assessment and award of benefits improvements and damages for coal required to be left in place by reason of the obligation to furnish support for land easements or right of ways purchased condemned or otherwise acquired by the Commonwealth whether the damages are payable by the Commonwealth or a county or a municipality authorizing counties and municipalities to enter into agreements to indemnify or reimburse the Commonwealth for damages to its lands easements or right of ways caused by the removal of coal under or adjacent thereto waiving vertical and lateral support therefor under certain conditions reserving the right to acquire absolute vertical and lateral support reserving the power to establish detours for the removal of coal underlying State highways providing for appeals to the courts of common pleas from orders assessing damages for coal required to be left in place" by waiving under certain conditions where no damages are payable vertical or lateral support to all lands easements and right of ways purchased condemned or otherwise acquired by the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1409) entitled as amended "An act authorizing the creation of State mining commissions with judicial powers to have exclusive jurisdiction with certain exceptions over the mining of coal within or under land easements or right of ways purchased condemned or otherwise acquired by the Commonwealth and over the assessment and award of benefits improvements and damages for coal required to be left in place by reason of the obligation to furnish support for land easements or right of ways purchased condemned or otherwise acquired by the Commonwealth whether the damages are payable by the Commonwealth or a county or a municipality authorizing counties and municipalities to enter into agreements to indemnify or reimburse the Commonwealth for damages to its lands easements or right of ways caused by the removal of coal under or adjacent thereto waiving vertical and lateral support therefor under certain conditions reserving the right to acquire absolute vertical and lateral support reserving the power to establish detours for the removal of coal underlying State highways providing for appeals to the courts of common pleas from orders assessing damages for coal required to be left in place" as last reenacted and amended by the act approved the third day of July one thousand nine hundred forty-one (P. L. 259) is hereby further amended to read as follows

Section 4 Except as hereinafter specifically provided by this act vertical and lateral support by underlying coal for any land easement or right of way purchased condemned or otherwise acquired by the Commonwealth is waived (1) (a) Whenever the State Mining Commission finds that the cost of restoring any possible subsidence or replacing any damage to structures or other improvements on such land easement or right of way is less than the amount payable for damages for coal required to be left in place in order to furnish such vertical or lateral support or (b) if no damages are payable by reason of the failue of the party or parties entitled thereto to institute proper proceedings to recover the same within the period prescribed by law whenever the owner or person entitled to remove the coal shall enter into an agreement to indemnify the Commonwealth for any damages or reimburse it for the replacement of any structure or other improvement which may be injured or destroyed by the removal of coal owned or adjacent to lands easements or right of ways owned by the Commonwealth and (2) Whenever the commission finds from the evidence before it that such waiver of support and the removal of coal will not result in loss of life or personal injury to persons properly using said land easement or right of way

Section 2 The provisions of this act shall become effective immediately upon final enactment and shall apply to all cases now pending before any State Mining Commission

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—111

Barton,	Fullerton,	Madigan,	Royer,
Baumunk,	Gardner,	Mahany,	Salus,
Bonawitz,	Getchey,	McAtee,	Scanlon,
Boorse,	Gibson,	McClester,	Serrill,
Bower,	Goodling,	McCormack,	Shoemaker,
Breisch,	Greer,	McDowell,	Sloan,
Brice,	Guthrie,	McKinney,	Smith,
Brunner, C. H.,	Gyger,	McMillen,	Snyder,
Cadwalader,	Hall,	Mikula,	Sollenberger,
Cook,	Hare,	Miller,	Sorg,
Cooper,	Haudenshield,	Milliken,	Stank,
Costa,	Helm,	Moore, C. E.,	Stockham,
Coulson,	Hewitt,	Moser,	Stonier,
Dague,	Hoffman,	Munley,	Stuart,
Dalrymple,	Howells,	Murray, P. G.,	Tahl,
Dennison,	Huntley,	Nelson,	Tittle,
Depuy,	James,	O'Dare,	Trout,
Dix,	Kennedy,	O'Neill,	Turbett,
Dye,	Kline,	Pickens,	Wachhaus,
Elder,	Kurtz,	Propert,	Wagner,
Erb,	Laughner,	Reagan,	Waterhouse,
Finnerty,	Lee,	Reese, D. P.,	Watkins,
Flack,	Leisey,	Regan,	Wescott,
Fleming,	Lichtenwalter,	Reidenbach,	Wood, L. H.,
Foor,	Loftus,	Reilly,	Wood, N.,
Fox,	Longo,	Riley,	Worley,
Freed,	Lyons,	Robertson,	Yeakel,
Frost,	Madden,	Root,	Fiss,
			Speaker.

NAYS—54

Andrews,	Dougherty,	Lopez,	Polaski,
Baker,	Duffy,	Lovett,	Polen,
Barrett,	Elish,	McNair,	Powers,
Bentzel,	Gaffney,	McNally,	Rudisill,
Boney,	Gore,	Mihm,	Shaffer,
Boory,	Grant,	Moore, W. J.,	Snider,
Brancato,	Hamilton,	Moran,	Swope,
Brown,	Heatherington,	Murray, M. L.,	Turner,
Brunner, P. A.,	Hoggard,	Nagel,	Varallo,
Chudoff,	Hunter,	O'Connor,	Weiss,
Cohen,	Jones,	O'Donnell,	Welsh,
Coleman,	Komorofski,	Owens,	Wright,
Coyle,	Leonard,	Pentrack,	Yester,
Cullen,			

NOT VOTING—38

Bentley,	Hering,	McLanahan,	Reese, R. E.,
Boies,	Herman,	Mills,	Rose,
Chervenak,	Hersch,	Modell,	Schuster,
Corrigan,	Hoopes,	Mooney,	Skale,
Dillon,	Kirley,	Myhan,	Tate,
Gallagher,	Kolankiewicz,	O'Brien,	Trachtman,
Green,	Lane,	Petrosky,	Trent,
Greenwood,	Levy,	Pettigrew,	Verona,
Haberlen,	Matthews,	Readinger,	White,
Hennihan,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 315.

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208), entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drug' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" discontinuing the registration of assistant pharmacist and providing that persons who have served as registered assistant pharmacists for ten years or longer shall be qualified for examination as pharmacists.

With the information that the Senate has passed the same with amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendment.

The Clerk read the amendment as follows:

Amend Section 2, page 3, line 28, by inserting after the word "act" the words "approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled 'An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity.'"

On the question,

Will the House concur in the amendment made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—183

Andrews,	Frost,	Madden,	Reilly,
Baker,	Fullerton,	Madigan,	Riley,
Barrett,	Gaffney,	Mahany,	Robertson,
Barton,	Gardner,	Matthews,	Root,
Baumunk,	Getchey,	McAtee,	Royer,
Bentzel,	Gibson,	McClester,	Rudisill,
Boies,	Goodling,	McCormack,	Salus,
Bonawitz,	Gore,	McDowell,	Scanlon,
Boney,	Grant,	McKinney,	Schuster,
Boorse,	Green,	McMillen,	Serrill,
Boory,	Greer,	McNair,	Shaffer,
Bower,	Guthrie,	McNally,	Shoemaker,
Brancato,	Gyger,	Mihm,	Sloan,
Breisch,	Haberlen,	Mikula,	Smith,
Brice,	Hall,	Miller,	Snider,
Brown,	Hamilton,	Milliken,	Snyder,
Brunner, C. H.,	Hare,	Mills,	Sollenberger,
Brunner, P. A.,	Haudenshield,	Mooney,	Sorg,
Cadwalader,	Heatherington,	Moore, C. E.,	Stank,
Chudoff,	Helm,	Moore, W. J.,	Stockham,
Cohen,	Hennihan,	Moran,	Stonier,
Coleman,	Hering,	Moser,	Stuart,
Cook,	Hewitt,	Munley,	Swope,
Cooper,	Hoffman,	Murray, M. L.,	Tahl,
Corrigan,	Howells,	Murray, P. G.,	Tate,
Costa,	Hunter,	Nagel,	Tittle,
Coulson,	Huntley,	Nelson,	Trout,
Coyle,	James,	O'Brien,	Turbett,
Cullen,	Jones,	O'Connor,	Turner,
Dague,	Kennedy,	O'Dare,	Varallo,
Dalrymple,	Kirley,	O'Donnell,	Verona,
Dennison,	Kline,	O'Neill,	Wachhaus,
Depuy,	Kolankiewicz,	Owens,	Wagner,
Dix,	Komorofski,	Pentrack,	Waterhouse,
Dougherty,	Kurtz,	Pettigrew,	Watkins,
Duffy,	Lane,	Pickens,	Weiss,
Dye,	Laughner,	Polaski,	Welsh,
Elder,	Lee,	Polen,	Wescott,
Elish,	Leisey,	Powers,	Wood, L. H.,
Erb,	Leonard,	Propert,	Wood, N.,
Finnerty,	Lichtenwalter,	Readinger,	Worley,
Flack,	Loftus,	Reagan,	Wright,
Fleming,	Longo,	Reese, D. P.,	Yeakel,
Foor,	Lopez,	Reese, R. E.,	Yester,
Fox,	Lovett,	Regan,	Fiss,
Freed,	Lyons,	Reidenbach,	Speaker.

NAYS—0

NOT VOTING—19

Bentley,	Herman,	McLanahan,	Skale,
Chervenak,	Hersch,	Modell,	Trachtman,
Dillon,	Hoggard,	Myhan,	Trent,
Gallagher,	Hoopes,	Petrosky,	White,
Greenwood,	Levy,	Rose,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendment was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

COMMUNICATION

The SPEAKER laid before the House a communication which was read by the Clerk as follows:

COMMONWEALTH OF PENNSYLVANIA
COMMISSION TO STUDY THE PUBLIC SCHOOL SYSTEM

Harrisburg, April 4, 1945.

Honorable Ira T. Fiss, Speaker
House of Representatives
The Capitol

My dear Mr. Fiss:

As directed by the Concurrent Resolution of April 2, enclosed please find a memorandum showing comparative cost data for H. B. 568, H. B. 1143 and .H B. 1146.

The data have been prepared by the Budget Secretary and the Commission.

Sincerely vours,

(Signed) GEORGE YOUNG, Chairman

enc.

COMPARATIVE COST DATA FOR
H. B. 568, H. B. 1143, H. B. 1146

I Scope of Bills

H. B. 568, provides for a new salary schedule for teachers and new State reimbursement procedures on account of instructional expenses.

H. B. 1146 and H. B. 1143, provides for a new salary schedule based upon the efficiency ratings earned by teachers (H. B. 1146) and new State reimbursement procedures on account of: (1) instructional expenses, (2) pupil transportation, (3) high school tuition, (4) vocational education, (5) education of physically and mentally handicapped children, (6) education of home bound children, and (7) adult education (H. B. 1143).

II Estimated Net Increase in Cost to Commonwealth

The increased cost to the State of the bills under review can be but approximated, because the Commonwealth's financial obligation in any one year depends upon the valuation of taxable real estate and the pupil load carried by the public schools during that year. However, the estimates of costs shown below for H. B. 568 and H. B. 1143 and 1146 are comparable because the estimates have been made by the use of identical methods.

A. Increase in Cost to Commonwealth of H. B. 568. On the basis of a pupil load of 1,550,000 (estimate of the Department of Public Instruction for the school year ended in 1945) H. B. 568 would call for an estimated net increase in State appropriations of $21,000,000 for the school year 1945-46, or a net increase of $42,000,000 for the biennium 1945-47.

Under the provisions of H. B. 568, the cost to the State increases automatically up to 1951, because the bill provides for an increase in maximum subsidy of from $1800 for the biennium 1945-47 to $2400 for the biennium 1951-53.

On the assumption that by 1951, the pupil load will have regained its pre-war level of 1,800,000. H. B. 568 would call for an estimated net increase in State appropriation of $63,000,000 for the school year 1951-52, or a net increase of $126,000,000, for the biennium 1951-53.

B. Increase in Cost to Commonwealth of H. B. 1143 and H. B. 1146.

The net increase in Commonwealth's cost for the school year 1945-46 would be approximately $10,500,000 or $21,000,000 for the biennium 1945-47.

On the assumption that by 1951 the pupil load will have regained its pre-war level of 1,800,000, H. B. 1143 and H. B. 1146 would call for estimated net increase in State appropriations of approximately $20,000,000 for the school year 1951-52, or $40,000,000 for the biennium 1951-53.

III Increase in Local School Tax Rates Necessary to Finance H. B. 568

Under the terms of H. B. 1143 and 1146, local real estate tax rates necessary to finance the local share of school costs would not increase. However, if H. B. 568 should become law, local real estate tax rates necessary to finance local share of costs would have to be increased considerably. A simple numerical illustration will help to make this point clear:

The mandated salary plus increments plus the temporary cost of living increase of elementary teachers employed by fourth class districts, is at present $1400. In the case of a seventy-five per cent fourth class district with a valuation of $50,000 per teacher, the Commonwealth, at present, contributes approximately $1,200 toward the salary of $1400. This means that the district in question must raise $200/$50,000 or four mills to finance its share of the salary of one elementary teacher.

Under the terms of H. B. 568, the salary of the average elementary teacher would eventually become $2800. In the case of a fourth class district with $50,000 of valuation, the Commonwealth would contribute (beginning in 1951) toward the payment of this salary:

$$\$2400 - (\$50,000 \times .005) = \$2150$$

Under these conditions the balance of the mandated minimum salary of $2800 amounting to $650, would have to be raised locally. This would necessitate the imposition of a tax rate of $650/$50,000 or thirteen mills

To facilitate appraisal of the significance of the above illustration it may be pointed out that today the estimated percentage distribution of school districts according to assessed valuation per teaching unit is as follows:

Assessed Valuations per Teaching Unit (in thousands of dollars)	Estimated Percentage of Teaching Units Operated by Districts Having Assessed Valuations per Teaching Unit Less than the Valuation Listed in Col. 1
(1)	(2)
25	5.19
50	25.18
75	42.44
100	46.18
125	65.02
150	72.20
175	77.83
200	80.26
220 and over	80.90

In connection with the interpretation of the above data it should be remembered that salary cost is but one item of total school costs. It is estimated that at a salary of $2800 it would cost at least $4000 to operate one teaching unit. If this estimate should prove correct a $50,000 district would have to levy thirty-seven mills to pay for its share of the total cost of operating one teaching unit, and a $25,000 district would have to levy sixty-nine mills.

The SPEAKER. The communication and report will be printed in full in the Legislative Journal. A copy will be made available to the Committee on Education.

QUESTION OF INFORMATION

Mr. COHEN. Mr. Speaker, I arise to a question of information.

The SPEAKER. The gentleman will state it.

Mr. COHEN. Mr. Speaker, will the copy of this report that will be furnished to the Committee on Education become available before tonight's public hearing?

The SPEAKER. That was the purpose of the resolution. Does the gentleman wish the report to be read in full.

Mr. COHEN. I do not desire that. Mr. Speaker, but the copies that will be available for the Members of the Education Committee, will they be available early this afternoon, late this afternoon, or early this evening?

The SPEAKER. They are available now.

Mr. COHEN. For distribution, Mr. Speaker?

The SPEAKER. There are two copies that are available now. Copies can be made.

Mr. COHEN. The minority side would like to have copies made available for information

The SPEAKER. The Chair would suggest that the gentleman confer with the Chairman of the Committee on Education.

Mr. ANDREWS. The information, Mr. Speaker, that is supposed to be in that report is information needed by every Member of this House in passing intelligently upon school legislation.

As I understand it, this report analysis the financial cost of the various bills now pending before this House, and that is something that I would like to have, and I would like to have every Member on this side of the House have. It is not something that should be simply confined to the archives of the Committee on Education.

The SPEAKER. The Chair would inform the gentleman that there is no intention of doing that. If the gentleman will recall, the resolution concurred in last night near the close of the session.

PARLIAMENTARY INQUIRY

Mr. ANDREWS. Mr. Speaker, I arise to a question of Parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ANDREWS. Would it not be possible for the Chair to instruct, or the House to instruct the Chief Clerk, or some other officer of this House to prepare mimeograph copies immediately for distribution at the earliest possible time—in the boxes of the Members?

The SPEAKER. The Chair will inquire of the Chief Clerk whether it will be possible for him to do that before the public hearing tomorrow evening.

Mr. ANDREWS. Tonight, Mr. Speaker.

The SPEAKER. The Chief Clerk informs the Chair that it is possible to have these copies mimeographed and in the mail boxes of the Members this evening.

Mr. ANDREWS. I thank the Chair.

The SPEAKER. The Chair would inform the gentleman from Cambria that copies will be available within an hour. They will be placed in the mail boxes of the Members within that time.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 933, entitled:

An Act to add section one thousand six hundred and fifteen to the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing for the release of pupils from the public schools for religious instruction.

The first section was read.

On the question,

Will the House agree to the section?

Mr. BONAWITZ offered the following amendments.

Amend Sec. 1, (Sec. 1615), page 2, line 16, by striking out the word "group" and inserting in lieu thereof: "religious group or organization."

Amend Sec. 1, (Sec. 1615), page 2, line 20, by inserting after the word "release" "from school sessions."

Amend Sec. 1, (Sec. 1615), page 2, line 20, by striking out the words "who desire to" and inserting in lieu thereof: "whose parents or surviving parent or guardian or other person having legal custody of such pupil desires to have them."

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 135, as follows:

An Act fixing the salaries of State Mine Inspectors under the jurisdiction of the Department of Mines in this Commonwealth and the expenses incident to this office

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 On and after the passage of this act the salary of mine inspectors of this Commonwealth who have continuously served as such for four years shall be increased to five thousand four hundred dollars ($5,400.00) per annum together with the necessary expense incidental to the performance of their duties under the law which money shall be paid in the manner now provided by law

Section 2 All acts and parts of acts inconsistent herewith are hereby repealed

Section 3 Effective Date This act shall become effective on the first day of June one thousand nine hundred forty-five

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—183

Andrews,	Fullerton	Madigan,	Riley.
Baker,	Gaffney,	Mahany.	Robertson.
Barrett,	Gardner,	Matthews.	Root.
Barton.	Getchey,	McAtee.	Royer.
Baumunk,	Gibson,	McClester,	Rudisill,
Bentzel,	Goodling,	McCormack,	Salus,
Boies,	Gore,	McDowell,	Scanlon,
Bonawitz,	Grant,	McKinney,	Schuster,
Boney,	Green,	McMillen,	Serrill,
Boorse,	Greer,	McNair,	Shaffer,
Boory,	Guthrie,	McNally,	Shoemaker,
Bower.	Gyger.	Mihm.	Sloan,
Brancato,	Haberlen,	Mikula,	Smith,
Breisch,	Hall,	Miller,	Snider,
Brice,	Hamilton,	Milliken,	Snyder,
Brown.	Hare,	Mills,	Sollenberger,
Brunner, C. H.,	Haudenshield,	Mooney.	Sorg,
Brunner, P. A.,	Heatherington,	Moore, C. E.,	Stank,
Cadwalader,	Helm.	Moore, W. J.,	Stockham,
Chudoff,	Hennihan,	Moran,	Stonier,
Cohen,	Hering,	Moser,	Stuart,
Coleman,	Hewitt,	Munley,	Swope,
Cook.	Hoffman,	Murray, M. L.,	Tahl,
Cooper,	Howells,	Murray, P. G.,	Tate.
Corrigan,	Hunter,	Nagel,	Tittle,
Costa,	Huntley,	Nelson,	Trout,
Coulson,	James,	O'Brien.	Turbett,
Coyle,	Jones,	O'Connor,	Turner,
Cullen,	Kennedy,	O'Dare.	Varallo,
Dague,	Kirley,	O'Donnell,	Verona,
Dalrymple,			

Dennison,	Kline,	O'Neill,	Wachhaus,
Depuy,	Kolankiewicz,	Owens,	Wagner,
Dix,	Komorofski,	Pentrack,	Waterhouse,
Dougherty,	Kurtz,	Pettigrew,	Watkins,
Duffy,	Lane,	Pickens,	Weiss,
Dye,	Laughner,	Polaski,	Welsh,
Elder,	Lee,	Polen,	Wescott,
Elish,	Leisey,	Powers,	Wood, L. H.,
Erb,	Leonard,	Propert,	Wood, N.,
Finnerty,	Lichtenwalter,	Readinger,	Worley,
Flack,	Loftus,	Reagan,	Wright,
Fleming,	Longo,	Reese, D. P.,	Yeakel,
Foor,	Lopez,	Reese, R. E.,	Yester,
Fox,	Lovett,	Regan,	Fiss,
Freed,	Lyons,	Reidenbach,	Speaker
Frost,	Madden,	Reilly,	

NAYS—0

NOT VOTING—19

Bentley,	Herman,	McLanahan,	Skale,
Chervenak,	Hersch,	Modell,	Trachtman,
Dillon	Hoggard,	Myhan,	Trent,
Gallagher,	Hoopes,	Petrosky,	White,
Greenwood,	Levy,	Rose,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 652, as follows:

An Act to further amend section four hundred four and to amend section four hundred five of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repaling existing laws" by changing requirements relating to the investment of the capital reserve and surplus of mutual and stock life insurance companies organized under the laws of this Commonwealth and creating a new section 405.1 relating to investment restrictions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred four of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associatios reciprocal and inter-insuance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" as last amended by the act approved the twelfth day of May one thousand nine hundred thirty-nine (P. L. 131) is hereby further amended to read as follows

Section 404 Investment of Capital and Reserve A sum equal to the capital and reserves of any stock or mutual life insurance company organized under the laws of this Commonwealth shall be invested as follows

(a) In such real estate as it is authorized by this act to hold

(b) (1) In bonds notes or obligations issued assumed or guaranteed [of] by the United States [or] District of Columbia or Canada or of any State or Territory of the United States] and in farm loan bonds issued by Federal Land Banks

2 In bonds notes or obligations issued assumed or guaranteed by any State or Territory of the United States or the District of Columbia

3 In bonds notes or obligations issued assumed or guaranteed by the Dominion of Canada or any Province thereof which has not within the ten years prior to the date of purchase defaulted in payment of principal or interest of any of its bonds notes or obligations or any of those which it assumed or guaranteed

(c) In legally authorized bonds notes warrants or obligations of any city town county borough township municipality school district poor district or water sewer drainage road or other government district or division located in this Commonwealth or in any State of the United States provided that no default in interest exists on such bonds notes warrants or obligations at the time of purchase

(d) In ground-rents and in loans upon unencumbered real estate in any State of the United States or the District of Columbia Provided That no loan shall exceed sixty-six and two-thirds per centum of the fair market value thereof at the time of such loan And provided further That the limitation herein prescribed in respect to the percentage of the fair market value of the property upon which an insurance company may make loans shall not apply to bonds secured by mortgages which are insured by or for which a commitment to insure has been made by the Federal Housing Administrator or Commissioner pursuant to the provisions for [mutual] mortgage insurance in title two or title six of the National Housing Act [for the purpose of financing the construction or purchase of dwellings and similar residential property and the refinancing of mortgages] and in loans guaranteed or for which a commitment to guarantee has been made in full or in part by the Administrator of Veterans' Affairs under the Servicemen's Readjustment Act of 1944 Public Law 346 of the 78th Congress or any amendment thereof provided that if such loan is so guaranteed in part only such loan shall be upon unencumbered real estate in any State of the United States or the District of Columbia and the portion not so guaranteed shall not exceed sixty-six and two-thirds per centum of the fair market value of such real estate at the time of such loan unless the portion not so guaranteed is insured by or a commitment to insure has been made by the Federal Housing Administrator or Commissioner pursuant to the provisions for mortgage insurance in title two or title six of the National Housing Act

(e) In debentures issued by the Federal Housing Administrator or Commissioner in settlement of claim for insurance pursuant to title two or title six of the National Housing Act

(f) In securities of national mortgage associations or similar national mortgage credit institutions now or hereafter organized under title three of the National Housing Act

(g) In loans upon the security of its own policies not exceeding the net value of the policy at the time of making the loan

(h) In first encumbrances upon standard [steam] railroads street or interurban railways or upon their rolling stock equipment or of water gas or other public utility companies or bonds issued to retire a prior debt or bonds prior thereto or in other bonds or notes of the above named corporations upon which no default in interest exists at the time of purchase

(i) In bonds notes or other obligations of any corporation other than those mentioned in subsection (h) Provided That said corporation shall have earned in each of its three fiscal years next preceding the date of the investment an amount equal to one and one-half times the total interest on all of its debt [Nothing in this section shall be construed as permitting the investment of any part of the capital and reserves of any stock or mutual

life insurance company in the stock or stocks of any corporation]

(j) (1) In the preferred stocks or shares of preferred stock of any solvent corporation created or existing under the laws of the United States or of any State District or Territory thereof provided the income of such corporation available for its fixed charges for a period of five fiscal years next preceding the date of acquisition by the insurance company shall have averaged per year not less than one and three-fourths times the sum of its annual fixed charges if any its annual maximum contingent interest if any and its annual preferred dividend requirements all these charges and requirements being those existing at the time of acquisition by the insurance company And provided further That during each of the last two years of such period such income shall have been not less than one and three-fourths times the sum of its fixed charges contingent interest and preferred dividend requirements as existing at the time of acquisition by the insurance company The term "preferred dividend requirements" shall be deemed to mean cumulative or noncumulative dividends whether paid or not

(2) In guaranteed stocks or shares of guaranteed stock of any solvent corporation created or existing under the laws of the United States or of any State District or Territory thereof provided the income of the assuming or guaranteeing corporation available for its fixed charges for a period of five fiscal years next preceding the date of acquisition by the insurance company shall have averaged per year not less than one and three-fourths times its annual fixed charges existing at the time of acquisition by the insurance company and if during the last year of such period such income shall have been not less than one and three-fourths times its fixed charges for such year And provided further That the term "fixed charge" shall be construed so as to include as a fixed charge the amount of guaranteed dividends of all such issues [of] or the rental covering the guarantee of such dividends

The total investment of any stock or mutual life insurance company under this section in preferred and guaranteed stocks shall be limited to ten per centum of its total admitted assets at the time the invesment is made and no such life insurance company shall invest in or acquire either directly or indirectly either as provided in this section or in section 405 more than twenty-five per centum of the preferred and guaranteed stock of any one corporation

(k) In bonds or other evidences of indebtedness not in default as to principal or interest which are valid and legally authorized obligations issued assumed or guaranteed by any public instrumentality of the United States or any State or Territory thereof the District of Columbia or any county city town village municipality or district in or any political subdivision or civil division of a State or Territory of the United States or of more than one of the foregoing if by statutory or other legal requirements applicable thereto such obligations are payable as to both principal and interest from taxes levied or by such law required to be levied upon all taxable property or all taxable income within the jurisdiction of such governmental unit or from adequate special revenues pledged or otherwise appropriated or by such law required to be provided for the purpose of such payment but not including any obligations payable solely out of special assessments on properties benefited by local improvements

The Insurance Commissioner may permit any company to invest sufficient of its capital and reserves in the securities of a foreign government in order to enable it to comply with the laws of such foreign government and transact business therein

Nothing herein contained shall be so construed as to prevent any such company from acquiring or holding property taken in reorganization or foreclosure proceedings or which may be obtained in satisfaction of any debt previously contracted

Section 2 Section four hundred five of said act is hereby amended to read as follows

Section 405 Investment of Surplus [Restrictions] Any money over and above the capital and reserves of any stock or mutual life insurance company may be invested in the securities enumerated in the preceding section or in [the standard and listed stock or] other evidence of indebtedness [of any solvent dividend-paying corporation created under the laws of this Commonwealth or of any other State of the United States] or preferred or common stock of any solvent corporation created or existing under the laws of the United States or of any State District or Territory thereof or loaned upon the pledge of the same except its own stock or the stock of any other insurance company transacting like classes of business The current market value of such securities shall at the time of making any loan be at least twenty per centum more than the sum loaned thereon

Section 405.1 Investments Restrictions No such insurance company shall invest any of its funds in any unincorporated business or enterprise nor in the stocks or evidences of indebtedness of any corporation the owners or holders of which stock or evidence of indebtedness may in any event be or become liable on account thereof to any assessment except for taxes or salaries or wages for services rendered to the corporation nor shall any of its funds be loaned on personal security Not more than [one fifth of its capital] ten thousand dollars ($10,000) or two per centum of its total admitted assets whichever is the greater shall be invested in a single mortgage No such company shall hereafter invest in or acquire directly or indirectly more than ten per centum of the [capital] common stock of any one corporation nor shall more than an amount equal to ten per centum of its capital and surplus be invested in the common stock of any one corporation No such company shall enter into any agreement to withhold from sale any of its property but the disposition of its property shall be at all times within the control of its board of directors or trustees If any investment or loan is made in a manner not authorized by this act the officers directors and trustees making or authorizing the same shall be personally liable for any loss occasioned thereby

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—182

Andrews,	Frost,	Madigan,	Riley,
Baker,	Fullerton,	Mahany,	Robertson
Barrett,	Gaffney,	Matthews,	Root,
Barton,	Gardner,	McAtee,	Royer,
Baumunk,	Getchey,	McClester,	Rudisill,
Bentzel,	Gibson,	McCormack,	Salus,
Boies,	Goodling,	McDowell,	Scanlon,
Bonawitz,	Gore,	McKinney,	Schuster,
Boney,	Grant,	McMillen,	Serrill,
Boorse,	Green,	McNair,	Shaffer,
Boory,	Greer,	McNally,	Shoemaker,
Bower,	Guthrie,	Mihm,	Sloan,
Brancato,	Gyger,	Mikula,	Smith,
Breisch,	Haberlen,	Miller,	Snider,
Brice,	Hall,	Milliken,	Snyder,
Brown,	Hamilton,	Mills,	Sollenberger,
Brunner, C. H.,	Hare,	Mooney,	Sorg,
Brunner, P. A.,	Haudenshield,	Moore, C. E.,	Stank,
Cadwalader,	Heatherington,	Moore, W. J.,	Stockham,
Chudoff,	Helm,	Moran,	Stonier,
Cohen,	Hennihan,	Moser,	Stuart,
Coleman,	Hering,	Munley,	Swope,
Cook,	Hewitt,	Murray, M. L.,	Tate,
Cooper,	Hoffman,	Murray, P. G.,	Tahl,
Corrigan,	Howells,	Nagel,	Tittle,
Costa,	Hunter,	Nelson,	Trout,
Coyle,	Huntley,	O'Brien,	Turbett,
Coulson,	James,	O'Connor,	Turner,
Cullen,	Jones,	O'Dare,	Varallo,

Dague,	Kennedy,	O'Donnell,	Verona,
Dalrymple,	Kirley,	O'Neill,	Wachhaus,
Dennison,	Kline,	Owens,	Wagner,
Depuy,	Kolankiewicz,	Pentrack,	Waterhouse,
Dix,	Komorofski,	Pettigrew,	Watkins,
Dougherty,	Kurtz,	Pickens,	Weiss,
Duffy,	Lane,	Polaski,	Welsh,
Dye,	Laughner,	Polen,	Wescott,
Elder,	Lee,	Powers,	Wood, L. H.,
Elish,	Leisey,	Propert,	Wood, N.,
Erb,	Leonard,	Readinger,	Worley,
Finnerty,	Lichtenwalter,	Reagan,	Wright,
Flack,	Loftus,	Reese, D. P.,	Yeakel,
Fleming,	Longo,	Reese, R. E.,	Yester,
Foor,	Lopez,	Regan,	Fiss,
Fox,	Lyons,	Reidenbach,	Speaker.
Freed,	Madden,	Reilly,	

NAYS—1

Lovett,

NOT VOTING—19

Bentley,	Herman,	McLanahan,	Skale,
Chervenak,	Hersch,	Modell,	Trachtman,
Dillon,	Hoggard,	Myhan,	Trent,
Gallagher,	Hoopes,	Petrosky,	White,
Greenwood,	Levy,	Rose,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1082, as follows:

An Act to further amend the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" by changing the provisions of said act as to the registration of electors before and after certain elections the preparation of street lists the cancellation of registrations for failure to vote and the destruction of records

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of section seventeen and sections thirty-four and forty of the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" as amended by the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 710) are hereby further amended to read as follows

Section 17 * * * * *

(a) The commission or any commissioner employe or clerk assigned for that purpose shall at the main office of the commission during ordinary business hours and during such additional hours as the commission shall from time to time prescribe on each day and on such days and during such hours as the commission may from time to time designate at other offices in the city which the commission shall from time to time during the period of ninety days preceding any election have power to establish and discontinue except Sundays holidays the days hereinafter provided for the registration of electors in the districts or wards the day of each election and each primary [the thirty days next preceding the primary election in the year one thousand nine hundred and forty-one] the fifty days next preceding each general and [in all subsequent years each] primary election the thirty-five days next preceding each municipal election [or any special election not held on a day fixed for the holding of November or primary elections] and the thirty days next following each election and the five days next following each primary receive personal applications from persons who claim that they are entitled to be registered as electors of the city and who appear for registration Provided however That in case of a special election within a certain district (congressional senatorial or representative) the registration of electors shall be discontinued only in the wards comprising such district for the period of thirty-five days prior to and the five days next following such special election In each year the commission may also when it considers it necessary for the convenience of the electors provide one or more places of registration in each or any ward of the city at which two or more registrars as the commission may deem necessary shall be present to receive personal applications from qualified electors of the city who claim that they are entitled to be registered which registrars shall be present thereat between the hours of seven antemeridian and one postmeridian and between the hours of four and ten postmeridian on such days as may be selected by the commission which shall be not [less than twenty days prior to the primary election in the year one thousand nine hundred and forty-one and not] more than sixty days and not less than fifty days prior to any general or primary election [and the primary election in any subsequent year] and not more than forty days and not less than thirty-five days prior to any municipal election Provided further however That with respect to any person who shall become a citizen of the United State on a day subsequent to the sixtieth day prior to any election or primary but at least one month prior to the day of such election or primary the commission or any commissioner employe or clerk assigned for that purpose shall receive personal applications from such person if he or she is otherwise qualified at the office of the registration commission until the thirtieth day prior to such election or primary during ordinary business hours except Sundays holidays and the days hereinbefore provided for the registration of electors in the districts or wards

Section 34 Comparison and Correction of Registers Street Lists (a) Commencing fifty days prior to each primary and each general election and thirty-five days prior to each municipal election the commission shall compare and correct the general and district registers

(b) After the last day preceding each primary muni-

cipal and general election when electors may be registered the commission shall prepare for each election district a street list of the names and addresses of all registered electors resident in the district arranged by streets and house numbers and except before each [municipal election] primary in odd numbered years shall cause to be made at least a hundred exact copies of such list and not later than fifteen days preceding each primary in even numbered years and each general and municipal election shall distribute copies of such lists among the inspectors and special inspectors of registration and the official concerned with the conduct of primaries and elections and among the parties bodies of electors candidates and organized bodies of citizens interested therein giving at least ten copies of each street list to the city committee of each political party or body of electors upon the written application of the chairman thereof and at least ten copies of each street list to the executive or governing board or committee of each organized body of citizens having as its purposes the investigation and prosecution of election frauds upon the written application of the presiding officer of such body of citizens and at least one copy of each street list with which his candidacy is concerned to each candidate upon his written request and keeping two complete sets of such street lists on file at the office of the commission convenient for public inspection during all the hours when the other records of the commission are open to public inspection as herein provided Not later than the seventh day preceding each election and primary the commission shall post or cause to be posted at each polling place in such city at a point accessible to the public one of the said street lists to be maintained at such place until the closing of the polls on the succeeding election day

Section 40 Cancellation of Registration upon Failure to Vote Within Certain Periods Request for Reinstatement Correction of Errors of the Commission in Cancellation of Registrations Within three months after [the municipal election held in the year one thousand nine hundred and forty-one and within three months after each general and municipal election held thereafter] the first day of January of each year the commission shall cause all of the district registers to be examined and [in the case of each registered elector who is not recorded as having voted at any election or primary within the period of four years immediately preceding the date of the municipal election held in the year one thousand nine hundred and forty-one and] in the case of each registered elector who is not recorded as having voted at any election or primary [within the period of two years] during the two calendar years immediately preceding [any municipal or general election held in any subsequent year] the commission shall send to such elector by mail at his address appearing upon his registration affidavit a notice setting forth that the records of the commission indicate that he has not voted [within a period of four years or two years as the case may require] during the two immediately preceding calendar years and that his registration will be cancelled at the expiration of ten days from the date of mailing such notice unless he shall within that period file with the commission either personally or by mail a written request for reinstatement of his registration signed by him setting forth his place of residence A list of the persons to whom such notices shall have been mailed shall be sent promptly to the city chairman of the political party of which the electors were registered as members At the expiration of the time specified in the notice the commission shall cause the registration of such elector to be cancelled unless he has filed with the commission a signed request for reinstatement of his registration as above provided The cancellation of the registration of any such elector for failure to vote [within a period of four years or two years as the case may require] during the two immediately preceding calendar years shall not affect the right of any such elector to subsequently register by personal application in the manner provided by this act

Whenever the registration of an elector has been cancelled through error such elector may petition the commission for the reinstatement of his registration not later than the tenth day preceding any primary or election and after a hearing on said application if error on the part of the commission is proved the commission shall reinstate the registration of such elector

Section 2 Section forty-one of said act is hereby amended to read as follows

Section 41 Cancellation Removal and Preservation of Registration Affidavits (a) Whenever the registration of an elector is cancelled for any cause the commission shall cause to be marked on the registration affidavits of the elector the word "Cancelled" and the date and cause of cancellation and shall remove them from the general and district registers but each such affidavit shall be kept for five years after which it may be destroyed upon the approval thereof in writing by the district attorney

(b) All records except registration affidavits and original strike off petitions which are not essential for maintaining the current status of any qualified elector may be destroyed by the commission after two years

Section 3 The amendments herein made to section thirty-four of the said act shall remain in effect until the termination of hostilities in the present war and for six months thereafter The termination of hostilities in the present war shall be the time proclaimed as such by the President of the United States or the date specified as such in a concurrent resolution of the two houses of Congress

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—183

Andrews,	Fullerton,	Madigan,	Riley,
Baker,	Gaffney,	Mahany,	Robertson,
Barrett,	Gardner,	Matthews,	Root,
Barton,	Getchey,	McAtee,	Rover,
Baumunk,	Gibson,	McClester,	Rudisill,
Bentzel,	Goodling,	McCormack,	Salus,
Boies,	Gore,	McDowell,	Scanlon,
Bonawitz,	Grant,	McKinney,	Schuster,
Boney,	Green,	McMillen,	Serrill,
Boorse,	Greer,	McNair,	Shaffer,
Boory,	Guthrie,	McNally,	Shoemaker,
Bower	Gyger,	Mihm,	Sloan,
Brancato,	Haberlen,	Mikula,	Smith,
Breisch,	Hall,	Miller,	Snider,
Brice,	Hamilton,	Milliken,	Snyder,
Brown,	Hare,	Mills,	Sollenberger,
Brunner, C. H.,	Haudenshield,	Mooney,	Sorg,
Brunner, P. A.,	Heatherington,	Moore, C. E.,	Stank,
Cadwalader,	Helm,	Moore, W. J.,	Stockham,
Chudoff,	Hennihan,	Moran,	Stonier,
Cohen,	Hering,	Moser,	Stuart,
Coleman,	Hewitt,	Munley,	Swope,
Cook,	Hoffman,	Murray, M. L.,	Tahl,
Cooper,	Howells,	Murray, P. G.,	Tate,
Corrigan,	Hunter,	Nagel,	Tittle,
Costa,	Huntley,	Nelson,	Trout,
Coulson,	James,	O'Brien,	Turbett,
Coyle,	Jones,	O'Connor,	Turner,
Cullen,	Kennedy,	O'Dare,	Verona,
Dague,	Kirley,	O'Donnell,	Varallo,
Dalrymple,	Kline,	O'Neill,	Wachhaus,
Dennison,	Kolankiewicz,	Owens,	Wagner,
Depuy,	Komorofski,	Pentrack,	Waterhouse,
Dix,	Kurtz,	Pettigrew,	Watkins,
Dougherty,	Lane,	Pickens,	Weiss,
Duffy,	Laughner,	Polaski,	Welsh,
Dye,	Lee,	Polen,	Wescott,
Elder,	Leisey,	Powers,	Wood, L. H.,
Elish,	Leonard,	Propert,	Wood, N.,
Erb,	Lichtenwalter,	Readinger,	Worley,
Finnerty,	Loftus,	Reagan,	Wright,
Flack,	Longo,	Reese, D. P.,	Yeakel,
Fleming,			

Foor,	Lopez,	Reese, R. E.,	Yester,
Fox,	Lovett,	Regan,	Speaker.
Freed,	Lyons,	Reidenbach,	Fiss,
Frost,	Madden,	Reilly,	

NAYS—0

NOT VOTING—19

Bentley,	Herman,	McLanahan,	Skale,
Chervenak,	Hersch,	Modell,	Trachtman,
Dillon	Hoggard,	Myhan,	Trent,
Gallagher,	Hoopes,	Petrosky,	White,
Greenwood,	Levy,	Rose,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 163, as follows:

An Act to further amend clauses (a) (d) and (f) of section one thousand three hundred four of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" providing for regulation of preliminary education of candidates for licenses to practice professions or work at trades or occupations granted by the Department of Public Instruction or other departments of the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clauses (a) (d) and (f) of section one thousand three hundred four of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended by the act approved the first day of June one thousand nine hundred thirty-one (P. L. 350) are hereby further amended to read as follows

Section 1304 Professional Education and Licensure The Department of Public Instruction shall have the power and its duty shall be

(a) To determine value standardize and regulate the preliminary education both secondary and collegiate of those to be hereafter [admitted to the practice of medicine dentistry and pharmacy in this Commonwealth] licensed to practice any profession or work at any trade or occupation in this Commonwealth for which licenses are issued by the Department of Public Instruction or any other department of the Commonwealth but this provision shall not affect educational requirements as now provided by law for any profession trade or occupation

* * * * *

(d) To hold examinations in secondary school subjects at suitable times and places to be designated by the Superintendent of Public Instruction for the determination of the fitness of applicants unable to present satisfactory certificates and to issue certificates to those found proficient Provided That admission to such examinations shall be denied any applicant eighteen years of age or under regularly enrolled in an accredited secondary school and no applicant eighteen years of age or under not enrolled in an accredited secondary school shall be allowed to obtain more units of secondary school credit through such examinations during any year than could be carried during any year through enrollment in an accredited secondary school

* * * * *

(f) To determine and publish a standard high school course to compile and cause to be published from time to time a list of elementary and secondary schools in this State which conform to the official standards promulgated by the department and take such steps as may be appropriate to raise the standard of elementary and secondary education Provided That nothing in this section shall be constructed to conflict with the provisions of the statutes of this Commonwealth regulating the [practice of medicine dentistry or pharmacy respectively] right to practice any profession or to work at any trade or occupation for which licenses are issued by the Department of Public Instruction

* * * * *

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—182

Andrews,	Frost,	Madigan,	Reilly,
Baker,	Fullerton,	Mahany,	Riley,
Barrett,	Gaffney,	Matthews,	Robertson,
Barton,	Gardner,	McAtee,	Root,
Baumunk,	Getchey,	McClester,	Royer,
Bentzel,	Gibson,	McCormack,	Rudisill,
Boies,	Goodling,	McDowell,	Salus,
Bonawitz,	Gore,	McKinney,	Scanlon,
Boney,	Grant,	McMillen,	Schuster,
Boorse,	Green,	McNair,	Serrill,
Boory,	Greer,	McNally,	Shaffer,
Bower,	Guthrie,	Mihm,	Shoemaker,
Brancato,	Gyger,	Mikula,	Sloan,
Breisch,	Haberlen,	Miller,	Smith,
Brice,	Hall,	Milliken,	Snider,
Brown,	Hamilton,	Mills,	Snyder,
Brunner, C. H.,	Hare,	Mooney,	Sollenberger,
Brunner, P. A.,	Haudenshield,	Moore, C. E.,	Sorg,
Cadwalader,	Heatherington,	Moore, W. J.,	Stank,
Chudoff,	Helm,	Moran,	Stockham,
Cohen,	Hennihan,	Moser,	Stonier,
Coleman,	Hering,	Munley,	Stuart,
Cook,	Hewitt,	Murray, M. L.,	Swope,
Cooper,	Hoffman,	Murray, P. G.,	Tahl,

Corrigan,	Howells,	Nagel,	Tate,
Costa,	Hunter,	Nelson,	Tittle,
Coulson,	Huntley,	O'Brien,	Trout,
Coyle,	James,	O'Connor,	Turbett,
Cullen,	Jones,	O'Dare,	Turner,
Dague,	Kennedy,	O'Donnell,	Varallo,
Dalrymple,	Kirley,	O'Neill,	Verona,
Dennison,	Kline,	Owens,	Wachhaus,
Depuy,	Kolankiewicz,	Pentrack,	Wagner,
Dix,	Komorofski,	Pettigrew,	Waterhouse,
Dougherty,	Kurtz,	Pickens,	Watkins,
Duffy,	Lane,	Polaski,	Weiss,
Dye,	Laughner,	Polen,	Welsh,
Elder,	Lee,	Powers,	Wescott,
Elish,	Leisey,	Propert,	Wood, L. H.,
Erb,	Leonard,	Readinger,	Wood, N.,
Finnerty,	Lichtenwalter,	Reagan,	Worley,
Flack,	Loftus,	Reese, D. P.,	Wright,
Fleming,	Longo,	Reese, R. E.,	Yeakel,
Foor,	Lopez,	Regan,	Yester,
Fox,	Lyons,	Reidenbach,	Fiss,
Freed,	Madden,		Speaker.

NAYS—1

Lovett,

NOT VOTING—19

Bentley,	Herman,	McLanahan,	Skale,
Chervenak,	Hersch,	Modell,	Trachtman,
Dillon,	Hoggard,	Myhan,	Trent,
Gallagher,	Hoopes,	Petrosky,	White,
Greenwood,	Levy,	Rose,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION TO ADDRESS HOUSE

Mr. JAMES asked and obtained unanimous consent to address the House.

Mr. Speaker, I hold in my hand a small pamphlet—I hold in my mind a good many things concerning it. This pamphlet is titled "The Pennsylvania Legislator." It is published every so often, and this is the number of March, 1945, Volume 12, No. 33. The pamphlet is signed by a G. Woodward, and below the signature there appear the words "Sixth District." I am forced to the conclusion that the G. Woodward must be a Member of the General Assembly, presumably a Senator.

I am very much flattered because this pamphlet is a little gem of composition and rhetoric, and it is entirely dedicated to me.

Of course I do have to say that it is not in it's entirety complimentary. I am, or I discover myself to be upon reading this pamphlet, compared, not too favorably, with Judas Iscariot. I am alleged to be the unworthy namesake of first American, Benjamin Franklin, because it is alleged that I am devoting my life to tearing down the great and noble things that Benjamin Franklin built up in the City of Philadelphia. I am, I find, the captain of seven evil spirits. I find that I have sold my soul to the devil; I am a man without a country, and I am a murderer, for the mark of Cain is on my forehead.

All of these maladictions that have been brought down upon my head and upon my character are because of the sin that I committed in this House several weeks ago in sponsoring a bill which would lift from the backs of the people who do not reside in the City of Philadelphia an unwarranted tax of one per cent on all that they earn if they work in the City of Philadelphia. It is alleged because I sponsored this bill and it has passed the House, and at least there should be a likelihood that it will pass the Senate, that I am tearing down the great and noble temple of Philadelphia. I am not to die nobly in the wreckage of this temple as Sampson did when he pulled down the temple in the days of old. I am to be playing golf at Villanova when that tragedy occurs, much I suppose as Nero fiddled when Rome burned.

But this little pamphlet is not solely without compliments. I want to read you a line or two. The author says,

> I saw Mr. James at breakfast the other day; one of his fellow conspirators was with him, they did not look like conspirators, they had good table manners and were dressed just as well as good Philadelphians.

Since I have read this little work I have made it my business to observe the sartorial habits of good Philadelphians and I cannot say that I find any great difference between the way good and evil Philadelphians dress; I cannot find much difference between the way in which Philadelphians dress and the way in which people in Pittsburgh dress. It is true here and there a gay little note of color is added occasionally, as witness the corn colored sport shirt that Senator Salus sometimes wears. There is here and there a more brilliant tie than perhaps good taste and conservatism would justify, but of all of the differences I have only noticed one difference that could be called outstanding, and that is in the matter of pants—but after all that is minor. It recalls to my mind something that my father said to me a great many years ago. When I was a boy it was the mode to wear short pants, knee breeches. They gave a great deal of freedom of action. We could run and jump and kick a football very much better in short pants than in long pants, and those of us who had shapely and muscular legs were a little proud of them. I was somewhat loathe to exchange short pants for long pants, but the time came when my father said to me, "Ben, I think it time you got into long pants, and I am going to buy you a suit of long pants." Well, I protested a little bit but my father spoke these memorable words, "No, it is time that you get into long pants, then you will begin to look like a man, and when you get into long pants you will begin to think and act more like a man."

There are other interesting features in this little publication. I wan to read another,

> Mr. James is a Representative from Villanova which unfortunately is in Delaware County.
>
> Of course, I do not consider that a misfortune.
>
> Delaware County is a hot spot on the political map of Pennsylvania. The leader of Delaware County is John J. McClure. Governor Martin doesn't like ex-senator McClure and snubs him. Mr. McClure doesn't like being snubbed, so he tries to get back at the Governor. To do this he persuaded his representative to introduce a House bill to repeal the Philadelphia pay roll or wage tax bill. So Mr. James went out and gathered seven other evil spirits, more evil than himself . . .

From there on it describes how we sat in the corner and pulled out a plum, and the plum was ten million dollars of Philadelphia money. All of that is sort of unimportant.

Well, Mr. Speaker, I find over a number of years of

experience that there are some types of politicians who find a great deal of pleasure in chucking dead cats in John McClure's yard, but I don't know that he objects to it, and certainly I am not going to object on his behalf.

But there is one thing I would like to say to this House and also to the author of this little literary work, and that is that if the author's memory were not so short, or if he had been in regular attendance the last four sessions of the Senate, he would know that House Bill 5 which I so iniquitously sponsored, was presented in this House in each of the four last sessions in exactly the same words as it appeared in House Bill 5. I simply want to make it clear, and I think it will be clear in the minds of most of the Members here, that Mr. McClure would not have had very much to do with the introduction of this bill in four separate sessions.

Now, Mr. Speaker, I want to turn to the last page of this little effort, there is a postscript, and this is what the postscript says:

> The following institutions founded by Benjamin Franklin are now being closed or crippled by Benjamin Franklin James.

Then here is the list:

University of Pennsylvania . . .

Now, I would say to the Members of this General Assembly that if there is a likelihood that the University of Pennsylvania is folding up that we probably had better not make the usual appropriations to that University because to do so would simply be throwing good money after bad. Besides, if the University of Pennsylvania is in any langer a public spirited citizen from Montgomery County some years ago gave to the University in fee simple a very large tract of land in Montgomery County. I am quite sure the University would be just as happy to be out there as where they are.

The next institution that I am to wreck of all things in the world is the Franklin Printing Company, of which I am the president. The Franklin Printing Company was founded by Benjamin Franklin in 1728, and it is my good fortune, or bad fortune, to be the only Benjamin Franklin to head that company since "old Ben," as we refer to him down at the plant, passed along. I can assure the Members of the House that there is no danger there. I will open the books and show G. Woodward that the assets and liabilities ratio is very satisfactory.

Next thing that I am wrecking now is the American Philosophical Society. Well, that is a high brow institution. It does a very noble work, I am sure, and only people who can afford it look into things of that sort. I am certain that most of the supporters of that institution live outside of Philadelphia anyhow and I don't think that the Society is in any danger.

The Library Company of Philadelphia is another institution founded by Benjamin Franklin, and I will leave it to the judgment of the people in this House as to whether or not the Library Company of Philadelphia is in danger.

I will leave also the question of the Pennsylvania Hospital in your judgment. As far as the Philadelphia Contributorship For The Insurance of Houses From Losses by Fire, may be concerned, they don't want to lend anybody any more money. Over a couple hundred years they have made so much money that all they need to do is sit up all night and watch it, and that they can do just as well any where else and keep it just as intact as they can in Philadelphia.

But here is the payoff, Mr. Speaker, I am wrecking Philadelphia's 111th Infantry.

Now, Mr. Speaker, the last information that I had from a very, very close friend of mine, who is an officer in that old Infantry Regiment, was that he was hard on General Patton's heels chasing Hell out of the Germans.

PERMISSION TO ADDRESS HOUSE

Mr. FINNERTY asked and obtained unanimous consent to address the House.

Mr. Speaker, I listened to the oration of Mr. James a few moments ago, and in his oration I have been tied up to a certain extent with it, Mr. Hoggard and myself. While not in that literary gem that he read from, the Philadelphia Evening Bulletin on March 29th took extracts from the pamphlet that he read, and in that they connected Mr. Hoggard and myself with Mr. James; they connect Mr. James with the late Senator of Delaware County, John McClure, and the propaganda that has been passed around on the wage tax bill was that Mr. Hoggard and myself introduced the bill at the instigation of Senator McClure.

I will quote from the Bulletin:

> Actually the repealer was introduced by two Democrats, John J. Finnerty and Dennie Hoggard, Jr., of West Philadelphia, but Senator Woodward implies they worked with James.

So, we are a part of the seven evil spirits.

I wish to say to the Members of this House that I only met Senator McClure once in my life and that was at a public breakfast given by our co-Member from Delaware, Mr. Turner, and that was about five years ago, before the wage tax was born. So there could not be any connection between Senator McClure, and Mr. Hoggard and myself.

Now, to bring the issue to the point where the Members will understand why we introduced the wage tax repealer, who is back of it and who is pushing it. A telegram was sent this week to all the Senators in the Senate. I will read from the Philadelphia Record a copy of the telegram that was sent:

> William M. Leader, President of Branch One, American Federation of Hosiery Workers, and Chairman of the Northeast Political Labor Action Committee, yesterday sent wires to all State Senators urging repeal of the Philadelphia Wage Tax.
>
> As a spokesman for the 50,000 members of the Northeast P.A.C. I have been instructed by my organization to inform you that we will brook no compromise on the current wage tax issue now before your legislative body.

I will say to the Members of the House that those behind the introduction of the wage tax repealer are just what this telegram says, the working people of Philadelphia. The working people of Philadelphia have contacted me by the hundreds, asking us why we don't do something for the repeal of the wage tax. That is the backing of the wage tax repealer, not Senator McClure or any one else, and I make this statement so that the facts may be clear.

I make this statement so that the facts will be before

the Members and there will be no charging that I am tied up with any political interests in the introduction of this wage tax repealer.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 281.

An Act to amend section two thousand twenty-two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" authorizing township commissioners to record certificates denying responsibility for certain roads streets lanes alleys or drainage facilities in connection therewith

HOUSE BILL No. 307.

An Act to further amend section two thousand five hundred four of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by further providing for the triennial assessment of taxable property

HOUSE BILL No. 315.

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drug' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" discontinuing the registration of assistant pharmacists and providing that persons who have served as registered assistant pharmacists for ten years or longer shall be qualified for examination as pharmacists

HOUSE BILL No. 457.

An Act to permit the sale and purchase of imitation butter or oleomargarine for consumption by inmates and employes of charitable and penal institutions within the Commonwealth for a period of two years and suspending certain provisions of the law prohibiting such sales and purchase for the same period of time under certain circumstances requiring the keeping of records and the making of reports and providing penalties.

HOUSE BILL No. 719.

An Act to amend section one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 558) entitled "An act authorizing the Department of Property and Supplies to sell and convey a lot or piece of land in Delaware County" correcting an erroneous measurement.

HOUSE BILL No. 756.

An Act to reenact and amend clause XIII of section fifteen hundred and two of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206) entitled "An act concerning townships of the first class and amending revising consolidating and changing the law relating thereto" by providing for the furnishing of street lighting by contract with lighting companies upon petition of property owners in villages, and for the assessment and collection of the costs and maintenance thereof upon property benefited thereby, and validating petitions of property owners, contracts entered into between townships and lighting companies, taxes levied to pay the costs and maintenance of lighting service, and the collection receipt and payment out of the revenues therefrom notwithstanding such petitions were filed, contracts entered into, and taxes levied, collected and paid out under unconstitutional laws; validating agreements and understandings between townships and lighting companies to continue lighting service pending the enactment of valid laws; regulating and providing for the expenditure of moneys arising from special lighting taxes and authorizing the payment of the costs and expenses of maintaining lighting service until valid laws are enacted to collect charges from property owners benefited thereby out of the township tax; and the creation and transfer of moneys to a special account for such purposes, at any time, notwithstanding the prior adoption of the budget; and authorizing any light and power company to apply the net rate and to waive the gross rate or to grant discounts and to waive penalties in the same manner as if payments had been made by the township within the time required by the contract and the company's schedules or tariffs.

HOUSE BILL No. 942.

An Act to amend the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 439) entitled "An act authorizing the Governor of the Commonwealth of Pennsylvania with the advice of the Attorney General and the approval of certain members of the General Assembly for a limited period of time to suspend or modify laws either in whole or in part under certain circumstances during the existence of the present war" by extending the effective period of the act.

COMMITTEE REPORT ON NEW GOVERNOR'S MANSION

Mr. STOCKHAM. Mr. Speaker, as Chairman of the Joint Legislative Committee created by Concurrent Resolution No. 2, Serial No. 4, to study the necessity for an extension to the Governor's mansion, I want to submit the report of this committee at this time.

The minority Member's name is not on the report only because of his absence. He sat with the Committee yesterday morning and concurred in the wording of this report, so that I am free to state that if present his name would be on the report, and may be added to it upon his return subsequently to this immediate day.

Now, Mr. Speaker, I submit to you the report of the committee.

The report was read by the Clerk as follows:

In the House of Representatives of Pennsylvania,
April 3, 1945.

Report of the Committee Created by Concurrent Resolution No. 2, Serial No. 4, Joint Legislative Committee to Study the Necessity for a New Governor's Mansion

After due consideration the Committee is of the opinion that there is necessity for a new Governor's Mansion and that the proper place to erect it is on the land purchased by the General State Authority at Front and Maclay Streets in the City of Harrisburg.

The Committee further recommends that the Commonwealth acquire the plot of ground adjoining the plot already owned and known as the Schuddemage property.

The Committee further recommends that Senate Bill No. 31 be enacted into law in order that construction can be commenced when materials are available.

In the course of its study the Committee had occasion to examine the proposed plans for a Governor's Mansion heretofore approved by the General State Authority and it is the studied opinion of the Committee that those plans do not adequately represent the kind and type of structure which should be erected for a Governor's Mansion. The Committee respectfully suggests that if and when appropriate legislation is enacted for the erection of a Governor's Mansion, that new thought be given to plans for a structure which will adequately represent the dignity of a Governor's home.

WELDON B. HEYBURN,
O. J. TALLMAN,
WALLACE S. GOURLEY,
THOMAS B. STOCKHAM,
DAVID P. REESE, JR.

COMMITTEE REPORTS

Mr. CHUDOFF from the Committee on City and County—First Class reported as amended House Bill No. 763, entitled:

An Act to amend section one of the act approved the twentieth day of May, one thousand nine hundred twenty-one (P. L. 936), entitled "An act authorizing receivers of taxes in and for cities of the first class to furnish certificates of taxes and claims which are liens on real estate, and fixing the fees for such services," by relieving the receiver of taxes of the liability for the accuracy of said certificate.

Mr. HEIM from the Committee on Motor Vehicles reported as amended House Bill No. 861, entitled:

An Act to further amend section seven hundred seven, subsection (e) of section nine hundred three, and to repeal section seven hundred eight and subsection (f) of section nine hundred two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts, making an appropriation and providing for refunds"; changing the provisions of said act relative to the registration of motor vehicles used for the transportation of passengers.

CONDOLENCE RESOLUTION

Mr. WACHHAUS offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and unanimously adopted as follows:

In the House of Representatives, April 4, 1945.

Gayle W. Burlingame was born January 23, 1880, in Cyzerville, Potter County. He received his education in the Altoona public schools, followed by a special course at the LaSalle University. After he became blinded in adult life, he turned his attention to the work of his fellow-blind. He was among the first to train a dog for guide purposes, and that dog was the well-known Lady Luck. A year or two later, he discovered the inadequate facilities for blind persons to make the adjustments from a seeing world to one of blindness. He therefore determined to act in behalf of his fellow blind.

Mr. Burlingame was responsible for the largest vote ever given for a constitutional amendment when in 1933, the amendment to the constitution for blind pensions was voted upon by the people of this Commonwealth.

He organized the largest group of blind in the world under the name of the Pennsylvania Federation of the Blind, and became its first president. He was responsible for the enactment of the present blind pension law of Pennsylvania—the most liberal law of its kind in the nation.

He was the choice of the blind of this Commonwealth to become Chief of the State Council for the Blind, in the Department of Welfare, being appointed to this office under Ex-Governor James. Under his administration, the Bureau has expanded in the last four years from a staff of ten to almost fifty. This program included many new activities as well as developing the old ones. Under his guidance, a program for home instruction of adult blind, sight-saving, remedial eye care, the education of sub-normal blind children, the care and training of preschool blind children, rehabilitation and placement, were carried through.

His policy was to employ as many blind persons in his own offices as possible; hence his staff of one blind person in 1941 grew to the employment of eighteen at the present time. He passed away Saturday, March 31, 1945.

He will be recorded as the greatest and most beloved blind man in the history of Pennsylvania.

The deceased is survived by his widow, Evelyn Burlingame of 415 Briggs Street, Harrisburg, Pennsylvania.

Resolved, That the House of Representatives extends its sincere sympathy to his widow and that in evidence thereof, the Chief Clerk of the House shall transmit a copy of this resolution to her.

LITTLE BRITTAIN HIGH SCHOOL WELCOMED

The SPEAKER. The Chair welcomes to the House this afternoon members of Little Brittain High School of Lancaster County, also the boys of the football team who are seated in the gallery.

COMMITTEE MEETINGS

There will be meetings on the Committees on:

Agriculture, Thursday, April 5, at 10:00 a. m. in Room 331.

Constitutional Amendments, Immediately after today's session.

Dairy Industries, Thursday, April 5, at 9:45 a. m. in Room 331.

Printing, Thursday, April 5, at 10:30 a. m. in Room 324.

Ways and Means, Wednesday, April 4, after today's session in Room 327.

ADJOURNMENT

Mr. BRICE. Mr. Speaker, I move that this House do now adjourn until Thursday, April 5, 1945, at 11 a. m.

The motion was agreed to, and (at 3:54 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1945. 136th of the General Assembly.

Vol. 29. HARRISBURG, PA., THURSDAY, APRIL 5, 1945. No. 40.

SENATE

THURSDAY, April 5, 1945.

The Senate met at 11:00 o'clock, a. m., Eastern War Time.

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the Chair.

PRAYER

In the absence of the chaplain prayer was offered by the Senator from Berks, Mr. RUTH.

Our dear heavenly Father, on this beautiful new day we come to Thee trusting that Thy will and Thy Spirit will guide us this day to do every thing that will please Thee and that will be of help to our fellowmen, and as we look down the weeks or months or years which are still given to us, we pray that Thy Spirit will guide us and with faith and courage we will move ahead, knowing that we are growing ever nearer to that great day when we shall see Thee face to face.

We ask it in Jesus' name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceedel to read the Journal of the preceding session, when, on motion of Mr. HEYBURN and Mr. WALKER, the further reading was dispensed with, and the Journal was approved.

LEAVES OF ABSENCE

Mr. Wade asked and obtained leave of absence for Mr. SNOWDEN.

He also asked and obtained leave of absence for Mr. JAMES.

He also asked and obtained leave of absence for Mr. CRIDER.

He also asked and obtained leave of absence for Mr. EALY.

He also asked and obtained leave of absence for Mr. EDMONDS.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 4, 1945.

Dear Jack:

I wish you would express to the members of the Senate my appreciation of their participation in the awarding of the citation to Major General Milton G. Baker, Commander of the Pennsylvania State Guard. It has done much to stimulate interest in our State forces.

With personal regards, believe me.

Very sincerely,

EDWARD MARTIN.

Honorable John C. Bell
Lieutenant-Governor
Harrisburg, Pennsylvania

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

APPROVED AND SIGNED SENATE BILL No. 424, PRINTER'S No. 170

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 4, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 424, Printer's No. 170, entitled "An Act to amend Section 686 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled 'An act to consolidate amend and revise the penal laws of the Commonwealth' by providing that a cashier of a bank who engages in any gainful profession occupation or calling other than that of his duty as cashier shall not be guilty of a misdemeanor."

EDWARD MARTIN.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introluced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

MEMBERS OF THE JUNIATA COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 5, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Members of the Juniata County Board of Assistance:

Mrs. Alida Johnson (Republican) Mifflin, Juniata County, to serve until December 31, 1947.

Mrs. Anna S. Smith (Republican), R. D. No. 1, Thompsontown, Juniata County, to serve until December 31, 1945, and until her successor is duly appointed and qualified.

EDWARD MARTIN.

HOUSE MESSAGES

SENATE BILL No. 314 RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 314, entitled:

An Act relating to officers and employes of the Senate and House of Representatives; providing for and fixing the compensation of an additional employe; changing the compensation of certain existing employes; and making an appropriation therefor and for contingent expenses.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended, will appear on Monday's Calendar.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 135, entitled:

An Act fixing the salaries of State Mine Inspectors, under the jurisdiction of the Department of Mines in this Commonwealth and the expenses incident to this office

Which was committed to the Committee on Mines and Mining.

House Bill No. 163, entitled:

An Act to further amend clauses (a), (d) and (f) of section one thousand three hundred four of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," providing for regulation of preliminary education of candidates for licenses to practice professions or work at trades or occupations granted by the Department of Public Instruction, or other departments of the Commonwealth.

Which was committed to the Committee on Education.

House Bill No. 211, entitled:

An Act providing for and regulating the appointment promotion and reduction in rank, suspension and removal of paid operators of fire apparatus in boroughs incorporated town and townships of the first class creating a civil service commission in each borough incorporated town and township of the first class defining the duties of such civil service commission imposing certain duties and expenses on boroughs incorporated town and townships of the first class imposing penalties and repealing inconsistent laws

Which was committed to the Committee on Municipal Government.

House Bill No. 432, entitled:

An Act to amend section nine of the act, approved the twenty-fifth day of May, one thousand nine hundred and thirty-three (P. L. 1050), entitled, "An act creating and establishing a fund for the care, maintenance and relief of aged, retired and disabled employes of the bureau of fire in cities of the second class; creating a board for the management thereof; providing the mode and manner of payment to beneficiaries; and for the care and disposition of its funds; and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board here in created," by changing the amount and method of contributions for, and payment of, death benefits.

Which was committed to the Committee on Municipal Government.

House Bill No. 446, entitled:

An Act to amend section six hundred eight of the act approved the eighteenth day of May, one thousand nine hundred eleven, (P. L. 309), entitled "Public School Code," by authorizing school boards to re-acquire old school buildings having historical value.

Which was committed to the Committee on Education

House Bill No. 553, entitled:

An Act to amend section two hundred twelve of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 789), entitled, as amended "Insurance Department Act of 1921," changing the retaliatory provisions of law so as to equalize the burdens and prohibitions, as herein defined, placed on and relating to the insurance business and the insurance of motorists and motor vehicles between other states and this Commonwealth.

Which was committed to the Committee on Insurance.

House Bill No. 639, entitled:

An Act to amend section four of the act approved the first day of June one thousand nine hundred and thirty-three (P. L. 1409) entitled as amended "An act authorizing the creation of State mining commissions with judicial powers to have exclusive jurisdiction with certain exceptions over the mining of coal within or under land easements or right of ways purchased condemned or otherwise acquired by the Commonwealth and over the assessment and award of benefits improvements and damages for coal required to be left in place by reason of the obligation to furnish support for land easements or right of ways purchased condemned or otherwise acquired by the Commonwealth whether the damages are payable by the Commonwealth or a county or a municipality authorizing counties and municipalities to enter into agreements to indemnify or reimburse the Commonwealth for damages to its lands easements or right of ways caused by the removal of coal under or adjacent thereto waiving vertical and lateral support therefor under certain conditions reserving the rights to acquire absolute vertical and lateral support reserving the power to establish detours for the removal of coal underlying State highways providing for appeals to the courts of common pleas from orders assessing damages for coal required to be left in place" by waivng under certain conditions where no damages are payable vertical or lateral support to all lands easements and right of ways purchased condemned or otherwise acquired by the Commonwealth

Which was committed to the Committee on Mines and Mining.

House Bill No. 652, entitled:

An Act to further amend section four hundred four and to amend section four hundred five of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "Insurance Company Law of 1921," by changing requirements relating to the investment of the capital reserves and surplus of mutual anl stock life insurance companies organized under the laws of this Commonwealth, and creating a new section, 405.1 relating to investment restrictions.

Which was committed to the Committee on Insurance.

House Bill No. 854, entitled:

An Act to further amend section two hundred and two of and to add section four hundred and fifty-three to the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," creating a departmental administrative board in the Department of Public Instruction known as State Real Estate Commission, and fixing qualification and compensation of members.

Which was committed to the Committee on Education.

House Bill No. 884, entitled:

An Act relating to the Tuberculosis Hospital of the City of Pittsburgh Pittsburgh Pennsylvania providing for the transfer of such institution to the Commonwealth providing for the management and operation of closing and abandonment thereof and maintenance of tuberculosis patients therein including the collection of maintenance in certain cases providing for the retransfer under certain circumstances conferring powers and imposing duties on the Governor and Department of Health

Which was committed to the Committee on State Government.

House Bill No. 986, entitled:

An Act to further amend section ten of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "State Employes Retirement Law," including any service as a member of the General Assembly in the period of service of a contributor upon his making certain back payments.

Which was committed to the Committee on State Government.

House Bill No. 1001, entitled:

An Act to further amend section two hundred two, to add section one thousand three hundred seven point one, and to repeal section two thousand two hundred nine of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administration Code of 1929," designating the State Council of Education as the State Board of Vocational Education for certain purposes; and transferring the administration of vocational rehabilitation from the Department of Labor and Industry to the State Board of Vocational Education.

Which was committed to the Committee on State Government.

House Bill No. 1002, entitled:

An Act providing for vocational rehabilitation for disabled individuals by the State Board of Vocational Education authorizing cooperation with other departments and agencies and reciprocal agreements with other States requiring cooperation with the Federal Government making the State Treasurer custodian and disbursement agent of Federal vocational rehabilitation funds prohibiting misuse of vocational rehabilitation lists and records limiting political activities by persons engaged in the administration of vocational rehabilitation and prescribing penalties

Which was committed to the Committee on State Government.

House Bill No. 1012, entitled:

An Act to further amend section one thousand and three, of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "First Class Township Law," by further regulating the newspaper publication of the auditor's report.

Which was committed to the Committee on Municipal Government.

House Bill No. 1081, entitled:

An Act to amend clause twelve of section three of the act. approved the tenth day of May, one thousand nine hundred and thirty-nine (P. L. 111), entitled "Commerce Law," providing for the inspection of mineral production, the gathering and compilation of composite statistics, for reports to the General Assembly by agencies administering production control plans, and for the termination of such plans unler certain circumstances.

Which was committed to the Committee on State Government.

House Bill No. 1082, entitled:

An Act to further amend the act, approved the thirtieth day of March, one thousand nine hundred thirty-seven (P. L. 115), entitled "The First Class City Permanent Registration Act," by changing the provisions of said act as to the registration of electors before and after certain elections, the preparation of street lists, the cancellation of registrations for failure to vote, and the destruction of records.

Which was committed to the Committee on Elections.

REPORTS FROM COMMITTEES

Mr. JONES, from the Committee on Banking, reported as amended, Senate Bill No. 613, entitled:

An Act to amend the act, approved the eighth day of April, one thousand nine hundred thirty-seven (P. L. 262), entitled "An act relating to consumer credit in amount of one thousand dollars ($1,000) or less; requiring licenses from the Secretary of Banking; restricting licenses to domestic business corporations; fixing minimum capital requirements; conferring certain powers on the Secretary of Banking; limiting interest and other charges; providing certain exemptions; and imposing penalties," by changing the short title of the act redefining the term "charges"; changing the form of the application; restricting the conduct of business by a licensee; enlarging the authority of the Secretary of Banking; altering the powers of licensees; altering the requirements and limitations applicable to licensees and altering the form of certain statements.

He also, from the Committee on Banking, reported as committed, Senate Bill No. 641, entitled:

An Act to amend the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 447), entitled "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents; rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries; the organization of corporations

to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," as amended by further modifying the terms, qualifications, and other conditions under which the investment of trust funds may be made by fiduciaries.

Mr. TROUTMAN, from the Committee on Banking, reported as committed, House Bill No. 547, entitled:

An Act to further amend the act approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National Banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders, of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by further providing for the powers and duties and limitations upon powers of corporations or persons authorized to engage in a banking or fiduciary business, or both.

He also, from the Committee on Banking, reported as committed, Senate Bill No. 631, entitled:

An Act to further amend section one thousand eleven of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 565) entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over, and taking possession of and conducting or liquidating the business and property of, corporations, associations, and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries, and building and loan associations; providing for the payment of the expenses of the Department of Banking by supervised corporations, associations, or persons, and appropriating the Banking Department Fund; authorizing the Department of Banking, under certain circumstances, to examine corporations, associations, or persons affiliated, or having business transactions with supervised corporations, associations or persons; authorizing appeals to the Supreme Court, and prescribing and limiting the powers and duties of certain other courts and their prothonotaries, registers of wills, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services rendered under this act; providing penalties; and repealing certain acts and parts of act," by providing that hereafter any claim for the amount of any deficiency in the funds, property or investments of an estate of which the institution was fiduciary or any surcharge with respect to such estate shall have the same rank and priority upon liquidation by the secretary as receiver as is given to deposits and other claims enumerated in the third category set forth in said section.

BILLS INTRODUCED AND COMMITTED

Mr. WALKER read in his place and presented to the Chair Senate Bill No. 668, entitled:

An Act to further amend clause (a) of section five hundred three of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth"; permitting petitions for refunds to be made within three years of the final judgment of a court of competent jurisdiction holding an act to be unconstitutional or erroneously interpreted.

Which was committed to the Committee on Judiciary General.

He also (by request) read in his place and presented to the Chair Senate Bill No. 669, entitled:

An Act to amend section two thousand one of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising and consolidating the law relating thereto" by fixing the minimum salaries or compensation for paid policemen in police departments or bureaus in such cities.

Which was committed to the Committee on Municipal Government.

Mr. STIEFEL read in his place and presented to the Chair Senate Bill No. 670, entitled:

An Act to amend section forty-five of the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 447) entitled, as amended "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies,

including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," further regulating the compensation of executors and administrators for the administration of veterans' estates.

Which was committed to the Committee on Banking.

He also read in his place and presented to the Chair Senate Bill No. 671, entitled:

An Act requiring the American flag to be displayed at all polling places in this Commonwealth during all primary and general elections; and providing penalties.

Which was committed to the Committee on Elections.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. CHAPMAN. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on April 5, 1945.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 5, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Edward M. Seibert, Jr., Pittsburgh, 210—10th St. (22).

BLAIR COUNTY

William J. Beigle, Altoona.

CAMBRIA COUNTY

Amaniah L. Powell, Johnstown.

CHESTER COUNTY

Mrs. Velma F. Gatchel, Downingtown.

Mrs. Betty B. McCausland, Schuylkill Twp., Box No. 427, Phoenixville.

LEHIGH COUNTY

William T. Scanlin, Catasauqua.

LUZERNE COUNTY

Miss Ann Sekerak, Kingston.

MONTGOMERY COUNTY

A. Archer Cross, Lower Merion Twp., 207 Conshohocken Ave., Bala-Cynwyd.

Miss Z. A. Robinett, Lower Merion Twp., 207 Conshohocken Ave., Bala-Cynwyd.

NORTHAMPTON COUNTY

Mrs. Rose K. Lakatosh, Northampton.

PHILADELPHIA COUNTY

Miss Katherine V. Geiger, Phila., 1608 Walnut St. (3).

Miss Lois J. Staley, Phila., 2635 Fidelity-Phila. Trust Bldg.

EDWARD MARTIN.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. CHAPMAN and Mr. LETZLER, that the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	Farrell,	Letzler,	Taylor,
Becker,	Geltz,	Mallery,	Thomas,
Berger,	Gourley,	Margle,	Troutman,
Blass,	Haluska,	McGinnis,	Tyler,
Carr,	Heyburn,	Rosenfeld,	Wade,
Chapman,	Holland,	Ruth,	Wagner,
Coleman,	Homsher,	Scarlett,	Walker,
Cox,	Jones,	Stevenson,	Wilson,
Crowe,	Kephart,	Stiefel,	Woodring,
Dent,	Klein,	Tallman,	Woodward,
DiSilvestro,	Leader,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 157, as follows:

An Act authorizing cities of the third class with the approval of the court of common pleas to accept less than the full amount of certain municipal claims filed as a lien against real estate in compromise settlement therof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever any city of the third class has any municipal claim entered in the office of the prothonotary as a lien against real estate at the time be collected from the owner of such real estate which said claim has existed for ten (10) years or more the said council is hereby

authorized subject to the approval of the court of common pleas to agree with the said owner of such real estate to accept in compromise or reduction of the amount of the said claim and the interest charges expenses and fees added thereto and due thereon any sum less than the whole of such amount so due

Section 2 Upon receipt of the compromise amount so agreed upon and approved the city shall cause the lien to be properly satisfied on the record which satisfaction shall be as effective as if the whole amount of the claim interest charges expenses and fees had been paid and such claim shall no longer be a lien against the real estate or a claim against the said owner thereof

Section 3 The provisions of this act shall not apply to or in any manner affect any claims the assessments for which are the sole basis of improvement bonds issued by any political subdivision and which are the security for the payment thereof or to any claims the assessments for which have heretofore been assigned by any political subdivision to any contractor in payment of the amount due him under terms of the contract for the improvement for which the assessment was levied

Section 4 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 5 The provisions of this act shall become effective immediately upon final enactment

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	Farrell,	Letzler,	Taylor,
Becker,	Geltz,	Mallery,	Thomas.
Berger,	Gourley,	Margie,	Troutman,
Blass,	Haluska,	McGinnis,	Tyler,
Carr,	Heyburn,	Rosenfeld,	Wade,
Chapman,	Holland,	Ruth,	Wagner,
Coleman,	Homsher,	Scarlett,	Walker,
Cox,	Jones,	Stevenson,	Wilson,
Crowe,	Kephart,	Stiefel,	Woodring.
Dent,	Klein,	Tallman,	Woodward,
DiSilvestro,	Leader,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 238, on final passage, entitled:

An Act to amend section nine hundred ten, and subsection (e) of section nine hundred fifty-one of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" changing the requirements for affidavits of candidates for judge of a court of record who are in the armed forces of the United States and whose whereabouts is unknown or who is out of the country

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, at the request of the gentleman from Lycoming, Senator Snowden, and the gentleman from Philadelphia, Senator Kephart, I ask unanimous consent that Senate Bill No. 577, on final passage entitled:

An Act to amend section seven hundred eight and to further amend clause (f) of section seven hundred thirty-one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by controlling the removal and transportation of big game requiring report of such killing and providing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 696 on final passage, entitled:

An Act to further amend sections one two three and four of the act approved the twenty-first day of May one thousand nine hundred thirty-seven (P. L. 787) entitled as amended "An act authorizing subject to approval of the court of common pleas the compromise or reduction of tax and municipal claims on real property purchased by any county city borough town school district or poor district at any sale for the non-payment of taxes or municipal claims and the reconveyance or private sale of such property" requiring such reconveyance and private sale to have the approval of a majority of the municipalities having an interest therein

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING CALENDAR

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 1 on third reading, entitled:

An Act to amend the title and certain sections and to add certain new sections to the act approved the twenty-second day of June one thousand nine hundred thirty-seven (P. L. 1987) entitled "An act to preserve and improve the purity of the waters of the Commonwealth for the protection of the public health, animal and aquatic life, and for industrial consumption, and recreation; empowering and directing the creation of indebtedness or the issuing of non-debt revenue bonds by political subdivisions to provide works to abate pollution; providing protection of water supply; providing for the jurisdiction of courts, magistrates, aldermen and justices of the peace in the enforcement thereof; and providing additional remedies for abating pollution of waters; imposing certain penalties; and repealing certain acts," by changing the definitions of "establishment" and "industrial waste," by changing requirement of notice to discontinue discharges of industrial waste, by changing penalties for violations and requiring prosecutions to be instituted or approved by the Attorney General by prohibiting the discharge of silt into any waters of the Commonwealth and regulating the discharge of acid mine drainage into waters thereof authorizing the Sanitary Water Board to establish standards of purity and to determine the time for compliance with the provisions of

he act in certain cases and requiring the Board's approval of plans for opening reopening or extending coal mines by authorizing the acquisition by purchase or condemnation or otherwise by the Sanitary Water Board of easements or right of ways and the acquisition or construction of pipes conduits drains or tunnels and pumps and pumping equipment and providing for the payment of the costs thereof by the Commonwealth

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 199 on third reading, entitled:

An Act to further amend section one of the act approved the sixteenth day of May one thousand nine hundred twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" by adding certain claims of Municipal Authorities in the definition of "municipal claim" and further amending the definition of "municipality" to include county institution districts and bodies politic or corporate created as Municipal Authorities

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, at the request of the Minority Floor Leader, I ask unanimous consent that Senate Bill No. 208, on third reading, entitled:

An Act to further amend Section one of the act approved the fifteenth day of July one thousand eight hundred ninety-seven (P. L. 292) entitled "An act to provide revenue by taxation" by modifying the procedure for the collection and payment of tax

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

SENATE BILL No. 208 CALLED UP

Mr. HEYBURN. Mr. President, I desire to call up, for consideration at this time, Senate Bill No. 208.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 208, as follows:

An Act to further amend Section one of the act approved the fifteenth day of July one thousand eight hundred ninety-seven (P. L. 292) entitled "An act to provide revenue by taxation" by modifying the procedure for the collection and payment of the tax

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the fifteenth day of July one thousand eight hundred ninety-seven (P. L. 292) entitled "An act to provide revenue by taxation" as last amended by the act approved the eleventh day of July one thousand nine hundred forty-one (P. L. 308) is hereby further amended to read as follows

Section 1 Be it enacted &c That from and after the passage of this act every bank or savings institution having capital stock incorporated by or under any law of this Commonwealth or under any law of the United States and located within this Commonwealth shall on or before the fifteenth day of February in each and every year make to the Department of Revenue a report in writing verified as required by law setting forth the full number of shares of the capital stock subscribed for or issued as of the preceding thirty-first day of December by such bank or savings institution and the actual value thereof as of the preceding thirty-first day of December which actual value shall be ascertained as hereinafter provided It shall be the duty of the Department of Revenue to assess such shares for taxation at the same rate as that imposed upon other moneyed capital in the hands of individual citizens of the State that is to say for the calendar years ending December thirty-first one thousand nine hundred thirty-six December thirty-first one thousand nine hundred thirty-seven December thirty-first one thousand nine hundred thirty-eight December thirty-first one thousand nine hundred thirty-nine December thirty-first one thousand nine hundred forty December thirty-first one thousand nine hundred forty-one and December thirty-first one thousand nine hundred forty-two at the rate of eight mills upon each dollar of the actual value thereof and thereafter at the rate of four mills upon each dollar of the actual value thereof the actual value of each share of stock to be ascertained and fixed by adding together the amount of capital stock paid in the surplus and undivided profits and dividing this amount by the number of shares It shall be the duty of every bank or savings institution within a period of sixty days after the date of such settlement by the Department of Revenue at its option to pay the amount of said tax to the State Treasurer through the Department of Revenue from its general fund or to collect the amount of said tax from its shareholders and pay the same to the State Treasurer through the Department of Revenue Provided That in case any bank or savings institution having capital stock incorporated under the law of this State or of the United States shall collect annually from the shareholders thereof said tax of eight mills or four mills as the case may be on the dollar upon the actual value of all the shares of stock of said bank or savings institution according to the provisions of this act that have been subscribed for or issued and pay the same into the State Treasury through the Department of Revenue the shares and so much of the capital and profits of such bank or savings institution as shall not be invested in real estate shall be exempt from local taxation under the laws of this Commonwealth and such bank or savings institution shall not be required to make any report to the local assessor or county commissioners of its personal property owned by it in its own right for purposes of taxation and shall not be required to pay any tax thereon The procedure in case the Department of Revenue be not satisfied with the report made by any bank or savings institution and the penalties for failing to make such report and pay the tax shall be as provided by law

Section 2 This act shall become effective immediately upon its final enactment and shall apply for the calendar year ending December thirty-first one thousand nine hundred forty-four and thereafter

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	Farrell,	Letzler,	Taylor,
Becker,	Geltz,	Mallery,	Thomas,
Berger,	Gourley,	Margie,	Troutman,
Blass,	Haluska,	McGinnis,	Tyler,
Carr,	Heyburn,	Rosenfeld,	Wade,
Chapman,	Holland,	Ruth,	Wagner,
Coleman,	Homsher,	Scarlett,	Walker,
Cox,	Jones,	Stevenson,	Wilson,
Crowe,	Kephart,	Stiefel,	Woodring,
Dent,	Klein,	Tallman,	Woodward,
DiSilvestro,	Leader,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 209, as follows:

An Act to further amend section one of the act approved the thirteenth day of June one thousand nine hundred seven (P. L. 640) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provision of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" by reducing the rate of said tax and modifying the procedure for the collection and payment of said tax

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the thirteenth day of June one thousand nine hundred seven (P. L. 640) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" as last amended by the act approved the twenty-ninth day of May one thousand nine hundred forty-one (P. L. 75) is hereby further amended to read as follows

Section 1 Be it enacted &c That from and after the passage of this act every company incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth one thousand eight hundred and seventy-four and its supplements or any other act of Assembly heretofore or hereafter approved for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and every company entitled to benefits of and every company having any of the powers of companies entitled to the benefits of an act entitled "An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto" approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies and every company organized as a bank and trust company or as a trust company under any act of Assembly heretofore or hereafter approved except any such companies all of the shares of capital stock of which (other than shares necessary to qualify directors) are owned by a company which is liable to pay to the Commonwealth a tax on shares shall on or before the fifteenth day of February in each and every year make to the Department of Revenue a report in writing setting forth the full number of shares of the capital stock subscribed for or issued by such company and the actual value thereof as of December thirty-first preceding which shall be ascertained as hereinafter provided and thereupon it shall be the duty of the Department of Revenue for the calendar years ending December thirty-first one thousand nine hundred thirty-six December thirty-first one thousand nine hundred thirty-seven December thirty-first one thousand nine hundred thirty-eight December thirty-first one thousand nine hundred thirty-nine December thirty-first one thousand nine hundred forty December thirty-first one thousand nine hundred forty-one and December thirty-first one thousand nine hundred forty-two to assess such shares for taxation at the rate of eight mills upon each dollar of the actual value thereof and for the calendar year ending December thirty-first one thousand nine hundred forty-three at the rate of five mills upon each dollar of the actual value thereof and thereafter at the rate of [five] four mills upon each dollar of the actual value thereof the actual value of each share of stock to be ascertained and fixed by adding together the amount of capital stock paid in the surplus and undivided profits and dividing this amount by the number of shares

It shall be the duty of every such company within a period of sixty days after the date of such settlement by the Department of Revenue at its option to pay the amount of said tax to the State Treasurer through the Department of Revenue from its general fund or to collect the amount of said tax from its shareholders and pay the same to the State Treasurer through the Department of Revenue Provided That upon the payment of the tax fixed by this act into the State Treasury through the Department of Revenue the shares and so much of the capital stock surplus profits and deposits of such company as shall not be invested in real estate shall be exempt from all other taxation under the laws of this Commonwealth The procedure in case the Department of Revenue be not satisfied with the report made by any title insurance or trust company and the penalties for failing to make such report and pay the tax shall be as provided by law

Section 2 This act shall become effective immediately upon its final enactment and shall apply for the calendar year ending December thirty-first one thousand nine hundred forty-four and thereafter

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	Farrell,	Letzler,	Taylor,
Becker,	Geltz,	Mallery,	Thomas,
Berger,	Gourley,	Margie,	Troutman,
Blass,	Haluska,	McGinnis,	Tyler,
Carr,	Heyburn,	Rosenfeld,	Wade,
Chapman,	Holland,	Ruth,	Wagner,
Coleman,	Homsher,	Scarlett,	Walker,
Cox,	Jones,	Stevenson,	Wilson,
Crowe,	Kephart,	Stiefel,	Woodring,
Dent,	Klein,	Tallman,	Woodward,
DiSilvestro,	Leader,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 248, as follows:

An Act to authorize certain persons to take affidavits and acknowledgments in connection with the administration of the affairs of veterans and their dependents making certain offenses punishable as perjury and imposing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Whereas The American Red Cross The American Legion Veterans of Foreign Wars of the United States Disabled American Veterans United Spanish American War Veterans Regular Veterans Association Director of Veterans Affairs Jewish War Veterans of the United States and such other similar organizations now or hereafter accredited or recognized by the United States Veteran Administration as well as the Department of Military Affairs and the Selective Service System of the Commonwealth of Pennsylvania are gratuitously preparing forms for and protecting and advancing the rights of veterans and their dependents in connection with their affairs as such before the United States and its agencies and before departments boards and commissions of this Commonwealth and its political subdivisions and

Whereas many forms necessary for such purposes are now required to be sworn to or acknowledged before notaries public or similarly authorized officers and

Whereas in recognition of their services to their country in time of need it is the desire of this Commonwealth to expedite the enjoyment of the benefits rights and compensation allowed by law to veterans and their dependents and reposing special faith and confidence in the organizations supplying such aid and assistance to veterans

Section 1 Each local organization of The American Red Cross The American Legion Veterans of Foreign Wars of the United States Disabled American Veterans United Spanish War Veterans Regular Veterans Association Director of Veterans Affairs Jewish War Veterans of the United States and such other similar organizations now or hereafter accredited or recognized by the United States Veterans Administration which supplies such aid and assistance to veterans or their dependents and which gratuitously prepares forms for veterans and their dependents in connection with their affairs as such before the United States any agency thereof or the Commonwealth of Pennsylvania and agency or political subdivision thereof is hereby authorized to designate one of its officers to take affidavits or acknowledgments to such forms as may be required by rule regulation or otherwise by the United States any agency thereof or the Commonwealth of Pennsylvania any agency or political subdivision thereof in the administration of the affairs of veterans and their dependents For the same purposes the Adjutant General of Pennsylvania is authorized to designate one or more persons from the Department of Military Affairs and the State Director of Selective Service is authorized to designate one or more persons from the Pennsylvania Selective Service System

When any such officer or person is so designated his name address and official position shall be furnished to the Secretary of the Commonwealth in writing signed by such designated officer or person accompanied by a certificate of his designation by the proper authority of such organization or of the Adjutant General or the State Director of Selective Service as the case may be Upon receipt of such writing and certificate in form as herein provided the Secretary of the Commonwealth with the approval of the Governor shall issue under his hand and seal of his office a certificate of appointment to such designated officer or person which shall authorize him to take affidavits or acknowledgments of veterans and their dependents in connection with their affairs as such before the United States any agency thereof or the Commonwealth of Pennsylvania any agency or political subdivision thereof Such authorized officer or person shall exercise the authority conferred under the provisions of this act at the pleasure of the Governor

Each affidavit or acknowledgment taken as above authorized shall contain the date signature and title of the officer or person administering the same and the number of the certificate issued to the authorized officer or person

Each certificate issued as aforesaid by the Secretary of the Commonwealth shall be numbered in the order of date issued and the Secretary of the Commonwealth is hereby authorized to certify such appointment whenever required

The Secretary of the Commonwealth shall make no charge whatsoever for filing appointing or certifying under the provisions of this act nor shall any officer or person so designated and authorized make any charge for taking such acknowledgments or affidavits

Section 2 Any person who shall be convicted of having wilfully and knowingly made or taken a false oath or affrmation before any officer or person authorized under this act to administer same in any matter within his official duty shall suffer punishment for wilful and corrupt perjury Any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall pay a fine of not more than five hundred dollars ($500.00) or undergo imprisonment of not more than two (2) years or both

Section 3 All acts or parts of acts in so far as they are inconsistent herewith are hereby repealed

Section 4 This act is to become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	Farrell,	Letzler,	Taylor,
Becker,	Geltz,	Mallery,	Thomas,
Berger,	Gourley,	Margie,	Troutman,
Blass,	Haluska,	McGinnis,	Tyler,
Carr,	Heyburn,	Rosenfeld,	Wade,
Chapman,	Holland,	Ruth,	Wagner,
Coleman,	Homsher,	Scarlett,	Walker,
Cox,	Jones,	Stevenson,	Wilson,

Crowe,	Kephart,	Stiefel,	Woodring.
Dent,	Klein,	Tallman,	Woodward.
DiSilvestro,	Leader,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 321, on third reading, entitled:

An Act to amend the title and section one of the act approved the eleventh day of May one thousand eight hundred ninety-nine (P. L. 289) entitled "An act providing for the payment to the county or counties of the moneys or bonus which any foreign railway corporation is required to pay into the State Treasury for the right to pass through the said county or counties and by which payment such foreign railway corporation is relieved from local taxation" by providing for payments to counties irrespective of whether relief from payment of local taxes results from payment of the bonus.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 344, on third reading, entitled:

An Act to further amend section five hundred and forty of the act, approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," further defining the duties of the secretary to the board of supervisors; and providing for the preservation and turning over to the successor in office of township records and for the destruction of certain records

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 382, on third reading, entitled:

An Act to amend section seven hundred two of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by authorizing such townships to regulate parking

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 412, on third reading, entitled:

An Act to amend subdivision five of the Compact contained in the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1664) entitled "An act to ratify and adopt a compact or agreement negotiated by commissioners designated by the Governor of the Commonwealth of Pennsylvania and commissioners designated by the Governor of the State of Ohio relative to the development use and control of the Pymatuning Lake and the State owned land surrounding said lake for fishing hunting recreational and park purposes" so as to permit the operation on portions thereon of boats equipped with motors of six horsepower or less

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 413, as follows:

An Act to amend section one of the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 607) entitled "An act authorizing administrtative boards within the Department of Public Instruction for the duration of the present War to admit to examination and grant licenses or registration to certain applicants who are less than twenty-one but not less than twenty years of age" by reducing temporarily the age limit of persons who may take Pennsylvania State pharmacy examinations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 607) entitled "An act authorizing administrative boards within the Department of Public Instruction for the duration of the present War to admit to examination and grant licenses or registration to certain applicants who are less than twenty-one but not less than twenty years of age" is hereby amended to read as follows

Section 1 Notwithstanding the provisions of any other law for the duration of the present War in which the United States is engaged and for one year after the cessation of hostilities any departmental administrative board within the Department of Public Instruction authorized to administer examinations for licensure or registration to practice a profession except the professions of medicine dentistry osteopathy [pharmacy] and optometry may admit to examination and authorize the issuance of a license or registration to an applicant who is less than twenty-one years of age but not less than twenty years of age and who is a citizen of the United States

Section 2 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	Farrell,	Letzler,	Taylor,
Becker,	Geltz,	Mallery,	Thomas,
Berger,	Gourley,	Margie,	Troutman,
Blass,	Haluska,	McGinnis,	Tyler,
Carr,	Heyburn,	Rosenfeld,	Wade,
Chapman,	Holland,	Ruth,	Wagner,
Coleman,	Homsher,	Scarlett,	Walker,
Cox,	Jones,	Stevenson,	Wilson,
Crowe,	Kephart,	Stiefel,	Woodring,
Dent,	Klein,	Tallman,	Woodward,
DiSilvestro,	Leader,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 499, on third reading, entitled:

An Act to further amend the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by revising and changing the provisions of said act relating to the times of registering electors their enrollment as members of political parties change of party enrollment removal notices and comparing and correcting the general and district registers

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, on behalf of the gentleman from Somerset, Senator Ealy, I ask unanimous consent that House Bill No. 548, on third reading, entitled:

An Act providing that when the contract of a fiduciary is made by him or approved by court inadequacy of price or an offer to deal on other terms, shall not relieve the fiduciary of his obligation or constitute ground for any court to set aside the contract or to refuse to enforce it

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, on behalf of the sponsor of this bill, who is absent, I ask unanimous consent that Senate Bill No. 563, on third reading, entitled:

An Act prohibiting the sale of surplus property as defined in the Federal Surplus Property Act of 1944 by or to certain persons using words or names indicating an official relationship with the United States government making exceptions in certain cases and imposing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 591, on third reading, entitled:

An Act to amend the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contributions requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" by authorizing the bringing of suits against domestic fraternal benefit societies in counties in which they maintain subordinate lodges and where claimant resides and providing for the service of process on the Insurance Commissioner as attorney therefore

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 604, as follows:

An Act providing for and regulating the contractural powers of school districts during the period of the present wars in which the United States is engaged and until six months after proclamation by the President of the United States that hostilities in such wars have ceased

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 For and during the present wars in which the United States is engaged and until six months after proclamation by the President of the United States that hostiliies in such wars have ceased school districts shall not be required to award and purchase supplies after public notice by advertisement once a week for three weeks unless such award and purchase shall in the case of school districts of the first class cost one thousand dollars ($1000) and more and in the case of school districts of the second class shall cost five hundred dollars ($500) and more

The board of school directors may purchase supplies costing less than one thousand dollars ($1000) in school districts of the first class less than five hundred dollars ($500) in school districts of the second class and less than three hundred dollars ($300) in school districts of the third and fourth class from the lowest responsible bidder after soliciting sealed quotations from two or more firms manufacturers or dealers in such supplies

Section 2 All constuction reconstruction repairs or work of any nature including the introduction of heating ventilating or lighting systems upon any school building or upon any school property made by any school district of the first or second class need be done under contract or contracts to be entered into by the school district with the lowest responsible bidder upon proper terms after due public notice has been given asking for competitive bids only where the entire cost value or amount of such construction reconstruction repairs or work including labor and material is one thousand dollars ($1000) or more

The board of school directors in any school district of the first or second class may perform any construction reconstruction repairs or work of any nature where the entire cost or value including labor and material is less than one thousand dollars ($1000) either by its own maintenance personnel or by contract after soliciting bids from at least three responsible bidders Provided that the board of school directors in any school district of the first and second class may authorize the secretary of the board or other executive to award contracts for construction reconstruction repairs or work of any nature where the entire cost or value including labor and material is one hundred dollars ($100) or less without soliciting competitive bids

Section 3 This act shall become effective immediately upon final enactment and shall remain in force only during the period of the present wars in which the United States is engaged and until six months after proclamation by the President of the United States that hostilities in such wars have ceased

Section 4 All acts and parts of acts inconsistent with this act are hereby suspended so long as this act shall remain in force

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	Farrell,	Letzler,	Taylor,
Becker,	Geltz,	Mallery,	Thomas,
Berger,	Gourley,	Margie,	Troutman,
Blass,	Haluska,	McGinnis,	Tyler,
Carr,	Heyburn,	Rosenfeld,	Wade,
Chapman,	Holland,	Ruth,	Wagner,
Coleman,	Homsher,	Scarlett,	Walker,
Cox,	Jones,	Stevenson,	Wilson,
Crowe,	Kephart,	Stiefel,	Woodring,
Dent,	Klein,	Tallman,	Woodward,
DiSilvestro	Leader,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. BARR. Mr. President, I ask unanimous consent that House Bill No. 662, on third reading entitled:

An Act to promote interstate cooperation for the conservation and protection of water resources in the Delaware River Basin

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 805 on third reading, entitled:

An Act to amend Article VIII of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it unlawful to injure tap or make unauthorized connections with telegraph and telephone facilities to receive or send communications by means of such unauthorized connections or to induce such actions by another and providing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 898, as follows:

An Act conferring the power to administer oaths on minute clerks in the Court of Common Pleas or the Courts of Quarter Sessions of the Peace Oyer and Terminer and General Jail Delivery in counties of the second class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In every county of the second class of this Commonwealth any minute clerk in the Court of Common Pleas or the Courts of Quarter Sessions of the Peace Oyer and Terminer and General Jail Delivery shall have the power to administer oaths and affirmations so far as they relate to the performance of work of the said courts to which the clerks are attached

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	Farrell,	Letzler,	Taylor,
Becker,	Geltz,	Mallery,	Thomas,
Berger,	Gourley,	Margie,	Troutman,
Blass,	Haluska,	McGinnis,	Tyler,
Carr,	Heyburn,	Rosenfeld,	Wade,
Chapman,	Holland,	Ruth,	Wagner,
Coleman,	Homsher,	Scarlett,	Walker,
Cox,	Jones,	Stevenson,	Wilson,
Crowe,	Kephart,	Stiefel,	Woodring,
Dent,	Klein,	Tallman,	Woodward,
DiSilvestro,	Leader,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. BARR. Mr. President, I ask unanimous consent that House Bill No. 917 on third reading, entitled:

An Act to validate certain acknowledgments and to regulate the effect thereof

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING CALENDAR

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 40 on second reading, entitled:

An Act to amend or further amend the title and sections one, five, seven, nine and ten of the act approved the eighth day of June, one thousand nine hundred seven (P. L. 496), entitled "An act to establish a Board of Commissioners of Navigation for the river Delaware and its navigable tributaries; regulating their jurisdiction over ships, vessels, and boats, and wharves, piers, bulkheads, docks, slips, and basins; and exempting cities of the first class from certain of its provisions; and making an appropriation therefor," changing the membership of the Navigation Commission for the Delaware River and its navigable tributaries; and excepting the Port of Chester from certain provisions of said act

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 223 on second reading, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" and known as The Fiscal Code by authorizing the Commonwealth of Pennsylvania to petition for a resettlement of claims against the Commonwealth by the Auditor General and State Treasurer and to petition for a review of settlements by the Board of Finance and Revenue and to appeal from the decisions of the Board of Finance and Revenue to the Court of Common Pleas of Dauphin County

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 239 on second reading, entitled:

An Act to promote the public welfare and to protect mental defectives by prescribing circumstances under which selective sterilization of certain types of individuals may be performed without civil or criminal liability; and providing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 278, on second reading, entitled:

An Act making it a felony for any person to bribe a participant in any athletic contest

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 296, on second reading, entitled:

An Act providing that taxes levied by political subdivisions of the Commonwealth on real estate of service persons shall not bear interest or be subject to penalties; and providing for abatement of certain accrued interest and penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 387, entitled:

An Act to further amend section fourteen of the act approved the nineteenth day of March one thousand nine hundred nine (P. L. 46) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" by further regulating grounds for refusal revocation or suspension of the right to practice as osteopaths in the State of Pennsylvania

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 420, on second reading, entitled:

An Act to amend section six hundred seven of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by prohibiting pool-selling and bookmaking in connection with any sporting event or athletic contest and providing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 423, on second reading, entitled:

An Act to amend section two thousand three hundred eleven of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing temporarily for payment of State Appropriations where schools are closed on account of impassable roads heavy snow or floods

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 426, on second reading, entitled:

An Act to further amend subsection (b) of section four hundred fifteen of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the in-

corporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by increasing the amount of group life insurance covering certain borrowers and purchasers

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 461, on second reading, entitled:

An Act concerning devices bequests or gifts in trust for the care and maintenance of cemeteries cemetery lots in perpetuity trustees and substituted trustees thereof sureties of said trustees excess income from said funds and the investment of such trust funds accounts of said trustees approving actions and proceedings prior to this act and repealing conflicting laws

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 474, on second reading, entitled:

An Act providing for the granting of certificates of licensure to practice professions or work at any trade or occupation in this Commonwealth for which licenses are issued by any State board or other State agency to certain persons who served in the military or naval forces of the United States

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 475, on second reading, entitled:

An Act requiring cities boroughs towns and townships to notify adjacent political subdivisions of proposed streets roads and highways leading into them

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BARR. Mr. President, I ask unanimous consent that Senate Bill No. 479, on second reading, entitled:

An Act to enable domestic stock and mutual insurance companies to comply with the taxing statutes and to relieve officers directors and trustees of domestic stock and mutual insurance companies of personal liability by reason of the payment or determination not to contest payment of any license excise privilege premium occupation or other fee or tax imposed by any State or political subdivision thereof

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 489, entitled:

An Act to amend sections one and two and to repeal section three of the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 606) entitled "An act relating to the sale transfer assignment and pledge of accounts receivable" making further provision for the sale assignment transfer or pledge of certain obligations due and to become due and the notation in certain cases of such sale assignment transfer or pledge.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 500, entitled:

An Act to further amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation" by revising and changing the provisions of said act relating to the times of registering electors their enrollment as members of political parties change of party enrollment removal notices and comparing and correcting the general and district registers

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 501, entitled:

An Act to further amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 814) entitled "Act act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors

and imposing penalties" by revising and changing the provisions of said act relating to the times of registering electors their enrollment as members of political parties change of party enrollment removal notices comparing and correcting general and district registers preparing preliminary street lists and street lists

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 502, entitled:

An Act to further amend the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" by revising and changing the provisions of said act relating to the times of registering electors and comparing and correcting the general and district registers

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 503, entitled:

An Act to further amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1132) entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by revising and changing the provisions of said act relating to the times of registering electors their enrollment as members of political parties change of party enrollment removal notices comparing and correcting general and district registers preparing preliminary street lists and street lists

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 507, on second reading, entitled:

An Act to further amend section eight hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" regulating contracts and purchases by townships and prescribing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 548, on second reading, entitled:

An Act relating to chattel mortgages on any chattel or chattels of any kind or description including among other things livestock poultry farm machinery farm equipment and crops grown growing or to be grown designating the operation and effect of the lien of such mortgages providing for the filing indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states regulating the assignment release satisfaction and extension of the lien of such mortgages prescribing methods of foreclosure defining defaults and violations and fixing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DENT. Mr. President, I ask unanimous consent that Senate Bill No. 590, on second reading, entitled:

An Act to further amend section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 685) entitled "An act designating certain life insurance companies as limited life insurance companies and further describing the powers thereof" by further describing the powers of limited life insurance companies under certain conditions

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 611, on second reading, entitled:

An Act to further amend the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2603) entitled "An act relating to vocational education creating vocational school districts for the purpose of conducting systems of vocational schools departments or classes providing for their government prescribing their powers and duties conferring powers and imposing duties on school districts and on the State Board for Vocational Education and providing for referendum in certain cases" limiting the taxing power of vocational school districts and providing for determining the question of establishing vocational schools departments or classes by the directors of the school district or the several school districts constituting the vocational school district

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DENT. Mr. President, I ask unanimous consent that Senate Bill No. 621, on second reading, entitled:

An Act to further amend paragraph (d) and to amend paragraph (f) of section one thousand two hundred five of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further regulating the employment dismissal suspension demotion and retirement of professional employes

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 625, entitled:

An Act to amend section ten of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 242) entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties" by further regulating the number of apprentices in beauty shops

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 695, on second reading, entitled:

An Act to amend section eight hundred one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any part thereof that are or may be inconsistent therewith" providing for special meetings of school directors under jurisdiction of county superintendents

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 789, on second reading, entitled:

An Act validating county treasurers' sales of unseated lands heretofore made where such sales were held under laws not at that time applicable to such lands

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 791, on second reading, entitled:

An Act to further amend section two of the act approved the ninth day of March one thousand eight hundred forty-seven (P. L. 278) entitled "An act in relation to the sales of unseated lands in the several counties of this Commonwealth" by providing that the cost of advertising such sales shall be paid out of the proceeds of the sale

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that House Bill No. 792, on second reading, entitled:

An Act prescribing the question to be determined in certain cases where a new trial is granted

be recommitted to the Committee on Judiciary General, for the purpose of further study.

Mr. BECKER. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. DENT. Mr. President, I ask unanimous consent that House Bill No. 850, on second reading, entitled:

An Act to further amend sections five hundred twenty-two and five hundred twenty-four and to repeal section five hundred twenty-three of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law proviling for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by providing regulations relating to standard fire insurance policies

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) announced that the Acting Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 52, entitled:

An Act to amend clause six of section thirteen of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "School Employes Retirement Law," further defining the disability retirement rights of members of the School Employes' Retirement Association who engage in active military service

House Bill No. 108, entitled:

An Act to provide assistance for Typhoid Fever carriers and imposing certain responsibilities upon the Secretary of Health, the Secretary of Public Assistance and the Secretary of Welfare in connection therewith.

House Bill No. 134, entitled:

An Act to further amend section eleven of the act, approved the thirteenth day of May, one thousand nine hundred twenty-seven (P. L. 988), entitled "Nurses registration Law," by setting forth specific grounds for the suspension or revocation of certificates of registration of registered nurses and licensed attendants; and providing for the reissue of such certificates.

House Bill No. 164, entitled:

An Act to reenact and amend the act approved the twenty-eighth day of July, one thousand nine hundred forty-one (P. L. 563), entitled "An act to add section two thousand two and one-tenth to the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled, 'An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith,' providing for cooperation of State Teachers Colleges at the request of the State Council of Defense with other agencies in furthering national defense programs and activities," extending the effective period thereof

House Bill No. 167, entitled:

An Act to amend section four of the act approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 340), entitled "An act empowering cities of the third class, boroughs, incorporated towns and townships, to cooperate with each other through joint agreements in the exercise of their governmental powers, duties and functions relating to the public health, recreation, zoning and municipal planning," authorizing employing, retaining and contracting for planning engineers, consultants and professional planning services.

House Bill No. 336, entitled:

An Act to amend clause IV, section seven hundred and two of the act, approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "The Second Class Township Law," designating the purposes for which appropriations may be made to fire companies; and requiring annual report by such fire companies of expenditures of appropriated moneys

House Bill No. 374, entitled:

An Act to further amend the second paragraph of section five of the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" making counties in which deceased service persons are buried liable for the cost of headstones

Whereupon,

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr), in the presence of the Senate signed the same.

REPORT FROM COMMITTEE

Mr. BECKER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BECKER, from the Committee on Banking, reported as committed, Senate Bill No. 665, entitled:

An Act to further amend paragraphs (a) and (d) of section five hundred five of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erorneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officers of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by further regulating the designation of State depositories and limiting the deposit of State moneys therein.

PERMISSION TO ADDRESS SENATE

Mr. WOODWARD asked and obtained unanimous consent to address the Senate.

Mr. WOODWARD. In the interest of conservation, why would this not be a golden opportunity for any Senator who wishes to rise on a question of personal privilege now instead of next Monday? It might be a good practice to have all personal privilege speeches on Thursday.

BILL INTRODUCED AND COMMITTED

Mr. STIEFEL. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STIEFEL read in place and presented to the Chair Senate Bill No. 672, entitled:

An Act concerning the guardianship of incompetent veterans and of minor children of disabled or deceased veterans, and the commitment of veterans and to make uniform the law with reference thereto.

Which was committed to the Committee on Judiciary Special.

BILLS ON FIRST READING

Mr. HEYBURN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. STEVENSON. Mr. President, I second the motion.
The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 547, entitled:

An Act to further amend the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and duties and limitations upon powers of corporations or persons authorized to engage in a banking or fiduciary business or both

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 613, entitled:

An Act to amend the act, approved the eighth day of April, one thousand nine hundred thirty-seven (P. L. 262), entitled "An act relating to consumer credit in amount of one thousand dollars ($1,000) or less, requiring licenses from the Secretary of Banking; restricting licenses to domestic business corporations fixing minimum capital requirements; conferring certain powers on the Secretary of Banking; limiting interest and other charges; providing certain exemptions; and imposing penalties," by changing the short title of the act; redefining the term "charges"; changing the form of the application; restricting the conduct of business by a licensee; enlarging the authority of the Secretary of Banking; altering the powers of licensees; altering the requirements and limitations applicable to licensees and altering the form of certain statements.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 631, entitled:

An Act to further amend section one thousand eleven of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 565) entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over, and taking possession of and conducting or liquidating the business and property of, corporations, associations, and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries, and building and loan associations; providing for the payment of the expenses of the Department of Banking by supervised corporations, associations, or persons, and appropriating the Banking Department Fund; authorizing the Department of Banking, under certain circumstances, to examine corporations, associations, or persons affiliated, or having business transactions with supervised corporations, associations or persons; authorizing appeals to the Supreme Court, and prescribing and limiting the powers and duties of certain other courts and their prothonotaries, registers of wills, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services rendered under this act; providing penalties; and repealing certain acts and parts of acts," by providing that hereafter any claim for the amount of any deficiency in the funds, property or investments of an estate of which the institution was fiduciary or any surcharge with respect to such estate shall have the same rank and priority upon liquidation by the secretary as receiver as given to deposits and other claims enumerated in the third category set forth in said section.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 641, entitled:

An Act to amend the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 447), entitled "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents; rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilege of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," as amended by further modifying the terms, qualifications, and other conditions under which the investment of trust funds may be made by fiduciaries.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 665, entitled:

An Act to further amend paragraphs (a) and (d) of section five hundred five of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and re-

overy of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officers of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by further regulating the designation of State depositories and limiting the deposit of State moneys therein.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. HEYBURN. Mr. President, I move that the Senate do now adjourn until Monday, April 9, 1945, at 4:00 o'clock p. m., Eastern War Time.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 12:12 o'clock p. m., Eastern War Time until Monday, April 9, 1945, at 4:00 o'clock p. m., Eastern War Time.

HOUSE OF REPRESENTATIVES

THURSDAY, April 5, 1945.

The House met at 11 a. m.

The SPEAKER (Ira T. Fiss) in the Chair.

PRAYER

The Chaplain, Rev. Lester C. Updegrove, offered the following prayer:

O God, without whom our labor is but lost, look favorably, we beseech Thee, upon all works undertaken according to Thy will, and especially upon that which has been committed to representatives. Grant unto each member pure intention, patient faith, sufficient success on earth, and the blessedness of serving Thee throughout eternity. Trough Jesus Christ our Lord. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Wednesday, April 4, 1945.

The Clerk proceeded to read the Journal of Wednesday, April 4, 1945, when, on motion of Mr. OWENS unanimously agreed to, the further reading was dispensed with and the Journal approved.

INTERROGATION

Mr. ANDREWS. Mr. Speaker, I desire to interrogate the Majority Leader.

The SPEAKER. Will the gentleman from Lehigh permit himself to be interrogated?

Mr. LICHTENWALTER. I shall, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, last week I told the Majority Leader that we on this side would expect the Majority Leader to have a quorum in the House. I ask him whether he has a quorum present?

Mr. LICHTENWALTER. Mr. Speaker, I have not counted the Members present. I have just come into the Hall of the House. If the gentleman will exercise a little patience I believe that he will find that there will be a quorum present. There were a number of committee meetings this morning and I believe some of the Members have not been able to come to the floor of the House from those committee meetings. I would also indicate to the gentleman that on the other side of the House there are many vacant seats. I imagine that his Members also are attending committee meetings.

Mr. ANDREWS. Mr. Speaker, they may be out of town for all I know, or fishing, or where I know not. It is not my responsibility unless forced to do so, to produce a quorum. It is the obligation of the Majority Leader.

Mr. LICHTENWALTER. Mr. Speaker, I want to assure the gentleman that none of the Members on this side of the House, I believe, except those by reason of illness or sickness in the family are out fishing or doing anything which would prevent them from being in the Hall of the House.

Mr. ANDREWS. Mr. Speaker, if at any time the Majority Leader feels that he is in serious need of any Democratic absentees he well knows that it is within his power at any time to send for them, and he will have my full and free permission so to do.

Mr. LICHTENWALTER. Mr. Speaker, I thank the gentleman from Cambria for his expression of confidence and of cooperation in doing what may be necessary before the end of this session in order to comply with his wishes.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 60.

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases.

Referred to the Committee on Appropriations.

SENATE BILL No. 374.

An Act to fix the standard weights of containers for wheat and corn flours cornmeals hominy and hominy grits and to provide penalties for the violation of this act.

Referred to the Committee on State Government.

SENATE BILL No. 425.

An Act authorizing individual co-fiduciaries in certain cases to consent to holding of investments in the names of their corporate co-fiduciaries' nominee and validating such consents heretofore given.

Referred to the Committee on Banking.

SENATE BILL No. 446.

An Act to further amend section one thousand nine hundred two of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" exempting certain contracts from the provisions of said act regulating advertising and bidding for contracts.

Referred to the Committee on Cities—Third Class.

SENATE BILL No. 452.

An Act to add section two thousand three hundred twenty-two to the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain department boards and commissions shall be determined" by imposing upon the Department of Welfare the duty to investitgate the subject of crime prevention and to stimulate develop and coordinate crime prevention activities in this Commonwealth.

Referred to the Committee on State Government.

SENATE BILL No. 462.

An Act establishing a mode of selecting and drawing jurors for counties of the first class and imposing penalties.

Referred to the Committee on Judiciary General.

SENATE BILL No. 493.

An Act to repeal the special acts approved the twelfth day of March one thousand eight hundred sixty-six (P. L. 171) and the fourteenth day of February one thousand eight hundred sixty-seven (P. L. 267) relating to the fees of the sheriff prothonotary register recorder clerk of courts and district attorney in Washington County

Referred to the Committee on Counties.

SENATE BILL No. 523.

An Act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 530.

An Act authorizing the Department of Justice to prescribe rules of practice for administrative departments departmental administrative boards and commissions independent administrative boards and commissions officers and other agencies of the Commonwealth authorizing such agencies to adopt rules providing for the appointment of an Administrative Rules Committee and fixing its powers and duties and imposing certain duties upon State officers and agencies.

Referred to the Committee on State Government.

SENATE BILL No. 544.

An Act to regulate the sale and possession of pencilliu (penicillin) and its derivatives preparations and compounds in the interest of the public health.

Referred to the Committee on Public Health and Sanitation.

SENATE BILL No. 574.

An Act to amend section three of the act approved th fourth day of June one thousand nine hundred and fiftee (P. L. 828) entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell memoranda of sales of stock and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations co-partnerships associations and joint-stock associations providing the manner of collecting such tax and prescribing penalties" by providing a alternative method of collection of such tax.

Referred to the Committee on Ways and Means.

SENATE BILL No. 607.

An Act to amend the act approved the twenty-sixt day of May one thousand nine hundred forty-three (P. L. 637) entitled "An act providing that the terms of constables hereafter elected in cities of the second secon class A and third classes boroughs and townships sha be for six years" by extending the terms of constable hereafter elected in incorporated towns to six years.

Referred to the Committee on Municipal Corporation

PETITIONS AND REMONSTRANCES

The SPEAKER laid before the House the followin petitions and remonstrances which were read by th Clerk.

SCHOOLS

Resolution from the Summerhill Township School District, Beaverdale, favoring passage of House Bill No. 56 providing aid to school districts and increases in teacher salaries.

Petition from members of the Alpha Baptist Churc Philadelphia opposing passage of Senate Bill No. 33 prohibiting the reading of the Holy Bible in publ schools.

Telegram from Federation of Social Agencies of Pitts burgh and Allegheny County favoring passage of Hous Bill No. 1143 with amendments increasing minimums fo schools.

Referred to the Committee on Education.

STATE ROADSIDE ZONING COMMISSION

A communication from Mary I. Young, R.S. 2, Selins grove, protesting passage of House Bill No. 865, creatin the State Roadside Zoning Commission.

Referred to the Committee on Highways.

JUVENILE COURT LAW

Communication from F. A. Robb, McKeesport, protest ing passage of House Bill No. 776, limiting the provisior

f the Juvenile Court Law to children under sixteen ears of age.

Referred to the Committee on Judiciary General.

LITTLE STEEL FORMULA

Communication from the United Steelworkers of merica, Johnstown, favoring passage of Resolution No. 9, memorializing Congress to revise the Little Steel ormula.

UNFAIR EMPLOYMENT PRACTICES

Communications from citizens and organizations of ennsylvania urging legislation prohibiting unfair employment practices and endorsing House Bill No. 354.

Referred to the Committee on Labor.

ANIMALS

Communication from Ella I. Graff, Philadelphia, protesting passage of House Bill No. 1022, relating to sale of animals for research purposes.

ENRICHED BREAD AND FLOUR

Communication from Mrs. Harold M. Hummel, Mifflinburg, favoring passage of House Bill No. 950, requiring the enrichment of bread and flour.

Referred to the Committee on Public Health and Sanitation.

RETAIL COAL DEALERS

Petitions from citizens and taxpayers of Philadelphia, favoring passage of House Bill No. 202, establishing grades of anthracite coal.

Referred to the Committee on State Government.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS No. 102 and 333

Commonwealth of Pennsylvania,
Governor's Officer, Harrisburg April 4, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 102, Printer's No. 344, entitled "An Act to amend section one of the act approved the twenty-sixth day of April one thousand nine hundred and twenty-one (P. L. 278) entitled 'An act providing that in computing the indebtedness of cities of the first class the word "indebtedness" shall include all manner of debt and the net amount thereof shall be ascertained as in the case of other municipal corporations by deducting from the gross amount thereof the moneys in the treasury all outstanding solvent debts and all revenues applicable within one year to the payment of the same' by extending and describing the amounts deductible in determining the net debt of such cities and providing a method for computing self-sustaining public improvement and public utility debt and non-electoral debt."

EDWARD MARTIN.

April 4, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 333, Printer's No. 119, entitled "An Act to reenact sections five hundred one five hundred two five hundred three five hundred four five hundred five and five hundred six of the act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1333) entitled 'An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections.'"

EDWARD MARTIN.

SENATE MESSAGES

The Clerk of the Senate, Mr. Steinfeld, being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence 36, 360, 570, 573.

House Bills concurred in by Senate 52, 164, 108, 134, 167, 336, 374, 338.

Amended Senate Bills concurred in by Senate 221.

Senate Bills to be signed 230, 352, 356.

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 221.

An Act authorizing the Commonwealth and any administrative department boards and commissions thereof acting through the Department of Property and Supplies and political subdivisions of the Commonwealth including municipal authorities to enter into contracts with the United States of America or any agency thereof for the purchase lease or other acquisition of property real or personal offered for sale pursuant to the Surplus Property Act of one thousand nine hundred forty-four without complying with any requirement of existing law as to specifications advertising award of contract and approval of purchases by a State agency receiving competitive bids or the delivery of property purchased before payment therefor

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 52.

An Act to amend clause six of section thirteen of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" further defining the disability retirement rights of members of the School Employes' Retirement Association who engage in active military service

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 164.

An Act to reenact and amend the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 563) entitled "An act to add section two thousand two and one-tenth to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' providing for cooperation of State Teachers Colleges at the request of the State Council of Defense with other agencies in furthering national defense programs and activities" extending the effective period thereof substituting the Department of Public Instruction and the Governor for the State Council of Education and placing additional duties and powers upon the trustees of State Teachers Colleges

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 336.

An Act to further amend clause IV section seven hundred and two of the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" designating the purposes for which appropriations may be made to fire companies and requiring annual reports by such fire companies of expenditures of appropriated moneys

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 374.

An Act to further amend the second paragraph of section five of the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" making counties in which deceased service persons are buried liable for the cost of headstones

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 108.

An Act to provide assistance for typhoid fever carriers and persons having typhoid fever carriers in their households and imposing certain responsibilities upon the Secretary of Health the Secretary of Public Assistance and the Secretary of Welfare in connection therewith

HOUSE BILL No. 134.

An Act to further amend section eleven of the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 988) entitled "An act providing for and regulating the State registration of nurses and licensed attendants the annual recording of registration certificates and regulating the profession of nursing and repealing certain existing laws" by setting forth specific grounds for the suspension or revocation of certificates of registration of registered nurses and licensed attendants and providing for the reissue of such certificates

HOUSE BILL No. 167.

An Act to amend section four of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 340) entitled "An act empowering cities of the third class boroughs incorporated towns and townships to cooperate with each other through joint agreements in the exercise of their governmental powers duties and functions relating to the public health recreation zoning and municipal planning" authorizing employing retaining and contracting for planning engineers consultants and professional planning services

HOUSE BILL No. 338.

An Act to amend sections two seventeen eighteen twenty and twenty-six of the act approved the fourth day of June one thousand nine hundred and forty-three (P. L. 886) entitled "An act creating a Municipal Employes' Retirement System for the payment of retirement allowances to officers and employes of political subdivisions and institutions supported and maintained by them and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor imposing certain duties on the State Employes' Retirement Board and the actuary thereof providing the procedure whereby political subdivisions may join such system and imposing certain liabilities and obligations on such political subdivisions in connection therewith and as to certain existing retirement and pension systems and upon officers and employes of such political subdivisions and institutions supported and maintained by them providing certain exemptions from taxation execution attachment levy and sale and making an appropriation" changing certain definitions clarifying provisions relating to local pension and retirement systems changing the formulae for the ascertainment of contributions by members and by municipalities eliminating the provision requiring retirement at age seventy and reappropriating the unexpended balance of the prior appropriation

With the information that the Senate has passed the same without amendment.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 230.

An Act to amend the title and the act approved the thirtieth day of April one thousand nine hundred and forty-three (P. L. 145) entitled "An act providing for and regulating the accumulation investment expenditure by counties cities boroughs incorporated towns and townships of funds for post war projects" extending the provisions of said act to school districts and defining the term "post war period"

SENATE BILL No. 352.

An Act to amend section two hundred thirteen of the act approved the twenty-fifth day of June one thousand nine hundred forty-one (P. L. 159) entitled "An act amending revising consolidating and changing the law relating to the borrowing of money by certain political subdivisions the authorization issuance and sale of general obligation bonds as herein defined of bonds imposing no general obligation of debt and of bonds not deemed to constitute a debt for certain purposes and to the funding of debt and refunding of bonds regulating the keeping and use of sinking funds imposing powers and duties upon the Department of Internal Affairs and upon corporate bodies and officers of political subdivisions imposing penalties and repealing existing laws" by authorizing temporary investments in certain obligations

SENATE BILL No. 356.

An Act to further amend Section 411 subsection B of Section 512 Section 1012 Section 1108 and subsection B of Section 1109 of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and duties and limitations upon powers of corporations and persons authorized to engage in a banking or fiduciary business or both

HOUSE BILL No. 52.

An Act to amend clause six of section thirteen of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" further defining the disability retirement rights of members of the School Employes' Retirement Association who engage in active military service

HOUSE BILL No. 108.

An Act to provide assistance for typhoid fever carriers and persons having typhoid fever carriers in their households and imposing certain responsibilities upon the Secretary of Health the Secretary of Public Assistance and the Secretary of Welfare in connection therewith

HOUSE BILL No. 134.

An Act to further amend section eleven of the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 988) entitled "An act providing for and regulating the State registration of nurses and licensed attendants the annual recording of registration certificates and regulating the profession of nursing and repealing certain existing laws" by setting forth specific grounds for the suspension or revocation of certificates of registration of registered nurses and licensed attendants and providing for the reissue of such certificates

HOUSE BILL No. 164.

An Act to reenact and amend the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 563) entitled "An act to add section two thousand two and one-tenth to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' providing for cooperation of State Teachers Colleges at the request of the State Council of Defense with other agencies in furthering national defense programs and activities" extending the effective period thereof substituting the Department of Public Instruction and the Governor for the State Council of Education and placing additional duties and powers upon the trustees of State Teachers Colleges

HOUSE BILL No. 167.

An Act to amend section four of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 340) entitled "An act empowering cities of the third class boroughs incorporated towns and townships to cooperate with each other through joint agreements in the exercise of their governmental powers duties and functions relating to the public health recreation zoning and municipal planning" authorizing employing retaining and contracting for planning engineers consultants and professional planning services

HOUSE BILL No. 336.

An Act to further amend clause IV section seven hundred and two of the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" designating the purposes for which appropriations may be made to fire companies and requiring annual reports by such fire companies of expenditures of appropriated moneys

HOUSE BILL No. 374.

An Act to further amend the second paragraph of section five of the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions

by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" making counties in which deceased service persons are buried liable for the cost of headstones

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

LEAVES OF ABSENCE

By consent of the House leave of absence was granted as follows:

The Speaker for Mr. TURNER for today's session.

Mr. Martin L. Murray for Mr. WHITE for today's session.

Mr. Royer for Mr. TROUT for today's session.

COMMITTEE REPORTS

Mr. HARE from the Committee on Ways and Means reported as committed House Bill No. 871, entitled:

An Act to further amend section twenty-seven of the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act, entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," further limiting the application of the section and making such further limitation retroactive.

Mr. DENNISON from the Committee on Agriculture reported as committed House Bill No. 1209, entitled:

An Act relating to and regulating the business of the use and disposition of the bodies of dead animals; providing for the licensing of such business and the cancellation of such licenses; authorizing the Department of Agriculture to promulgate rules and regulations there for and imposing certain duties upon said department; and providing penalties.

Mr. STOCKHAM from the Committee on Appropriations reported as committed Senate Bill No. 303, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Allentown State Hospital to acquire a certain tract of land for the use of said hospital and making an appropriation therefor.

Mr. DAVID P. REESE, Jr. from the Committee on Ways and Means reported as amended House Bill No. 78, entitled:

An Act to further amend the act, approved the twenty-second day of June, one thousand nine hundred and thirty-five (P. L. 414), as renumbered and amended, first extra-ordinary session of one thousand nine hundred and thirty-six, by the act, approved the seventeenth day of July, one thousand nine hundred and thirty-six (P. L. 51), as reenacted and amended by the act, approved the eighteenth day of May, one thousand nine hundred and thirty-seven (P. L. 633), and as last reenacted and amended by the act, approved the eleventh day of July, one thousand nine hundred and forty-one (P. L. 361), entitled "An act to reenact and amend the title and the act, approved the twenty-second day of June, one thousand nine hundred thirty-five (P. L. 414), entitled 'An act to provide revenue for State purposes; imposing taxes upon certain classes of personal property; providing for the assessment, collection, and lien of the same, and the distribution of the proceeds thereof; imposing duties on executors, administrators, registers of wills, recorders of deeds, prothonotaries, and court clerks, and on persons, copartnerships, associations, banks, national banks, trust companies, and other corporations receiving deposits of money, and on certain corporations and limited partnerships; conferring powers and imposing duties on certain State officers and departments; imposing penalties; and making an appropriation," by excepting and excluding therefrom the obligations of municipal corporations.

Mr. DAVID P. REESE, Jr. from the Committee on Ways and Means reported as amended House Bill No. 122, entitled:

An Act to further amend Section 1 of the act approved the seventeenth day of June, one thousand nine hundred thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coestensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes"; as last amended by the act of July twenty-nine, one thousand nine hundred forty-one, (P. L. 552), by exempting and excluding therefrom all public loans and obligations of any county, city, borough, town, township, school district and incorporated district of this Commonwealth, and the bonds and obligations of bodies corporate and politic of this Commonwealth known as municipal authorities.

Mr. WATERHOUSE from the Committee on Dairy Industries reported as amended House Bill No. 671, entitled:

An Act to amend section six hundred eight of the act, approved the twenty-eighth day of April, one thousand nine hundred thirty-seven (P. L. 417), entitled "An act relating to milk and the products thereof, creating a Milk Control Commission; establishing its jurisdiction, powers and duties; regulating the production, transportation, manufacturing, processing, storage, distribution, delivery and sale of milk and certain products thereof; providing for the licensing of milk dealers and the payment of fees therefor; requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers; authorizing the holding of hearings and the issuance of subpoenas by the commission; conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules, regulations and orders of the commission; authorizing the commission to adopt rules, regulations and orders, and to enter into interstate and Federal compacts; requiring persons who weigh, measure, sample or test milk to procure permits or certificates, to take examinations, to pay fees therefor, to furnish certain notices, records and statements, and to use certain methods of weighing, measuring, sampling and testing; authorizing the commission to examine the business, papers and premises of milk dealers and producers, requiring the keeping of records and the filing of reports by milk dealers, and permitting, with limitations, the use of information obtained thereby; authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor, and conferring certain powers upon the Governor with respect thereto; providing for appeals to the courts from decisions of the commission, and for the burden of proof upon such appeals; prescribing penalties, fines and imprisonment for violations of this act and rules, regulations and orders of the commission; defining perjury; defining remedies; repealing legislation supplied and superseded by this act, and saving rights, duties and proceedings thereunder; and making appropriations," by requiring milk dealers to give daily reports of milk delivered by milk producers.

Mr. DENNISON from the Committee on Ways and Means reported as amended House Bill No. 715, entitled:

An Act to further amend the title and the act, approved the twentieth day of June, one thousand nine hundred

nineteen (P. L. 521), entitled, as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; defining as a transfer and taxing the right of survivorship in property as to which such right exists; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid: and providing penalties; and citing certain acts for repeal," by adding a new section; changing the provisions imposing inheritance taxes on transfers intended to take effect in possession or enjoyment at or after death; imposing additional duties on banks, safe deposit companies, trust companies, corporations, institutions or depositories, surviving depositors of joint accounts, persons, registers of wills and the Department of Revenue, and providing penalties; changing the provisions for debts and deductions, the computation of tax on life estates or estates for years, the assessment of tax on future estates, the lien of taxes and commissions to be retained by registers of wills.

Mr. DAVID P. REESE, Jr. from the Committee on Ways and Means reported as amended House Bill No. 806, entitled:

An Act to further amend Sections Twenty and Twenty-One of the Act approved the first day of June, one thousand eight hundred eighty nine (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred seventy-nine" by clarifying the provisions for the appraisal and valuation of the capital stock of corporations subject to capital stock and franchise taxes and by changing the gross receipts fraction applicable to foreign corporations doing business in this Commonwealth.

Mr. DAVID P. REESE, Jr. from the Committee on Ways and Means reported as amended House Bill No. 807, entitled:

An Act to amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances for the State Government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," as amended; by further regulating the procedure and the jurisdiction of the Board of Finance and Revenue relative to certain claims for refund; changing and restrictting the right of the Commonwealth to impose interest on certain unpaid taxes and bonus when such taxes and bonus are not settled within a prescribed period of time, further providing for the report settlement and resettlement of taxes bonus and other accounts due the Commonwealth and for the furnishing of receipts for transfer inheritance and estate taxes; eliminating provisions for an Attorney General's commission and further regulating the procedure for filing petitions for resettlement, petitions for review, appeals to court.

Mr. HARE from the Committee on Ways and Means reported as amended House Bill No. 872, entitled:

An Act to provide revenue for State purposes by imposing an excise tax on the net income of co-operative agricultural associations having capital stock, in lieu of all other taxes except tax on real estate; providing for the assessment, collection, settlement and resettlement of tax and reviews and appeal therefrom; conferring powers and imposing duties on certain persons, co-operative agricultural associations having capital stock, State and County officers, boards, and departments; and providing penalties.

Mr. JAMES from the Committee on State Government reported as amended Senate Bill No. 423, entitled:

An Act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities counties and townships as herein defined prescribing the rights powers and duties of such Authorities authorizing such authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such authorities authorizing such authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof conferring exclusive jurisdiction on certain courts over rates.

Mr. HALL from the Committee on Ways and Means re-reported as amended House Bill No. 62, entitled:

An Act to further amend sections four and ten of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" as last amended by imposing an additional tax on liquid fuels and providing for the payment thereof into the Motor License Fund.

Mr. HOFFMAN from the Committee on Ways and Means reported as amended Senate Bill 102, entitled:

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and other expenses of the State government during the two fiscal years beginning the first day of June one thousand nine hundred forty-five evidenced by tax anticipation notes secured by and payable from current revenues levied assessed collectible and accruing during such two fiscal years defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the repayment of such loans and making an appropriation.

Mr. McKINNEY from the Committee on Constitutional Amendments reported as committed Senate Bill No. 421, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section.

BILL ON FIRST READING

Mr. STOCKHAM asked and obtained unanimous consent for Senate Bill No. 303, to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 303, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of the Allentown State Hospital, to acquire a certain tract of land for the use of said hospital, and making an appropriation therefor.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. WATKINS asked and obtained permission for the Committee on State Government to meet during the session of the House.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 826, entitled:

An Act making an appropriation to the Department of Health to pay the costs of continuing its health programs in full, under certain conditions and prohibiting the Department to accept Federal funds under certain condition.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1175, entitled:

A Supplement to the act approved the fourth day of June, one thousand nine hundred forty-three (Appropriations Acts, page 59) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-three" providing for a deficiency in an appropriation made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred forty-five

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS NOT ON FILE

The SPEAKER. The following bills on first reading are not on file and will be passed over:

House Bill No. 763, Printer's No. 480 and
House Bill No. 861, Printer's No. 479.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1014, entitled:

An Act authorizing township supervisors to declare dogs running at large in packs a nuisance and directing the killing of such dogs.

And said bill having been read at length the second time, and agreed to,
Ordered, To be transcribed for a third reading.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. DAVID P. REESE, Jr. on behalf of the Chairman, Mr. Lloyd H. Wood asked and obtained permission for the Committee on Ways and Means to meet during the session of the House.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 149, entitled:

An Act to amend section four hundred six of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintainece of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolish certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligation on institution districts and on the Commonwealth regulating the affair of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" providing for the maintenance of persons suffering from contagious diseases in counties and cities of the first and second classes

And said bill having been read at length the second time, and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 217, entitled:

An Act to further amend the title and the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 176) entitled as amended "An act requiring cities of the second second A and third class to allow members of the police departments twenty-four consecutive hours of rest each week and fourteen days vacation each year except in emergency cases" extending the provisions of said act to cities boroughs incorporated towns and townships

And said bill having been read at length the second time, and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 641, entitled:

An Act to reenact and amend the title and Sections one two three and four of the act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 797) entitled "An act relating to the release reduction or limitation of powers of appointment" by extending the terms of such act to cover a power of consumption and by providing for the release and disclaimer of any power of appointment whether general or special other than a power in trust which is imperative and of any interest in to or over real or personal property or the income therefrom held or owned outright or in trust or in any other manner reserved or given to any person by deed will or otherwise howsoever and irrespective of any limitation of such power or interest by virtue of any restriction in the nature of a socalled spendthrift trust provision or similar provisions and providing for the execution delivery and recording of such release or disclaimer

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1010, entitled:

An Act to add clause (k) to section one thousand three hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointmnt of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by providing for further regulation of secondary education and placing additional duties upon the Department of Public Instruction and secondary schools

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1036, entitled:

An Act relating to the rate of pay for policemen firemen and park guards in cities of the first class providing for a system whereby policemen firemen and park guards of cities of the first class who shall enter or who shall have entered the military service during the present hostilities shall be paid upon honorable discharge and re-entry into the police fire or park guard service at the same rate of pay as if they had actually served on the police force fire bureau or park guard force of cities of the first class during the years months or days they were in the military service

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1119, entitled:

An Act to add subsection (d) to section eight of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 363) entitled "An act relating to the organization jurisdiction and procedure of the orphans' courts the powers and duties of the judges thereof and appeals therefrom" authorizing the clerk of the orphans' court to invest certain moneys in the custody of the court

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1195, entitled:

An Act to amend section ten of the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 886) entitled "An act creating a Municipal Employes' Retirement System for the payment of retirement allowances to officers and employes of political subdivisions and institutions supported and maintained by them and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor imposing certain duties on the State Employes' Retirement Board and the actuary thereof providing the procedure whereby political subdivisions may join such system and imposing certain liabilities and obligations on such political subdivisions in connection therewith and as to certain existing retirement and pension systems and upon officers and employes of such political subdivisions and institutions supported and maintained by them providing certain exemptions from taxation execution attachment levy and sale and making an appropriation" including any service as a member of the General Assembly in the period of service of a contributor upon his making certain back payments

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 172, entitled:

An Act providing for the appointment of guardian in inter vivos deeds or gifts or under insurance or annunity policies.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 300, entitled:

An Act to further amend sections twenty-five, twenty-six, and thirty-six of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1237), entitled "An act affecting marital relations; prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages; and amending, revising, and consolidating the law relating thereto," by providing that libels in divorce may be presented to, subpoenas awarded and masters appointed by, a judge at chambers.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1017, entitled:

An Act to protect the public health and safety by requiring registration with and the securing of permits from the State Board of Pharmacy by persons copartnerships associations and corporations engaged in the manufacture or production of drugs and medical supplies regulating the manufacture of drugs and medical supplies as herein defined prohibiting the manufacture possession or sale of adulterated or misbranded drugs and medical supplies prescribing permits providing for inspections and the suspension and revocation of permits conferring powers on the State Board of Pharmacy and courts and providing penalties

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 936, entitled:

An Act to amend section two of the act, approved the twelfth day of May, one thousand nine hundred eleven (P. L. 295), entitled "A supplement to an act, entitled 'An act for the government of cities of the second class,' approved the seventh day of March, Anno Domini one thousand nine hundred and one; providing for the levy, collection, and disbursement of taxes and water-rents, or rates and conferring certain powers and duties in reference thereto upon the city treasurer, the board of water assessors, and the collector of delinquent taxes; and repealing certain acts relating to matters herein provided for," by fixing a limit for taxes to be levied on real estate.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1050, entitled:

An Act to further amend clause I of section three of article XIX of the act, approved the seventh day of March, one thousand nine hundred one (P. L. 20), entitled "An act for the government of cities of the second class," making the real estate of public service companies subject to taxation and providing certain exceptions.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1190, entitled:

An Act empowering cities of the second class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The bill having been called up from the postponed calendar, by Mr. LICHTENWALTER.

The House resumed the consideration on second reading of Senate Bill No. 53, entitled:

An Act concerning the ascertainment of principal and income and the apportionment of receipts and expenses among tenants and remaindermen; and to make uniform the law with reference thereto

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FINAL PASSAGE

BILLS PASSED OVER

There being no objection

House Bill No. 685, Printer's No. 454
House Bill No. 915, Printer's No. 459 and
Senate Bill No. 52, Printer's No. 307

bills on final passage, were passed over at the request of the SPEAKER.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection

House Bill No. 717, Printer's No. 332
Senate Bill No. 195, Printer's No. 72
House Bill No. 411, Printer's No. 377
House Bill No. 969, Printer's No. 417
Senate Bill No. 63, Printer's No. 134
House Bill No. 329, Printer's No. 452 and
House Bill No. 330, Printer's No. 456

bills on third reading, were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 827, entitled:

An Act relating to the liabilities of elected and appointed officers of the various political subdivisions providing for the forfeiture of their office

On the question,

Will the House agree to the bill on third reading?

Mr. COHEN. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend Sec. 2, page 2, line 10, by inserting after the word "officers" "nor to any penalty enuring to the benefit of, or payable to, the Commonwealth."

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 438, as follows:

An Act authorizing cities boroughs incorporated towns and townships to abate certain interest charges and penalties added to municipal claims imposed or assessed for certain improvements prohibiting the sale of real property for the non-payment of such claims for a certain period preserving the liens of such claims and providing for the extention thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All unpaid interest charges and penalties added to any and all delinquent municipal claims imposed or assessed or any parcel or parcels of real estate in the year one thousand nine hundred forty-two and all previous years filed by any cities boroughs incorporated towns or townships to recover for the grading guttering macadamizing or otherwise improving the cartways of any public highway for grading curbing recurbing paving repaving constructing or repairing the footways thereof for laying water pipes gas pipes culverts sewers branch sewers or sewer connection therein for assessments for benefits in the opening widening or vacation thereof or in the changing of water-courses or the construction of sewers through private lands or in the acquisition of sewers and drains constructed and owned by individuals or corporations and of rights in and to use the same may be abated by such cities boroughs incorporated towns or townships upon the payment of the entire face amount of such delinquent claims imposed or assessed on any parcel or parcels of real estate and the costs of filing or of any proceedings thereon on or before December thirty-first one thousand nine hundred forty-five

Section 2 This act shall be construed to apply to all such claims whether or not liens for such claims have been filed in the office of the prothonotary of the county or proceedings for the collection of such claims have been instituted in any court in said county or where real property has been sold to a county city borough town township school district or poor district at a judicial sale for the non-payment of such claim and the period of redemption has not expired but this act shall not be construed to apply to cases where real property has been sold other than to a county city borough town township school district or poor district at any such sale and where the period of redemption has not expired and the person liable for the payment of all costs incurred in such proceedings except the solicitor's fees

Section 3 The benefits of this act shall extend to and accrue to any successful bidder or purchaser at sheriff's or other judicial sale grantee transferee mortgagee or other party in interest in the parcel or parcels of real estate against which the above mentioned claims have been imposed or assessed and levied

Section 4 Any taxpayer shall have the rights to pay the delinquent claims imposed or assessed and levied against any parcel or parcels of real estate without being required to pay the delinquent claims imposed or assessed and levied against any other parcel or parcels of real estate in the same ward district or other political subdivision

Upon application either in person or in writing by any person liable for the payment of any such delinquent claims the authorities imposing or assessing and levying such claims or the person or persons charged with the collection of such delinquent claims or the person or persons in whose custody the records of such delinquent claims are kept shall furnish to the person liable for the payment of such claims a statement of the delinquent claims owed by him to such political subdivision showing the face amount the interest charges penalties expenses and fees and costs or other charges in detail against such real property as shown by the records in his custody

Section 5 In order to enable the taxpayer to receive the full benefits of this act no real property shall be sold for nonpayment of such municipal claims before January first one thousand nine hundred forty-six and any such sale shall be adjourned or readjourned as often as may be necessary for this purpose If any sale is adjourned or readjourned failure to advertise or hold any such sale shall invalidate the lien of any municipal claim due and unpaid but the lien of all such claims shall be fully preserved until February first one thousand nine hundred forty-six in order to give the city borough incorporated town or township authorities an opportunity to revive any such liens when payment is not made under the provisions of this act Provided however That in every case where a person avails himself of the privilege or benefits of this act the period during which payment of the said delinquent claim is postponed or continued under this act shall not be included in computing and determining whether or not any right of the authority which imposed or assessed such claim has been barred or lost by reason of the provisions of any statute or statutes now existing or hereafter enacted limiting the right of the said authority to file preserve or maintain the lien of the said claim

Section 6 The provisions of this act shall not apply to or in any manner affect any assessments which are the sole basis of improvement bonds issued by any political subdivision and which are the security for the payment thereof or to any assessments which have heretofore been assigned by any political subdivision to any contractor in payment of the amount due him under terms of the contract for the improvement for which the assessment was levied

Section 7 The provisions of this act are severable and if any of the provisions hereof are held to be unconstitutional the decision shall not be construed to impair any other provision of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included herein

Section 8 All acts and parts of acts general local and special inconsistent with the provisions of this act are hereby suspended during the time this act shall be in effect

Section 9 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—146

Andrews,	Gaffney,	Lyons,	Regan,
Baker,	Gardner,	Madden,	Reidenbach,
Barrett,	Getchey,	Madigan,	Reilly,
Barton,	Gibson,	Mahany,	Riley,
Baumunk,	Goodling,	McAtee,	Robertson,
Bentzel,	Greer,	McClester,	Royer,
Bonawitz,	Guthrie,	McKinney,	Rudisill,
Boney,	Gyger,	McLanahan,	Scanlon,
Boorse,	Haberlen,	McMillen,	Shoemaker,
Bower,	Hall,	McNally,	Sloan,
Breisch,	Hamilton,	Mihm,	Snider,
Brice,	Hare,	Mikula,	Snyder,
Brunner, C. H.,	Haudenshield,	Miller,	Sollenberger,
Brunner, P. A.,	Heatherington,	Milliken,	Sorg,
Cadwalader,	Helm,	Mooney,	Stank,
Cohen,	Hennihan	Moore, C. E.,	Stockham,
Coleman,	Hewitt,	Moore, W. J.,	Stonier,
Cook,	Hoffman,	Moran,	Stuart,
Cooper,	Howells,	Moser,	Swope,
Coulson,	Hunter,	Munley,	Tittle,

Cullen,	Huntley,	Murray, M. L.,	Turbett,
Dague,	James,	Nelson,	Wachhaus,
Dalrymple,	Jones,	O'Brien,	Wagner,
Dennison,	Kennedy,	O'Connor,	Waterhouse,
Depuy,	Kirley,	O'Donnell,	Watkins,
Dix,	Kline,	O'Neill,	Weiss,
Duffy,	Kolankiewicz,	Owens,	Welsh,
Dye,	Komorofski,	Pentrack,	Wescott,
Elder,	Kurtz,	Petrosky,	Wood, L. H.,
Elish,	Lane,	Pickens,	Wood, N.,
Erb,	Laughner,	Polaski,	Worley,
Flack,	Lee,	Polen,	Wright,
Fleming,	Leisey,	Powers,	Yeakel,
Foor,	Leonard,	Propert,	Yester,
Fox,	Lichtenwalter,	Readinger,	Fiss,
Freed,	Longo,	Reagan	Speaker.
Frost	Lovett,	Reese, D. P.,	

NAYS—0

NOT VOTING—47

Bentley,	Green,	McDowell,	Schuster,
Boies,	Greenwood,	McNair,	Serrill,
Boory,	Hering,	Mills,	Shaffer,
Chudoff,	Herman,	Modell,	Skale,
Corrigan,	Hersch,	Murray, P. G.,	Smith,
Costa,	Hoggard,	Myhan,	Tahl,
Coyle,	Hoopes,	O'Dare,	Tate,
Dillon,	Levy,	Pettigrew,	Trachtman,
Dougherty,	Loftus,	Reese, R. E.,	Trent,
Finnerty,	Lopez,	Root,	Varallo,
Gallagher,	Matthews,	Rose,	Verona,
Grant,	McCormack,	Salus,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 181, Printer's No. 195 and

House Bill No. 183, Printer's No. 196

were passed over at the request of the SPEAKER.

BILL NOT ON FILE

The SPEAKER. House Bill No. 933, Printer's No. 478, bill on third reading on page 13 of today's calendar is not on file and will be passed over.

PERMISSION TO ADDRESS HOUSE

Mr. MORAN asked and obtained unanimous consent to address the House.

Mr. Speaker, week after week we have been pleading with Members to be here on the last day's session each week, and it seems with all the pleading there are still a lot of them absent. I am warning this House today that if they are not here next week I am polling the House. That is a fair warning.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, if the gentleman from Allegheny polls the House then I will feel impelled to insist that the process be completed and that the absentees be sent for to appear in the House to purge themselves from the contempt implied by their absence. So I am telling the gentleman from Allegheny that if he polls the House it will not simply be a roll call, but we will send for the absentees and we will remain in session until the absentees appear.

The SPEAKER. The Chair desires to state that it also must be understood that the Speaker of the House does not grant leave of absence. Leave of absence is only granted by the House.

ADJOURNMENT

Mr. CLARENCE E. MOORE. Mr. Speaker, I move that this House do now adjourn until Monday, April 9, 1945, at 9 p. m.

The motion was agreed to, and (at 12:20 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1945. 136th of the General Assembly.

Vol. 29. HARRISBURG, PA., MONDAY, APRIL 9, 1945. No. 41.

SENATE

MONDAY, April 9, 1945.

The Senate met at 4:00 o'clock, p. m., Eastern War Time.

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the Chair.

PRAYER

In the absence of the Chaplain prayer was delivered by the gentleman from Berks, Senator RUTH.

Our Father in Heaven, we thank Thee that Thou hast given us the help and the strength to come back here for our work this week and we pray that Thy Holy Spirit will guide us to give our best efforts constructively; we pray that Thou wilt help us each today to have in mind not only our own personal advantage but the advantage of the people whom we represent.

We pray today especially that Thou wouldst guide those in authority throughout the world that this war might soon come to an end and all our loved ones come back home again.

We ask it in Thy Holy name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HEYBURN and Mr. EDMONDS, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. Wade asked and obtained leave of absence for Mr. JAMES.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

APPROVED AND SIGNED
SENATE BILL No. 123, PRINTER'S No. 253

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 6, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 123, Printer's No. 253, entitled "An Act to repeal paragraphs (a) (b) and (d) of Section one thousand thirty-three (1033) of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled 'An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justice of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns township within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds' and all amendments to said paragraphs (a) (b) and (d)."

EDWARD MARTIN.

APPROVED AND SIGNED
SENATE BILL No. 143, PRINTER'S No. 188

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 6, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 143, Printer's No. 188, entitled "An Act to amend clause (a) of section six hundred twenty-one and one-tenth of the act approved the seventeentth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled 'An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws' by further regulating group accident and health insurance."

EDWARD MARTIN.

APPROVED AND SIGNED
SENATE BILL No. 188, PRINTER'S No. 28

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 6, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 188, Printer's No. 28, entitled "An Act to amend section four hundred twenty as added to the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682), entitled, 'An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws,' by including annuity policy contracts."

EDWARD MARTIN.

APPROVED AND SIGNED SENATE BILL No. 243, PRINTER'S No. 113

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 6, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 243, Printer's No. 113, entitled "An Act to amend section one hundred three and to further amend section two hundred one of the act approved the eleventh day of July one thousand nine hundred twenty-three (P. L. 998) entitled 'An act for the prevention and treatment of mental diseases mental defect epilepsy and inebriety regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defects and epileptics governing the transfer discharge interstate rendition and deportation of mental patients providing for the payment by individuals counties or the Commonwealth of the cost of the admission care and discharge of mental patients and imposing penalties' requiring persons copartnerships associations and corporations who undertake the care of mental patients to make application and obtain a license from the Department of Welfare."

EDWARD MARTIN.

APPROVED AND SIGNED SENATE BILL No. 460, PRINTER'S No. 151

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 6, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 460, Printer's No. 151, entitled "An Act to further amend Subsection A of Section one thousand one of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled 'An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National Banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts' by regulating the making of certain classes of loans and clarifying the powers and limitations on powers of banks and bank and trust companies."

EDWARD MARTIN.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

MEMBERS OF THE BOARD OF TRUSTEES OF SELINSGROVE STATE COLONY FOR EPILEPTICS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 9, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Board of Trustees of Selinsgrove State Colony for Epileptics, for terms of four years, and until their successors are qualified:

Mrs. Matilda M. Portzline, 423 Orange Street, Selinsgrove, Snyder County. (Reappointment)

A. D. Gougler, Middleburg, Snyder County. (Reappointment)

S. H. Bubb, McClure, Snyder County. (Reappointment)

Lester C. Buffington, Hummels Wharf, Snyder County. (Reappointment)

Ralph Gaul, Walnut, Juniata County. (Reappointment)

North Shellenberger, McAlisterville, Juniata County, vice Elmer Bashore, McAlisterville, whose term expired.

Wm. T. MacCreadie, Lewisburg, Union County, vice J. B. Parson, Port Royal, whose term expired.

Andrew C. Long, Shamokin, Northumberland County, vice Dr. Samuel F. Metz, Thompsontown, whose term expired.

Wm. Penn Kemble, Mount Carmel, Northumberland County, to fill a vacancy.

EDWARD MARTIN.

ALDERMAN, FIFTH WARD, BEAVER FALLS, BEAVER COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 9, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

David Griffiths, 1617 Fifth Avenue, Beaver Falls, Beaver County, for appointment as Alderman in and for the Fifth Ward of the City of Beaver Falls, Beaver County, until the first Monday in January, 1946, to fill a vacancy.

JUSTICE OF THE PEACE, MUNHALL BOROUGH, ALLEGHENY COUNTY

Richard E. Lloyd, 4020 Davis Avenue, Munhall, Allegheny County, for appointment as Justice of the Peace in and for the Borough of Munhall, Allegheny County, until the first Monday in January, 1946, vice Thomas F. Johnson, deceased.

EDWARD MARTIN.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 438, entitled:

An Act authorizing cities, boroughs, incorporated towns and townships to abate certain interest charges and penalties added to municipal claims imposed or assessed for certain improvements; prohibiting the sale of real property for the nonpayment of such claims for a certain period; preserving the liens of such claims; and providing for the extension thereof.

Which was committed to the Committee on Municipal Government.

HOUSE CONCURS IN AMENDMENTS TO HOUSE RESOLUTION No. 11

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Resolution No. 11, as follows:

JOINT COMMITTEE CREATED TO INVESTIGATE, SURVEY AND CONSIDER ALL OF THE PENAL LAWS OF THE COMMONWEALTH

In the House of Representatives, January 31, 1945.

Whereas, The Penal Code approved June 24, 1939 contains numerous inconsistencies and considerable language which is open to construction and should be carefully studied and revised in order to make it effective for its intended purposes; therefore be it

Resolved (if the Senate concurs), That a committee of three members of the House of Representatives to be appointed by the Speaker of the House, three Senators to be appointed by the President Pro Tem of the Senate, is hereby created, whose duty it shall be to survey, investigate, and consider all of the penal laws of the Commonwealth and to completely revise and restate such penal laws into codified form, and to report its findings and conclusions to the next regular session of the General Assembly, with a bill embodying a codification of the penal laws of the Commonwealth to be introduced at the next regular session of the General Assembly.

The committee shall organize immediately after its appointment, and elect a chairman and a secretary from its membership, and appoint any clerks, stenographers or other employes necessary to carry out the purposes of this resolution.

The members of the committee shall receive no compensation but shall be reimbursed for any necessary traveling and living expenses actually incurred in the performance of the duties hereby imposed.

An item shall be inserted in the general appropriation bill for the purpose of paying such expenses and the salaries of such clerks, stenographers or other employes, appointed by the committee.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) announced that the Acting Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 59, entitled:

An Act to further amend the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by providing rest periods, sick leave, hospital and medical expenses, and extra compensation in certain cases for police in counties of the second class.

Senate Bill No. 72, entitled:

An Act to further amend section six hundred one of the act approved the twenty-fifth day of May, one thousand nine hundred thirty-three (P. L. 1001), entitled "An act providing for the regulation of aeronautics within this Commonwealth conferring powers and imposing duties upon the Pennsylvania Aeronautics Commission and the Department of Revenue in respect thereto providing for the licensing and registration of airman and aircraft establishing the legal status of air navigation providing for sovereignty in and ownership of space providing for lawfulness of flights regulating civil causes of action arising out of operation of aircraft fixing the status of contracts, crimes and torts in, by or by means of operation of aircraft imposing duties upon officers, burgesses, magistrates, aldermen, justices of the peace, the courts and clerks thereof, providing for denial or revocation of licenses providing for certain penalties and their disposition and repealing certain existing laws" by reducing the amount of the minimum fine which may be imposed for certain violations.

Senate Bill No. 84, entitled:

An Act concerning the powers and duties of policemen appointed by the Delaware River Joint Toll Bridge Commission

Senate Bill No. 113, entitled:

An Act to empower political subdivisions to promulgate administer and enforce airport zoning regulations limiting the height of structures and objects of natural growth and otherwise regulating the use of property in the vicinity of airports and to acquire by purchase grant or condemnation air rights and other interests in land to authorize penalties and remedies for vioaltions of this act or of any ordinances or regulation made under the authority conferred herein and to authorize appropriations.

Senate Bill No. 221, entitled:

An Act authorizing political subdivisions to purchase surplus material equipment property and supplies from the Surplus Property Board or any other Federal agency without complying with any requirement of existing law as to specifications advertising award of contract and approval of purchases by a state agency

Senate Bill No. 250, entitled:

An Act to further amend section two thousand three hundred nineteen of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor,

Lieutenant-Governor, and certain other executive and administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined" by changing the name "Western State Psychiatric Hospital" to "Western State Psychiatric Institute and Clinic."

Senate Bill No. 251, entitled:

An Act to amend the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 1199, No. 324), entitled "An act for the acceptance of a site from the University of Pittsburgh, and for surveys and the preparation of preliminary plans and estimates for a Western State Psychiatric Hospital; providing for the erection, construction, and equipment of said hospital when appropriations are made available, and for its management by the Department of Welfare," by changing the name "Western State Psychiatric Hospital" to "Western State Psychiatric Institute and Clinic."

Senate Bill No. 386, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by permitting departments, boards, or commissions to make transfers of surplus products of the soil, meats, livestock, timber, or other materials raised or grown upon or taken from property of the Commonwealth, or their by-products, to other State agencies and receive credit to their appropriation, under certain conditions.

Senate Bill No. 406, entitled:

An Act to regulate the sale of second-hand watches; and providing penalties

Whereupon,

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the presence of the Senate signed the same.

BILLS INTRODUCED AND COMMITTED

Mr. MALLERY read in place and presented to the Chair Senate Bill No. 673, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor to convey to the County of Blair and the City of Altoona, certain real property located in said county and heretofore acquired by the Commonwealth for development as an airport.

Which was committed to the Committee on State Government.

He also read in his place and presented to the Chair Senate Bill No. 674, entitled:

An Act to further amend section thirty of the act, approved the eleventh day of May, one thousand nine hundred twenty-one (P. L. 522), entitled, as amended "An act relating to dogs, and the protection of livestock, poultry, and game birds raised in captivity from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock, poultry, and game birds by dogs, and for live stock killed by, or dying from, rabies, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes, directing the payment of all moneys collected into the State Treasury; and providing penalties," increasing the maximum amounts of payments by the State in certain cases.

Which was committed to the Committee on Agriculture.

Mr. EALY read in his place and presented to the Chair Senate Bill No. 675, entitled:

An Act to repeal The General State Authority Act of 1935 and abolish The General State Authority upon the payment of its bonds and obligations and the transfer and conveyance of all its properties to the Commonwealth.

Which was committed to the Committee on State Government.

Mr. STIEFEL read in his place and presented to the Chair Senate Bill No. 676, entitled:

An Act making an appropriation to the St. Chistopher's Hospital, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

He also read in place and presented to the Chair Senate Bill No. 677, entitled:

An Act to further amend section one thousand five hundred eight of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general special or local, or any parts thereof, that are or may be inconsistent therewith," by providing for the qualifications, tenure, salaries and reimbursement by the Commonwealth for school nurses in school districts of the first class.

Which was committed to the Committee on Education.

Mr. ROSENFELD read in his place and presented to the Chair Senate Bill No. 678, entitled:

An Act to license and regulate and to promote competition in the business of purchasing contracts arising out of retail installment sales; prescribing the form of such sales; imposing said licensing and regulation in the Department of Banking; imposing duties in, and granting powers to, the Department of Banking in the classification of retail installments, sales and contracts arising therefrom and in fixing and prescribing maximum charges for the extension of credit in retail installment sales; and prescribing penalties.

Which was committed to the Committee on Banking.

Mr. HEYBURN read in his place and presented to the Chair Senate Bill No. 679, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America, of approximately three-tenth of an acre of land in the County of Delaware, upon which is erected the Chester Range Front Light, and ceding jurisdiction to the United States.

Which was committed to the Committee on State Government.

RESOLUTIONS

RECALLING FROM THE GOVERNOR SENATE BILL No. 230

Mr. STEVENSON offered the following resolution which was twice read, considered and agreed to:

In the Senate, April 9, 1945.

Resolved (if the House of Representatives concur), that Senate Bill No. 230, Printer's No. 288, entitled "An act to amend the title and the act approved the thirtieth day of April, one thousand nine hundred and forty-three (P. L. 145), entitled "An act providing for and regulating the accumulation, investment and expenditures by counties, cities, boroughs, incorporated towns and townships of funds for post war projects," extending the provisions of said act to school districts and to the expenditure of such funds jointly with the Commonwealth or any department or agency thereof and defining the term "post war period," be recalled from the Governor for further consideration.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RECALLING FROM THE GOVERNOR SENATE BILL No. 18

Mr. CARR offered the following resolution which was twice read, considered and agreed to:

In the Senate, April 6, 1945.

Resolved (if the House of Representatives concur), that Senate Bill No. 18, Printer's No. 187, entitled "An act to amend sections one and two of the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1303) entitled 'An act to regulate the sale of certain hypnotic analgesic and body-weight reduction drugs in the interest of public health' by redefining the meaning of 'other hypnotic drug or analgesic drug or body-weight reducing drug' and adding 'inhalers' to the remedies permitted to be sold at retail", be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

TIME OF NEXT MEETING

Mr. TROUTMAN offered the following resolution, which was twice read, considered and agreed to:

In the Senate, April 9, 1945.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday, April 16, 1945, at four o'clock p. m.; and when the House of Representatives adjourns this week it reconvene on Monday, April 16, 1945, at nine o'clock, p. m.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RECALLING FROM THE GOVERNOR SENATE BILL No. 115

Mr. MALLERY offered the following resolution which was twice read as follows:

In the Senate, April 9, 1945.

Resolved (if the House of Representatives concur), that Senate Bill No. 115, Printer's No. 135, entitled "An act to repeal section forty-five of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents'" be recalled from the Governor for the purpose of amendment.

RESOLUTION WITHDRAWN

Mr. MALLERY. Mr. President, I request that the resolution, which I offered, be withdrawn.

BILL INTRODUCED AND COMMITTED

Mr. SNOWDEN. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. SNOWDEN and STIEFEL read in place and presented to the Chair Senate Bill No. 680, entitled:

An Act to further amend section one of the act, approved the twentieth day of April, one thousand nine hundred and twenty-seven (P. L. 321), entitled "An act authorizing the Secretary of Highways to designate by letter, or to name, number, or combine State highways, or any part or parts thereof, in such manner as in his discretion will best accommodate and inform the traveling public using the highways of the Commonwealth, and facilitate the keeping of maps and records of the Department of Highways and to include, in any route designated for the convenience of the traveling public, any township road or roads," as amended, by eliminating the requirement that designations assigned by the Secretary of Highways shall be the official designations for all purposes.

Which was committed to the Committee on Highways.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. EALY. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on April 9, 1945.

Mr. CHAPMAN. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 9, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Frances Diamond, Wilkinsburg.
Miss Catherine E. Duff, Pittsburgh, 1306 Berger Bldg.
Miss L. M. Kreutz, Pittsburgh, Ft. 32d St and Allegheny River.
Miss Norma G. Sicher, Pittsburgh, Berger Bldg.

BERKS COUNTY

Mrs. Ruth Lengel, Reading.
Miss Irma M. Miller, Reading.

BUTLER COUNTY

Miss Winifred E. Beatty, Butler.

CHESTER COUNTY

Thomas R. Dietz, Phoenixville.
Russell L. Minker, Coatesville.

DAUPHIN COUNTY

Wilmer L. Boughner, Harrisburg.

DELAWARE COUNTY

Louis E. Membrino, Upper Darby Twp., 7930 Beverly Blvd., Upper Darby.

LUZERNE COUNTY

Edward Bonin, Hazleton.
Miss Bessie A. Thomas, Wilkes-Barre.

LYCOMING COUNTY

W. F. Harrer, Montoursville.

MERCER COUNTY

Miss Rose M. Marley, Sharon.

PHILADELPHIA COUNTY

William J. Green, Phila., SE Cor. 55th St. and Baltimore Ave.
Mrs. Katharine L. Naddy, Phila., 1828 W. Huntingdon St. (32)
Mattie S. Potesta, Phila., 916 Wharton St.
Miss Frances H. Sherman, Phila., Keystone Bldg., 135 S. 2d St.
Abram M. Singer, Phila., 4723 Whitaker Ave.

WESTMORELAND COUNTY

Miss Viola A. Findish, Latrobe.

EDWARD MARTIN.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 9, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

PHILADELPHIA COUNTY

Miss Margaret A. Carton, Phila., 508 Bulletin Bldg. (7) April 16, 1945.

CRAWFORD COUNTY

Francis E. Kirkpatrick, Meadville, April 17, 1945.

NORTHUMBERLAND COUNTY

Miss Mae Farley, Shamokin, April 18, 1945.

EDWARD MARTIN.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. EALY and Mr. CHAPMAN,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Edmonds,	Leader,	Tallman,
Berger,	Farrell	Letzler,	Taylor,
Blass,	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	Margie,	Troutman,
Carr,	Haluska,	McCreesh,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

Two-thirds of all the Senators saving voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 314, entitled:

An Act relating to officers and employes of the Senate and House of Representatives; providing for and fixing the compensation of an additional employe; changing the compensation of certain existing employes; and making an appropriation therefor and for contingent expenses

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Edmonds,	Leader,	Taliman,
Berger,	Farrell,	Letzler,	Taylor,
Blass,	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	Margie,	Troutman,
Carr,	Haluska,	McCreesh,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators saving voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS ON FINAL PASSAGE CALENDAR

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 238, on final passage, entitled:

An Act to amend section nine hundred ten, and subsection (e) of section nine hundred fifty-one of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections" changing the requirements for affidavits of candidates for judge of a court of record who are in the armed forces of the United States and whose whereabouts is unknown or who is out of the country

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 577 on final passage, entitled:

An Act to amend section seven hundred eight and to further amend clause (f) of section seven hundred thirty-one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by controlling the removal and transportation of big game requiring report of such killing and providing penalties

be recommitted to the Committee on Forests and Waters, Game and Fish, for the purpose of further study.

Mr. SNOWDEN. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 696 on final passage, entitled:

An Act to further amend sections one two three and four of the act approved the twenty-first day of May one thousand nine hundred thirty-seven (P. L. 787) entitled as amended "An act authorizing subject to approval of the court of common pleas the compromise or reduction of tax and municipal claims on real property purchased by any county city borough town school district or poor district at any sale for the nonpayment of taxes or municipal claims and the reconveyance or private sale of such property" requiring such reconveyance and private sale to have the approval of a majority of the municipalities having an interest therein

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1, entitled:

An Act to amend the title and certain sections and to add certain new sections to the act approved the twenty-second day of June one thousand nine hundred thirty-seven (P. L. 1987) entitled "An act to preserve and improve the purity of the waters of the Commonwealth for the protection of the public health animal and aquatic life and for industrial consumption and recreation empowering and directing the creation of indebtedness or the issuing of non-debt revenue bonds by political subdivisions to provide works to abate pollution providing protection of water supply providing for the jurisdiction of courts magistrates aldermen and justices of the peace in the enforcement thereof and providing additional remedies for abating pollution of waters imposing certain penalties and repealing certain acts" by changing the definitions of 'establishment' and 'industrial waste' by changing requirement of notice to discontinue discharges of industrial waste by changing penalties for violations and requiring prosecutions to be instituted or approved by the Attorney General by prohibiting the discharge of silt into any waters of the Commonwealth and regulating the discharge of acid mine drainage into waters thereof authorizing the Sanitary Water Board to establish standards of purity and to determine the time for compliance with the provisions of the act in certain cases and requiring the Board's approval of plans for opening reopening or extending coal mines by authorizing the acquisition by purchase or condemnation or otherwise by the Sanitary Water Board of easements or rights of ways and the acquisition or construction of pipes conduits drains or tunnels and pumps and pumping equipment and providing for the payment of the costs thereof by the Commonwealth

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. JASPAN. Mr. President, with respect to House Bill No. 1, Printer's No. 448, I find little comfort in the Brunner bill as amended. The cure it proposes is worse than the ill it is designed to correct. Frankly what good is any law if it is not properly enforced? Powers unknown in the history of Pennsylvania have been given to the Sanitary Water Board to cleanse and purify the waters and sewage system, but it has failed to exercise them. The Board has time and time again exhibited a consistent unwillingness to do anything which might offend the coal operators and the industralists generally. Under the proposed bill as amended they are given greater powers than ever, but, there is little cause for rejoicing. It is now to my mind a matter of grave concern.

Notwithstanding complaints and their knowledge of existing conditions—and I speak of the Sanitary Water Board—what have they done since 1905, and particularly since 1937, to make purer streams, decent waters, and higher health standards a reality? Absolutely nothing is the answer. If the Sanitary Water Board were true to their trust, today there would not be any need for the Brunner bill. The pure streams act of 1905, and as supplemented by the act of 1937, are sufficient unto themselves.

Let me read one section of the Act of 1937 as it applies to silt and acid mine drainage. It is specifically known as the Act of 1937, P. L. 1987, Article 3, section 310.

Article 3 generally calls for a prohibition against discharge of industrial wastes, and in this particular section of that same article it says:

"Section 310. Acid mine drainage and silt.—The provisions of this article shall not apply to acid mine drainage and silt from coal mines until such time as, in the opinion of the Sanitary Water Board, practical means for the removal of the polluting properties of such drainage shall become known."

This Act was passed in 1937. Let us see what has been done since 1937. As I said before, Article 3 in the main covers a prohibition against the discharge of industrial wastes and Section 310 of the article provides that the provisions of Article 3 shall not apply to acid mine drainage and silt from coal mines—and I repeat it because I can not emphasize it too strongly—until such time as, in the opinion of the Sanitary Water Board, practical means for the removal of the polluting properties of such drainage shall become known.

What has been done by the Sanitary Water Board since 1937 under this provision? Again I say practically nothing. True, they recently outlawed silt and prescribed a formula that can hardly stand the scientific test in order to eliminate silt from our waters. It is known as the one hour's quiescent sedimentation test or its equivalent.

Coal wash water contains about twenty per cent silt, and applying this very same formula of one hour's quiescent sedimentation test or its equivalent, little or no silt can be eliminated, as the twenty per cent silt, as it is, may be reduced to sixteen or fifteen per cent, but that does not help the situation much.

I have learned from reliable sources it is a phony formula and will not under any circumstances eliminate sufficient silt to keep the waters clean and pure. What can we expect from a Sanitary Water Board that leans heavily toward the coal operator and industrialists?

The city of Philadelphia, realizing the hopelessness of the situation, and the great danger that attached to the unwarranted flow of silt into the Schuylkill River, particularly in view of the fact that it was fast becoming a flood hazard and clogging up the intakes of our water supply system, and further rendering the water unfit for domestic purposes, joined in at a later date by the Commonwealth of Pennsylvania, filed a bill of complaint in Court No. 1 in the City of Philadelphia, on October 29, 1943, against 22 companies, and I now name these companies so that we have the record clear:

The Philadelphia and Reading Coal and Iron Company;
The Lehigh Coal and Navigation Company;
Winton Coal Mining Co., Inc.;
Lehigh Navigation Coal Co.;
Tunnel Ridge Coal Co.;
Mary D. Coal Mining Co., Inc.;
Bell Colliery Co., Inc.;
Jones Coal Co.;
Frackville Coal Co.;
Big Valley Coal Mining Co.;
Haddock Mining Co.;
Pine Ridge Coal Co.;
St. Clair Coal Co.;
Repplier Coal Co.;
Morea New Boston Breaker Corporation;
Eagle Hill Coal Co.;
Colitz Coal Co.;
Branch Coal Co.;
Otto Colliery Co.;
Primose Coal Co.;
Buck Run Colliery Co.;
Peach Mountain Coal Co.;
Priscilla Lobeetis, trading as Hillside Coal Company and C. Warne.

To restrain these companies the city of Philadelphia, joined by the Commonwealth, filed a bill in equity or a bill of complaint to restrain these companies that I have just named from permitting the coal washery waters to be discharged into the Schuylkill River or its tributaries, without taking all known adequate means to first remove the coal dirt, silt, coal refuse, or other pollution from all of the waters discharged from the breakers or washeries operated by them, or any of them.

After considerable discussion and legal argument, and before the final determination of the case, twenty-one of those companies I have just mentioned agreed to join in a consent decree, agreeing among other things—mind you, now, after suit was started and argument had and before final determination of the case—twenty-one of those companies agreed to join in a consent decree, agreeing, among other things, to install coffer dams or rip-rap retaining walls or silt basins at their own expense, said work to be done within a year.

However, notwithstanding the fact that the Commonwealth joined in this bill of complaint, they refused to go along with the city and suggested that they do not press the case to a final conclusion. Yes, the Sanitary Water Board, through its enforcement agent, the Attorney General, refused to go along. If the Commonwealth had gone along, as I said before, there would not have been

any necessity for the Brunner Bill. Conditions on the Schuylkill and Delaware Rivers prompted the introduction of the Brunner Bill. May I ask why did the Attorney General refuse to go along? For a moment it seemed that finally the critical situation with respect to our streams would be solved or alleviated somewhat. Let me point out what we have instead, and I now read from an article appearing in the Philadelphia Record, only last week, I think it was Tuesday or Wednesday:

"Official Says City Faces Loss of Drinking Water

"Unless something is done, to purify the streams of Pennsylvania, it will be only a question of time before Philadelphia is left high and dry—without drinking water.

"That forecast was made yesterday by Martin J. McLaughlin, chief of the city's Water Bureau, as he revealed dredges are once again at work to clear silt and sediment away from the water intake pipes at the Belmont pumping station on the Schuylkill.

"'Without stream purification, we will have to keep on dredging every day, and even so, in the course of years we would lose the battle,' he declared.

"The dredges were called into service two weeks ago, after a layoff since mid-December of 1944, McLaughlin said. The two intakes at Belmont, one 72 inches in diameter and the other 78—are located at a bend in the stream where huge quantities of mud and silt collect, after being washed downstream by the spring rains.

"Last year the dredges scooped up 32,300 cubic yards of silt at that location.

Two Other Stations

"Belmont is not the only station with a problem, though it is considered the most acute and dangerous.

"At Queen Lane and Shawmont stations, McLaughlin said, the intake situation is not serious, but the sedimentation basins are in bad shape. The basin at Queen Lane is more than half filled with coal silt, and at Shawmont, in Roxborough, the water capacity has declined 15 per cent since 1926 because of silt and mud clogging the basin

"The Belmont station has been losing 2 per cent of its capacity each year since its last cleansing in 1940, and now it can hold only a couple of days' supply of water at a time.

"Labor shortage to clean the sand used in the filters has forced the bureau to employ 30 convicts from Holmesburg Prison on the job."

My friends, to my mind, and I believe to the minds of everybody here, this situation is very dangerous and critical. Yes, we have given time and more time for the coal companies but little or no action has been taken by the Sanitary Water Board, and it has been acquiesced in by the Attorney General until the present date, and I will say it has brought about a condition today, to say the least, that is deplorable.

You will please note at this point that the 21 companies, well-known and of tremendous size, did not complain in 1944, when they were ready to enter into a joint consent decree, that they were being driven out of business. They were willing and ready to spend millions of dollars to abate the nuisances that originated with themselves.

However, with the introduction of the Brunner Bill, they complained bitterly, shouting from the housetops that they were being driven out of business. Their representatives, led by the president of the Pennsylvania Manufacturers Association—and I think we all know who he is—appeared before the Governor and demanded that the bill be amended to save industry. Amendments have since been inserted, some of a vicious nature, not only destroying the intent of the Brunner Bill, but weakening the present law, that is, the law of 1905 and 1937, as well.

Mr. President, is the Attorney General so naive and innocent as to believe that these amendments introduced since the introduction of the Brunner Bill are helpful? The Attorney General tells us they are clarifying. I will say they are gratifying to the coal operator and to the industrialists. Is the Attorney General playing the same machiavellian role he portrayed only a year ago in the suit instituted by the city of Philadelphia against the 22 companies already mentioned?

Mr. Duff, you are the Attorney General. Frankly, whose hand are you playing? Are you part and parcel of that giant conspiracy led by the president of the Pennsylvania Manufacturers Association and the Sanitary Water Board to defeat the interests of the public? I do not know. I wish you would answer me.

The Governor apparently has left everything to you, Mr. Duff. Am I to believe that you are a scapegoat for our Governor? May I ask why were not the people heard in this matter? Was not the matter of sufficient concern to warrant a public hearing? Is it because industry and the coal operators wanted to suppress the truth? Apparently the dirty work of the assassins is committed behind the scenes.

Mr. President, on paper, the promises made by you, and Mr. Duff as well, with respect to stream clearance, especially as to the Brunner bill, appear rosy, but in the final analysis what do they amount to? As I said before several times on the floor of the Senate—talk, talk, more talk, conference after conference, and only talk and conferences. Again I will say our people are being taken for a ride. I say to you, Mr. Duff, and to the Governor, it is high time honest and sincere action was taken to make stream clearance a reality.

Let me now read from the Philadelphia Record. The heading is: "The Mine Owners Pollute the Anti-pollution Bill"

The Mine Owners Polute The Anti-Pollution Bill

"One's nose is useful in Pennsylvania politics.

Last week our nose tipped us off to the fact that the Brunner Pure Streams bill, after its manhandling by the Senate Mines and Mining Committee, had acquired an odor identical with that of the Schuylkill.

"Readers will remember our deep skepticism over the amendments tacked onto that bill by the Senate committee. We said we'd take them with a 'grain of silt.' That was before a thorough analysis could be made.

"Though we couldn't see the amendments, we could smell 'em.

"Now an analysis of the amendments proves our suspicions justified. The bill has been completely butchered by the Senate Mines Committee, dominated by M. Harvey Taylor, hatchetman for the coal operators.

"In our opinion it will be better to kill the Brunner bill rather than enact it into law with these amendments.

* * *

"Here's why:

"One of the amendments permits the pollution of streams which now are unpolluted, allows acid draining into waters which, so far, have been kept pure.

"Another proviso obligates the State to spend millions for pipes, tunnels and other drainage systems for the coal barons, this after the war. Thus, if there ever is any elimination of pollution, the taxpayers and not the coal barons will pay for it.

"Yet another amendment provides exactly what The Record warned against the other day: wide-open loopholes for prolonged litigation which might delay actual curbing of pollution far beyond the lifetimes of Pennsylvanians now living.

"There are other bad spots in the measure. But these three alone show the Brunner bill to be a step backward, not a step forward.

"An amendment to the Pure Streams Act of 1937, it would weaken that act as it now stands. It would permit more pollution of the streams of Pennsylvania, not stop the pollution now going on.

* * *

"We hope Governor Martin will crack down and demand that this double-crossing of his own program—and double-crossing of the public—be checkmated by restoring the Brunner bill to its original form.

"Otherwise, the amendments will kill the purposes of the bill.

"We still hope and believe the Governor and Attorney General Duff are sincere on this issue.

"Yet Tom O'Neil, writing from Harrisburg, tells us that Duff went over every line of these amendments and okayed them, while disapproving others.

"Before it is too late, we suggest that Duff go over them again—with a magnifying glass instead of rose-colored specs.

"Then he might try a blindforld test, and hold the amended Brunner bill under his nose."

Mr. President, the author of the bill, Mr. Brunner, and a certain newspaper, over-zealous in their attempt to put over a stream clearance program, are ready to accept anything, notwithstanding the fact that the bill has been massacred beyond recognition. I say to Mr. Brunner originally there was little or no need for his bill, and certainly less reason today as amended. The coal operators and the industrialists, however, are very much pleased with it, believe it or not.

You can hardly expect anything better, Mr. President, for Governor Martin and Attorney General Duff dare not offend industry. These two gentlemen, Governor Martin and Attorney General Duff, will seek support from industry next year in the campaign, and the game has to be cleverly played. Governor Martin knows how to play it. Through a friendly press he has built himself up beautifully without doing anything concrete thus far, and Mr. Duff, our Attorney General, expects to ride on his coat tails.

Mr. President, stream clearance will undoubtedly play an important part in next year's campaign. I do not want to wax political but I feel, a promise having been made to our people by both the Republican and Democratic parties, that something should be done, and of course the present administration will point with pride to the machinery it has set in motion to make stream clearance a reality, realizing, however, that nothing can be done before the end of the present administration. Under the amendments very little can be done now. Using the war as an excuse for delaying the much needed work sounds plausible on the surface, but how do you account for the fact that twenty-one of those companies I mentioned before, and very large companies and well known to all of us, were willing and ready beginning about April 1944, not in 1945, to complete their work within one year, notwithstanding the war? As a matter of fact, some promised to complete their work within six to eight months, and the war was still on.

It is an easy thing to promise much today and do nothing, simply postpone the day of action until such time as when your responsibility ceases, and Governor Martin's responsibility will cease at the end of December, 1946.

Mr. Governor, in my opinion—I am not waxing political, as I said before, but you have been playing fast and loose with our people. You have been long on promises—you promised much in 1943 and did practically nothing; you asked for a short business-like administration, and instead you gave us a quick political administration or session, and you are very short in performances. It is my guess that this matter of stream clearance will not be the responsibility of Governor Martin's administration but certainly of the next administration.

Let me now read from an article appearing in the Evening Bulletin, and I believe the Philadelphia Record and Daily News as well have very little faith in the Brunner bill as now amended.

The article is headed "Blocking Stream Clean-up." I think it appeared last week, I am not sure as to the date—it may have been Friday or Saturday. However, it reads as follows:

"Blocking Stream Clean-up

"As originally written the Brunner bill, now past the second reading stage in the Senate at Harrisburg, was designed to strengthen the hands of the State in dealing with the pollution of its streams with mine and other industrial wastes."

And before I proceed further, the Bulletin does not lean very much toward the Democratic Party; if anything it leans toward the Republican Party. However, I will say generally the Bulletin is conservative and very fair in its views.

"But it has been tailored at the instance of interests that would be affected by a purposeful effort to stop this defilement. As it now stands it would considerably weaken the agencies of enforcement. Even if amended to take out some of the most obnoxious changes it would still rob local authorities of powers they now possess and leave too much to the discretion of the Attorney General.

"This is a dangerous feature. Attorney General Duff is believed to be earnestly in favor of a clean-up. There is no suspicion in any quarter of the sincerity of his stand. But the State's streams will not under any circumstances be purified during his incumbency of the Attorney Generalship, and there is no assurance that his

successor may not be a servant of the obstructionists. Power placed in the hands of Attorney General Duff is one thing; making prosecutions dependent on the will of all future Attorneys General, and thus robbing local authorities of initiative, is something else.

"As it stands the Brunner bill is a bill to facilitate stream pollution, to permit the defilement of streams as yet uncontaminated, to diminish the chances of purification, and to put on the State the costs of any clean-up measure that might succeed. Any Senator who votes for it on third reading in substantially its present form will be voting to serve the stream polluters, not the people whose ballots elected him to office."

Yes, my friends, and in the meanwhile the Panther Creek outfit is dumping 18,000 gallons of coal wash water a minute—18,000 gallons a minute—containing 20 per cent of silt, into the Schuylkill River and its tributaries, to say nothing of other industrial waste that has been poured into our water, polluting it.

This has been going on for years, Mr. President, and the Sanitary Water Board has simply closed its eyes to the precarious state of affairs, notwithstanding our law of 1905, as supplemented in 1937, giving them the power to once and for all wipe out the menace.

I say to you, my friends, my opinion is that the citizenry of Pennsylvania is being sold short.

Let us now turn to the joker amendments—joker amendments, evidently inserted to serve the coal operator and the industrialists.

The first amendment, appearing on page 5, starting with line 19 and ending with lines 26, reads as follows:

"The Sanitary Water Board shall determine when the discharge of any industrial waste or the effluent therefrom after treatment or sedimentation constitutes pollution as herein defined and shall establish standards whereby and wherefrom so far as reasonably practicable and possible it can be ascertained and determined whether any such discharge does or does not constitute pollution as herein defined."

That is the first amendment. This amendment is already covered by Sections 304 and 501 of the 1937 act. May I read to you Section 304 of the Act of 1937 P. L. 1987: "Section 304. Water Surveys.—The board shall have power to make a complete survey of the waters of the Commonwealth in order to ascertain the extent of pollution in each of said waters, and the remedies to be employed to purify said waters. It shall have power to adopt, prescribe, and enforce such rules and regulations, not inconsistent with this act, as may be deemed necessary for the protection of the purity of the waters of the Commonwealth, or parts thereof, and to purify those now polluted, and to assure the proper and practical operation and maintenance of treatment works approved by it."

And now let us turn to Section 501, which deals with the protection of domestic water supplies and also permits them to prescribe rules and regulations, so why the need for this particular amendment? Is it a blind? Is it put in to deceive the public? Apparently it is.

In short, Mr. President, I will say it is superfluous, and if anything, interferes with the rights of municipalities to establish their own standards. Standards can not necessarily be uniform, for various sections are affected differently. Take for instance the case of acid mine drainage, as it pours into the Schuylkill, it hardly pollutes the Schuylkill because the acid in the Schuylkill River passes over lime beds which neutralize the acids and we all know it takes an alkali generally to neutralize an acid. In other sections, there are no lime beds or calcium beds, and hence the water would be affected considerably. I find no fault with the state setting up standards to suit the occasion, but it should in no wise affect the city's right, to prevent it from fixing the standards but when it does set up standards make sure the standards mean something to our people, and certainly standards should be set up to improve conditions and not to aggravate them.

These amendments I term as camouflauge, pretense of doing something not needed, yet it interferes to a great extent with our municipalities. I have heard much said about home rule, but this is one case where they are interfering to a great extent with home rule.

Amendment 2. I will ask you to please turn to page 6, line 15 and you will note here that the words "or into any municipal sewer system" are stricken out. I wonder why. Is the purpose to give a green light to industrialists to empty their wastes into the sewer system, a right that was never had by them? The Act of 1905 does not give it to them and the Act of 1937 does not give it to them. This is a concession to the industrialists, and the municipalities can do little about it under this amendment; whereas previously the municipality could abate the nuisance where the discharge became injurious to the public health whether the Water Sanitary Board shall so declare it or not, that right under this amendment is destroyed.

Do you not realize that the city should have the right to control its own sewage system? Do you not also realize when industrialists are permitted to pour their waste into our sewage system, it will probably cost the municipalities twice as much to treat the sewage?

This amendment amounts to a cooperative effort to destroy local health laws, and certainly confiicts with the city's right to abate a nuisance under the Act of 1915 covering housing and sanitation. I should like to know who inserted this amendment, who is responsible for it.

Certainly, the municipalities were not consulted and to my mind it is a joker of the most vicious nature, designed to help the industrialists.

Now I refer you to the next amendment, starting with line 28 on page 6, which reads as follows:

"Whenever the Sanitary Water Board shall determine upon cause shown that certain existing industrial waste discharges cannot be eliminated due to inability to procure necessary labor materials or equipment arising out of exigencies created by the present war in which the United States is engaged such industrial waste discharges shall not become unlawful until such time as the Sanitary Water Board shall set after the Board determines that such labor materials or equipment are available but the time so set shall in no event be more than one year after the board determines such labor materials or equipment are available"

Using the war as an excuse is now outmoded, Mr. President. My heart goes out for the men and women who

represent our nation in the prosecution of the war. As we all know, the Governor has a right to suspend all laws during the prosecution of the war, but he has not seen fit to invoke it in this regard. If he thought the industrialists and the coal operators are handicapped on account of inability to obtain necessary labor or materials, he could easily help them but, as usual, he will not assume any responsibility. Let George do it, and hence another vicious amendment is inserted. Industrialists have been violating the laws for years with respect to emptying their waste or coal wash into the rivers, and much before the war—and may I repeat this—much before the war they emptied their waste, their silt and coal wash into the rivers—but nothing was done to bring them to justice.

This amendment in fact condones their conduct in the past and gives them new life to further pollute the rivers and sewage systems under the pretext that they can not obtain the necessary labor or materials or equipment.

The Board, of course, determines the time—whatever the time is I do not know. However, whatever it may be, I have little confidence in them; the Board having been so lenient in the past, having blinded themselves to violations, what can we expect in the future Cities and municipalities under this provision are helpless, and again I say it interferes with the right of municipalities to abate a nuisance. This particular amendment sets up a super-government and gives an agency of the government dictatorial powers. It does, in short, remove safeguards and destroys the beneficial effect of existing laws, particularly those of 1905 and 1937.

You will please note, and I can not emphasize it too strongly, these amendments, although the bill was called an anti-silt bill—mind you now, these amendments apply to all forms of industrial waste and not only silt, and now makes lawful what was previously unlawful. The words speak for themselves "it shall not become unlawful," it reads, of course, under the pretext of the war.

Now let us turn to page 10, beginning with line 9 and ending with line 12. I will read it:

"All prosecutions under the penal provisions herein set forth shall be instituted and prosecuted by the Attorney General or by and with his written consent."

This particular provision definitely conflicts with section 701 of the Act of 1937, P. L. 1987, and if I may read that section, section 701, Article 7, on page 2002, headed "Scope and Purpose."

"Section 701. Existing Rights and Remedies Preserved. —The collection of any penalty under the provisions of this act shall not be construed as estopping the Commonwealth, or any district attorney or solicitor of a municipality, from proceeding in courts of law or equity to abate pollutions forbidden under this act, or abate nuisances under existing law. It is hereby declared to be the purpose of this act to provide additional and cumulative remedies to abate the pollution of the waters of this Commonwealth, and nothing in this act contained shall in any way abridge or alter rights of action or remedies now or hereafter existing in equity, or under the common law or statutory law, criminal or civil, nor shall any provision in this act, or the granting of any permit under this act, or any act done by virtue of this act, be construed as estopping the Commonwealth, persons or municipalities, in the exercise of their rights under the common law or decisional law or in equity, from proceeding in courts of law or equity to suppress nuisances, or to abate any pollution now or hereafter existing, or enforce common law or statutory rights."

This particular provision applies to civil rights as well as criminal prosecutions. However, in this particular section, giving the Attorney General exclusive right, no reference is made to section 701 which falls under Article 7. Am I to take it that it is repealed by reference? I do not know. I will leave that to the courts, but we all know how long it will take the courts to determine that. To my mind it is a deliberate attempt to centralize powers conflicting with theories advanced by us concerning home rule. There is danger sometimes of district attorneys and city solicitors instituting suits or prosecutions, but there is still greater danger, when we entrust all that power to one man, who would generally, under the provisions of our laws of 1905 and 1937, and if this is enacted, and I hope not—will act upon information given to him by the Sanitary Water Board, the super-government that has failed to invoke any provisions of law to enforce compliance.

Politics can be used to advantage by anyone but more so when one man has complete control. To my mind Section 701, which I just read, is an excellent provision, determining the rights of everyone, the people, the municipalities, and the state, and also refers to remedies for their preservation, giving rights under the common law, in courts of equity; of course the law covers every situation.

I would rather take a chance, Mr. President, with the hundreds of city solicitors and district attorneys throughout the state, some of whom may play politics or favoritism, as I said before, than one attorney general who may play politics or favoritism. We do not know. At least, in some sections there would be enforcement of the law, but we do know that since 1937 there has been no enforcement at all, at least at the instance or at the will of the Sanitary Water Board.

I now direct your attention to the next amendment, appearing on page 10, line 20 to line 28, inclusive, which deals generally with the question that Article 3 shall not apply with respect to silt and acid mine drainage, and now it is amended to read that the provisions of this bill shall not apply to acid mine drainage, and silt is removed, and, as I said before, silt has been outlawed and even a formula prescribed that will not meet a scientific test, and I have that from experts from coal mines, until such time as in the opinion of the Sanitary Water Board practical means for the removal of the polluting properties of such drainage shall become known.

Apparently they have removed the exemption as to silt, but the formula is not workable—at least I have that on good authority, and I have it from some engineers in Philadelphia and lawyers who have studied this question and are ready to answer this proposition at any time.

It reads:

"Provided however That the exception and exemption herein contained shall in no way be construed to permit the discharge of acid mine drainage into 'clean waters'

of the Commonwealth after the Commonwealth shall have constructed and put into operation such pipes conduits drains or tunnels as may be necessary to receive such acid mine drainage"

It in effect permits discharge of acid mine drainage into clean waters until the Commonwealth has made available a drainage system to carry off the drainage, at the Commonwealth's expense.

For your information, mine acid drainage has been discharged into polluted waters, but under no circumstances into clean waters. And now, under this provision, permission is given to pollute clean waters, and what are clean waters under the present laws? The act of 1937, P. L. 1987, Article 3, Section 306, defines it as follows:

"Section 306. Protection of Clean Waters.—After the effective date of this act, no municipality or person shall ever discharge, drain or permit to be washed into the clean waters of this State any sewage or industrial waste. 'Clean waters' are hereby defined to mean waters which are, at the effective date of this act, unpolluted and free from any discharge or drainage of industrial waste and from any authorized discharge or drainage of sewage, but the Sanitary Water Board may permit discharge into such waters of sewage or industrial waste that has been completely treated."

Acid mine drainage has been considered waste, industrial waste, and it seems strange that at a time when we are seeking pure streams, we are fighting for streams clearance, anti-pollution and anti-silt bills, decent water, pure streams and higher health standards, that these very waters that have not been polluted now can be polluted. I can not figure it out and I can not understand it. Here are waters which are clean and ready for consumption and this will permit them to pollute them at a time when we are fighting for stream clearance and anti-pollution acts. My friends, I think it is merely adding insult to injury. I wonder what we are fighting for. It may be argued that some day the Commonwealth will construct pipes, conduits, drains, or tunnels to divert acid mine drainage but let me ask you, when! Maybe since the week-end they have reduced it to one year and that is considered a reasonable time—I do not know. I have heard some talk of a year, and at what price, but it seems to me we are making a play toy of clean streams. That is what it amounts to.

Polluted waters may be further polluted and clean waters may be polluted. Is that part of a stream clearance program? It sounds silly to me, silly particularly in view of the proposed stream clearance program. I think it is an insult to our intelligence. To me it represents a deliberate attempt to help the industrialist or coal operator at the expense of the public. We can not blow hot and cold. We either want a stream clearance program or not. Apparently under this amendment, as well as the others, we are not getting it; this is aggravating the situation rather than helping it.

Now let me refer you to another amendment, appearing on page 11, starting with line 5 and ending with line 27, and you will note here that unlimited powers are to be given to the Sanitary Water Board to acquire land easement and rights of way and to construct pipes, conduits, drains, tunnels and pumps and pumping equipment to divert acid mine drainage at the expense of the Commonwealth, which is rather charitable on our part.

Why not help other industries as well? This amendment will probably entail expenditures of millions of dollars. I say to you, and we fought time and time again, why not extend these grants or spend these millions of dollars for the benefit of the distressed school teachers, school teachers who today are underpaid? Why not increase blind pensions without any conditions or strings attached to them? If we are going to spend millions of dollars, why not increase assistance to the needy at a time when the cost of living is higher than ever? Why not increase appropriations to hospitals? Why not spend some money to set up clinics for rheumatic fever clinics—it is a scourge which has been visited upon children and results in thousands of deaths throughout our state.

Is it not strange that under the name of economy Governor Martin has gone on record as stating that under the proposed Homer Brown bill, the F.E.P.C. bill, too much money is involved, and now through his Attorney General he stands ready to spend millions of dollars for an industry that is today over-producing.

I say, gentlemen, let us not be fooled into believing that something is being done; we are being kidded for reasons best known to the Governor and his Attorney General. I say to you again, and I can not repeat it with too much emphasis, first help the needy.

Mr. Governor, may I ask for whom are you currying favor? I think the record speaks for itself. I said on the floor of this Senate only a few weeks ago that in the 1943 session he did nothing, although he promised much, and I repeat the same thing today, you are promising much and frankly I hope you give us what you promised us, despite any difference in political parties, but I am afraid you will not.

Finally I refer you to section 313, as it appears on page 15 of the Brunner Bill. "Section 313. Approval of Plans of Drainage. Before any existing or new coal mine may be opened or re-opened and before any existing coal mine may be continued in operation a plan of the proposed drainage and disposal of industrial wastes and acid mine drainage," and so on down the line, I think you will follow me—Senator Walker read down to the bottom very carefully and if I omitted anything I will say to you I have done it unwittingly rather than willingly—it continues "shall not apply to the continuation of the operation of an existing mine until sixty days after the effective date of this act."

Plans have been submitted time and time again but nothing has ever been done. The amendment looks good on paper but to my mind, if I am to accept the conduct or the activities of the Sanitary Water Board as a criterion, nothing will be done.

I say to you, Mr. President and members of the Senate, with all the emphasis at my command, the present laws, the Act of 1905 and that of 1937, are sufficient.

The Brunner bill, however, does one good thing; it increases the penalties for violations, but as amended it takes away much. Its vices today far outweigh the virtues of the bill.

If there is any need for clarification with respect to silt and acid mine drainage, let us strike out section 310 of the Act of 1937 so that Article 3 can apply, silt and acid mine drainage being considered industrial wastes.

Frankly, section 310 is very clear, but for the benefit of those who think it requires clarification, I suggest we strike it out. It does not need any clarification, as I say. I am only one man, however. Since 1937, and I repeat again and can not repeat too emphatically, the exemption has been removed to a large extent.

Frankly, the companies affected in the suit instituted by the city of Philadelphia, and later joined in by the Commonwealth of Pennsylvania, admitted that part of the exemption has been removed, and I have it before me and if anybody wants to examine it I have no hesitancy in turning it over to them.

Why did they not go whole hog and say since 1937 they have found practical ways or means for the removal of the polluting properties of such drainage, notwithstanding this particular section and notwithstanding the argument as set forth by the coal companies, when they were requested to file an answer, although immediately after suit was started and after much discussion, they agreed to abate the nuisance and spend millions of dollars to abate it? I do not think it needs further clarification. However, it seems to me as if some coal operators want it clarified for their own interest.

Thus far, Mr. President, the much-heralded program calling for stream clearance has proved to be a dud. To paraphrase it, I state that the mountain has been in labor and brought forth a mouse. The present bill, in its amended form, removes stream clearance, anti-pollution and pure water further from the realm of possibility, not closer.

I say, with the Philadelphia Evening Bulletin "Any Senator who votes for it on third reading in substantially its present form will be voting to serve the stream polluters, not the people whose ballots elected him to office."

Gentlemen, we have many conservationists, many of them prominent judges throughout the State, who are of the same opinion.

Mr. President and friends, I hope that this bill is not sent to a conference committee for amendments. I have an idea it may be amended here, but I am not so sure they will remove all the amendments and have the bill returned to its original form.

Frankly, as I said before, I do not think it does much: it does a little, and I will repeat, as it is amended now, it takes away much and destroys the present law, the Act of 1905 together with the Act of 1937.

Mr. WALKER. Mr. President, I want to assure the Senate that I do not propose to debate this bill, the substantive law contained in the proposed bill, until after we get it in shape to call the roll.

As the gentleman from Philadelphia well knows, the Majority Floor Leader has and has had in his possession, proposed amendments to the bill. However, there are a couple of dictum remarks made by the gentleman from Philadelphia which I think should be brought to the attention of the Senate. As I said, I will welcome the opportunity of debating this bill with the gentleman from Philadelphia when the merits of the bill are to be considered on final passage.

I am a little uncertain as to whether the gentleman from Philadelphia is for the bill because it is too harsh, or opposes the bill because it is not harsh enough; he somewhat confused me with his wandering up and down over the bill. I gathered this much, that in 1937, when I believe the gentleman from Philadelphia at that time was a member of this Senate, they passed this Act of 1937, which excluded silt from the bill, and if this bill does nothing else other than take silt out of the exempt class, it makes one step forward in attempting to clean up the waters of the Commonwealth.

I want to say to the gentleman from Philadelphia that I listened with a great deal of attention to the majority of his remarks, and I have made some notes that I will be very happy to discuss with him on the floor of the Senate or at side bar, because I do not want to say to the gentleman he is one hundred per cent wrong, but I do want to assure the gentleman that in the majority of instances in which he pointed out excerpts from this bill, they were erroneous excerpts and not predicated upon the law as it appears therein.

There are two items I would like to mention that he discussed, under the heading of dictum. The gentleman repeatedly mentioned that the Governor has done nothing during his term of office, and I want to say, Mr. President, that even under any wild stretch of the imagination I do not see how he can drag anything like that into a discussion of this House Bill No. 1.

In the first place, the gentleman well knows that never in the history of my generation has Pennsylvania had a governor that has contributed more to the welfare of the Commonwealth than Governor Edward Martin, and I remember that very often I sat here during the 1939 and 1941 sessions of this Senate and day after day, after day, members of the Minority Party, the Democratic Party, got up on the floor of this Senate and bitterly attacked the James administration, pointing out sins of omission and sins of commission and I personally, because of my innocence and my lack of knowledge of governors of the Commonwealth, wondered if perhaps a lot of things they were saying were predicated on truth but, do you know, there is something in Governor Edward Martin's program so that nobody will ever get up on the floor of this Senate or the floor of the House and attack Governor Edward Martin's program because, Mr. President, there is not a thing of which secretly they do not approve; they approve of Governor Martin's administration and they will be tickled to death when it is over, because it will give them food for thought and an opportunity to attack perhaps his successor.

The gentleman from Philadelphia says Governor Martin has indulged in double talk on this bill, and I want to say in defense of the Governor—and nobody for a moment can say I am one who hearkens to the Governor in defending his opinions on the floor—but I want to say in defense of Governor Martin that I challenge the gentleman from Philadelphia, Senator Jaspan, to take anything in House Bill No. 1 and pin it down and say that is where the Governor indulges in double talk, because well do the gentlemen of the press know that if anybody in Pennsylvania has assisted more on a genuine, sincere anti-pollution bill, it has been the Governor of the Commonwealth, and I do not think the gentleman advocates, or advances the cause, whichever side he happens to be on, one iota by getting up here and attempting to criticize House Bill No. 1, by pointing out that the Governor has indulged in double talk, bacause that is

an extremely political remark, not founded on fact and steeped in fallacy.

The gentleman also says that the Attorney General of the Commonwealth is insincere and he also says "Mr. Duff, whose hand are you playing?" I wish the gentleman from Philadelphia could talk with Mr. Duff for just a few minutes on the theory of House Bill No. 1 because the gentlemen of the press have done so, and they have reflected that in their newspaper articles, because nowhere in Pennsylvania does any newspaper which comments on this bill lay the credit for the crusade for pure streams any place but at the doorstep of the Attorney General of the Commonwealth of Pennsylvania, and his sincerity has not been questioned by any newspaper in Pennsylvania regardless of its political philosophy. I should think the gentleman will advance the cause on this bill, and the substantive law that it contains a little faster and with more effect if he will cease these deliberate innuendo attacks on people in high public offices.

The Governor of the Commonwealth is sincere when he says "I want this bill the strongest I can get passed." Over a year ago he sent out members of his Cabinet—the Secretary of the Department of Health was one of them—to lay the foundation for the drafting and preparation and passage of this bill. He was thinking of anti-stream pollution long before the gentleman from Philadelphia got around to discovering that silt was still in the bill of 1937.

The Attorney General of the Commonwealth accepted the responsibility of siring or being the sponsor of this bill, and nobody in Pennsylvania will doubt his sincerity—if there is anything that the Attorney General has ever desired beyond any political future that he might have, it is the passage of House Bill No. 1 so that the Commonwealth of Pennsylvania will have a decent and an honest and a fair and equitable anti-stream pollution bill.

Somewhere in the Bible—and I wish I had the knowledge of it possessed by Senator Ruth and our distinguished Presiding Officer and the gentleman from Butler—but somewhere in the Bible it says "Is there any man who will say one good word for this citizen of Smyrna?" Always on the floor of this Senate I have noticed a very strong reluctance on the part of anybody to stand up and defend big business in Pennsylvania, and I want to say to the gentleman from Philadelphia that back in Allegheny County the coal industry is one of the pillars which support thousands and thousands of the citizens in my district, and thousands and thousands of citizens in the districts of other Senators in Allegheny county, and we are not ashamed of the coal business and we are not ashamed of the people that mine coal, and we are not ashamed of the people that own the coal mines; we are proud of what the coal industry has contributed to Pennsylvania—and that includes the coal industry also in Westmoreland County, Senator Dent.

May I say this, any attempt on the part of the coal industry to defend that industry should not be looked upon with suspicion by any citizen of this Commonwealth or any group in this Commonwealth—or any other industry in the Commonwealth—as they come to the Governor or any cabinet member or member of the House or Senate and plead their cause and ask that their industry be protected and not persecuted by any piece of legislation. You and I, as members of this legislative body, may not agree with the position that they take, but I will violently defend at any time their right to come in and make a plea.

I want to say to the gentleman from Philadelphia the farm vote in his district probably is not so large, and therefore he will not worry about it a whole lot, but I want to say to him I would like to have him analyze this bill—not here in the Senate, where the turmoil of public opinion perhaps may sway his mature and seasoned judgment—but in the privacy of his chamber I would like to have him examine this bill once again, so that the next time we get an opportunity to discuss it on the floor of this Senate, or at side bar, he can tell me why this bill is good for the farmers of Pennsylvania.

It is well enough, Mr. President, to talk about the singing birds, the green trees and the beautiful streams, and the fish in the streams, but I want to say, gentlemen, on the other hand, you have thousands and thousands of men laboring in the coal mines whose daily bread is dependent upon the output of that coal, and the fish and the birds and bees are important in the advancement of the Commonwealth but I say, Mr. President, there are a lot of people in my district who are interested in seeing that this bill, while it cleans up the streams, does not ruin the industry upon which they depend.

Let us discuss this substantively and let us stop this deliberate attempt to stir up political animosity, trying to suggest that the Governor of this Commonwealth deals in double talk or that the Attorney General of this Commonwealth is not sincere.

And the question recurring,

Will the Senate agree to the bill on third reading?

RECONSIDERATION OF HOUSE BILL No. 1

Mr. HEYBURN. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 1, passed second reading.

The PRESIDENT. How did the Senator vote?

Mr. HEYBURN. Mr. President, I voted "aye".

Mr. WALKER. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. WALKER. Mr. President, I voted "aye".

The motion was agreed to.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1, entitled:

An Act to amend the title and certain sections and to add certain new sections to the act approved the twenty-second day of June one thousand nine hundred thirty-seven (P. L. 1987) entitled "An act to preserve and improve the purity of the waters of the Commonwealth for the protection of the public health animal and aquatic life and for industrial consumption and recreation empowering and directing the creation of indebtedness or the issuing of non-debt revenue bonds by political subdivisions to provide works to abate pollution providing protection of water supply providing for the jurisdiction of courts magistrates aldermen and justices of the peace in the enforcement thereof and providing additional remedies for abating pollution of waters imposing certain

penalties and repealing certain acts" by changing the definitions of 'establishment' and 'industrial waste' by changing requirement of notice to discontinue discharges of industrial waste by changing penalties for violations and requiring prosecutions to be instituted or approved by the Attorney General by prohibiting the discharge of silt into any waters of the Commonwealth and regulating the discharge of acid mine drainage into waters thereof authorizing the Sanitary Water Board to establish standards of purity and to determine the time for compliance with the provisions of the act in certain cases and requiring the Board's approval of plans for opening reopening or extending coal mines by authorizing the acquisition by purchase or condemnation or otherwise by the Sanitary Water Board of easement or right of ways and the acquisition or construction of pipes conduits drains or tunnels and pumps and pumping equipment and providing for the payment of the costs thereof by the Commonwealth

The first, second, third, fourth and fifth sections were read and agreed to.

The sixth section was read.

On the question,

Will the Senate agree to the section?

Mr. HEYBURN offered the following amendments:

Amend Section 6, page 10, line 23, by striking out with bold-faced brackets the following: "[after]"; Amend Section 6, page 10, lines 24 to 28 inclusive, by striking out said lines in their entirety, and inserting in lieu thereof the following: "until the Commonwealth, after the Sanitary Water Board has approved plans of drainage pursuant to section three hundred thirteen hereof and has set a reasonable time not to exceed one year within which such pipes, conduits, drains or tunnels as may be necessary to receive such acid mine drainage at the point or points where such acid mine drainage is delivered as provided in section three hundred twelve hereof shall be constructed and put into operation by the Commonwealth and the Commonwealth has failed to construct and put into operation the same within such time."

On the question,

Will the Senate agree to the amendment?

Mr. DENT. Mr. President, I desire to interrogate the Majority Floor Leader.

The PRESIDENT. Will the gentleman from Delaware permit himself to be interrogated?

Mr. HEYBURN. I will, Mr. President.

Mr. DENT. Will the gentleman from Delaware tell the Senate who suggested these amendments?

Mr. HEYBURN. I did not quite understand the question; I am sorry.

Mr. DENT. Will the gentleman from Delaware tell the Senate whose amendments these are?

Mr. HEYBURN. These are amendments agreed upon by the Republican Caucus.

Mr. DENT. Mr. President, do they have the approval of the Attorney General?

Mr. HEYBURN. They are satisfactory to the Attorney General.

Mr. DENT. Mr. President, I am going to ask my colleagues to vote for these amendments. In so doing I want it clearly understood, though, by the members of the Senate, that we do not concur in the statements made by the gentleman from Allegheny, in which he cites the fact that because the Minority has not wasted the time of this Senate during critical days, that we are not calling attention to the mistakes, as it were, or the shortcomings, as we see them, of the Martin Administration. We do not by so doing, or by our lack of attack upon the Governor, place our stamp of approval upon the deeds and the commissions of this administration. We believe time will afford itself to us, and at the proper moment we will analyze for our constiuency the shortcomings or the good deeds of this administration.

We do not concur with the gentleman when he says this is the best governor the Commonwealth has had since he was a child, because there have been quite a few governors since then. We measure a governor's success, his administration's success, by the good that it does for the common people; that remains to be seen. The first two years of the administration have not brought anything spectacular to the table of the common man; we do not think that the next two years will.

However, just because we do not stand here and lambast the Governor, during a legislative session, is not to be used as a measuring rod as to our opinion of the deeds of this administration.

We want it clearly understood that we pride ourselves upon being members of this Senate of Pennsylvania when, in 1937, we took the bold step to place upon the statute books the Larue anti-pollution bill. We are not responsible in the eyes of the people for the administration of that act because since the passage of that act we have had Republican governors. We reaffirm our position in saying that if the Larue Act was enforced, if it was feasible to enforce it, the streams of Pennsylvania would be clean.

We do not object to this bill being passed. We too are cognizant of the fact that the coal industry must live; we too are cognizant of the fact that all industry must live, and we know, and we say this very advisedly to the gentleman from Allegheny County, who prides himself upon being a representative of the fish, birds and bees, that they are not representative of the people of Pennsylvania.

And the question recurring,

Will the Senate agree to the amendments?

They were agreed to.

The section was agreed to as amended.

The seventh and eighth sections and title were read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 199, as follows:

An Act to further amend section one of the act approved the sixteenth day of May one thousand nine hundred twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and

collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" by adding certain claims of Municipal Authorities in the definition of "municipal claim" and further amending definition of "municipality" to include county institution districts and bodies politic or corporate created as Municipal Authorities

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the sixteenth day of May one thousand nine hundred twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" as last amended by the act approved the thirtieth day of April one thousand nine hundred twenty-nine (P. L. 902) is hereby further amended to read as follows

Section 1 Be it enacted &c That the word "taxes" as used in this act means any county city borough incorporated town township school bridge road or poor taxes

The word "highway" as used in this act means the whole or any part of any public street public road public lane public alley or other public highway

The word "tax claim" as used in this act means the claim filed to recover taxes

The words "municipal claim" as used in this act unless specifically indicated otherwise mean and include both (1) the claim arising out of or resulting from a tax assessed service supplied work done or improvement authorized and undertaken by a municipality although the amount thereof be not at the time definitely ascertained by the authority authorized to determine the same and a lien therefor be not filed but becomes filable within the period and in the manner herein provided [and] (2) the claim filed to recover for the grading guttering macadamizing or otherwise improving the cartways of any public highway for grading curbing recurbing paving repaving constructing or repairing the footways thereof for laying water pipes gas pipes culverts sewers branch sewers or sewer connections therein for assessments for benefits in the opening widening or vacation thereof or in the changing of water-courses or the construction of sewers through private lands or in highways of townships of the first class or in the acquisition of sewers and drains constructed and owned by individuals or corporations and of rights in and to use the same for the removal of nuisances or for water rates lighting rates or sewer rates and (3) the claim filed to recover for work material and services rendered or furnished in the construction improvement maintenance and operation of a project or projects of a body politic or corporate created as a Municipal Authority pursuant to law

The word "claimant" as used in this act means the plaintiff or use-plaintiff in whose favor the claim is filed as a lien

The word "contractor" as used in this act means the person or persons who under contract with the legal plaintiff performed the work for which the lien is given

The word "property" as used in this act means the real estate subject to the lien and against which the claim is filed as a lien

The word "owner" as used in this act means the person or persons in whose name the property is registered if registered according to law and in all other cases means any person or persons in open peaceable and notorious possession of the property as apparent owner or owners thereof if any or the reputed owner or owners thereof in the neighborhood of such property

The word "municipality" as used in this act means any county city borough incorporated town township school district county institution district and [poor district] a body politic and corporate created as a Municipal Authority pursuant to law

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Edmonds,	Leader,	Tallman,
Berger,	Farrell,	Letzler,	Taylor,
Blass,	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	Margie,	Troutman,
Carr,	Haluska,	McCreesh,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 321, as follows:

An Act to amend the title and section one of the act approved the eleventh day of May one thousand eight hundred ninety-nine (P. L. 289) entitled "An act providing for the payment to the county or counties of the moneys or bonus which any foreign railway corporation is required to pay into the State Treasury for the right to pass through the said county or counties and by which payment such foreign railway corporation is relieved from local taxation" by providing for payments to counties irrespective of whether relief from payment of local taxes results from payment of the bonus

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and section one of the act approved the eleventh day of May one thousand eight hundred ninety-nine (P. L. 289) entitled "An act providing for the payment to the county or counties of the moneys or bonus which any foreign railway corporation is required to pay into the State Treasury for the right to pass through said county or counties and by which payment such foreign railway corporation is relieved from local taxation" are hereby amended to read as follows

An Act providing for the payment to the county or counties of the [moneys or] annual bonus which any foreign railway corporation is required to pay into the State Treasury for the right to pass through said county or counties [and by which payment such foreign railway corporation is relieved from local taxation]

Section 1 Be it enacted &c That whenever by provision of law a railway corporation of any other state is required to pay [a] an annual bonus into the State

Treasury for the right of passing through one or more counties of this Commonwealth [and by virtue of the payment of such bonus is relieved from the payment of local taxes in the districts through which its lines are located] the money so paid into the State Treasury shall be paid to the county or counties through which said lines are located and the county commissioners shall have discretionary authority to use the same for county purposes or to divide the whole or any part thereof among the districts in their respective counties for the purpose of relieving such districts from the oppressive taxation that exists on account of the exemption of the property of such foreign railway corporations from local taxation

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Edmonds,	Leader,	Tallman,
Berger,	Farrell,	Letzler,	Taylor,
Blass,	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	Margie,	Troutman,
Carr,	Haluska,	McCreesh,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 344, as follows:

An Act to further amend section five hundred and forty of the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" further defining the duties of the secretary to the board of supervisors and providing for the preservation and turning over to the successor in office of township records and for the destruction of certain records

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred and forty of the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" as amended by the act approved the eighteenth day of July one thousand nine hundred and thirty-five (P. L. 1299) is hereby further amended to read as follows

Section 540 Duties and Compensation The secretary in each township shall be clerk to the board of supervisors He shall keep a record of the proceedings of said officers in a minute book in which he shall also record the annual reports of the township supervisors and township auditors and all court orders relative to the laying out opening and vacation of roads The minute book account book and other financial records shall be carefully preserved by the secretary and shall be turned over to his successor in office Miscellaneous records and papers of the township other than the minute book and account book may be destroyed with the consent of the supervisors after the lapse of six (6) years from the date of such records

The secretary shall prepare and write the annual tax duplicate of the township and shall receive such compensation therefor as shall be fixed by the township auditors The combined amount paid to the secretary and treasurer shall not exceed two per centum of the money paid out by the treasurer except where the same would amount to less than twenty-five dollars ($25.00) and the calculation of such maximum compensation shall not include any percentage upon moneys paid out by the treasurer for the repayment of loans notes certificates or other evidences of indebtedness or other borrowed moneys

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Edmonds,	Leader,	Tallman,
Berger,	Farrell,	Letzler,	Taylor,
Blass,	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	Margie,	Troutman,
Carr,	Haluska,	McCreesh,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 382, as follows:

An Act to amend section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by authorizing such townships to regulate parking

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause XXII of section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" as added by the act approved the eleventh day of June one thousand nine hundred forty-one (P. L. 119) is hereby amended to read as follows

Section 702 Supervisors to Exercise Powers The corporate powers of townships of the second class shall be exercised by the township supervisors They shall have power

* * * * *

[XXII] XXIII Regulation of Parks To regulate by

resolution the use and enjoyment by the public of any park or recreational grounds owned and operated by charitable organizations for the use of the public without charge to prescribe rules for the use by the public of such parks and recreational grounds and the facilities and amusements connected therewith and to make any violation of such rules when posted at conspicuous places in such parks or recreational grounds punishable in a summary proceedings before any justice of the peace alderman or magistrate of the county by the payment of costs of prosecution and a fine of not less than two dollars ($2.00) or more than ten dollars ($10.00) and in default of the payment thereof imprisonment in the jail of the county for a period not exceeding five (5) days

Any police officer when displaying a badge or sign of authority may arrest upon view any person violating any such rules and such peace officer shall forthwith make and file with the justice of the peace alderman or magistrate before whom the arrested person is taken an information setting forth the offense

Section 2 Section seven hundred two of said act is hereby amended by adding thereto after clause XXIII clause XXIV to read as follows

Section 702 Supervisors to Exercise Powers The corporate powers of townships of the second class shall be exercised by the township supervisors They shall have power

* * * * *

XXIV Regulation of Parking To regulate parking so as to promote the convenience and protection of the public Provided such regulation shall not contravene the provisions of The Vehicle Code

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Edmonds,	Leader,	Tallman,
Berger,	Farrell,	Letzler,	Taylor,
Blass,	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	Margie,	Troutman,
Carr,	Haluska,	McCreesh	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 387, on third reading, entitled:

An Act to further amend section fourteen of the act approved the nineteenth day of March one thousand nine hundred nine (P. L. 46) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" by further regulating grounds for refusal revocation or suspension of the right to practice as osteopaths in the State of Pennsylvania

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 412, as follows:

An Act to amend subdivision five of the Compact contained in the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1664) entitled "An act to ratify and adopt a compact or agreement negotiated by commissioners designated by the Governor of the Commonwealth of Pennsylvania and commissioners designated by the Governor of the State of Ohio relative to the development use and control of the Pymatuning Lake and the State owned land surrounding said lake for fishing hunting recreational and park purposes" so as to permit on portions of said lake the operation of boats equipped with motors of six horsepower or less

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subdivision five of the Compact contained in the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1664) entitled "An act to ratify and adopt a compact or agreement negotiated by commissioners designated by the Governor of the Commonwealth of Pennsylvania and commissioners designated by the Governor of the State of Ohio relative to the development use and control of the Pymatuning Lake and the State owned land surrounding said lake for fishing hunting recreational and park purposes" is hereby amended to read as follows

5 Boats and Vessels [No power or motor boats nor hydroplanes or aquaplanes] No hydroplanes or aquaplanes nor any type of boat equipped with a motor in excess of a six horse-power rating shall be permitted anywhere on said lake except such police or administration motor boats to the number which shall be mutually agreed upon by the parties hereto Sail boats row boats [and] canoes and boats equipped with a motor not in excess of six horsepower shall be permitted provided [they] the owners first obtain a license from the respective state of which the owner is a resident under such regulations as each party to this agreement may now have or hereafter adopt provided nevertheless that the use of any type of boats equipped with a motor not in excess of six horse power as defined above is expressly limited and restricted to that portion of the lake extending from the main dam near Jamestown northwardly to the causeway at or near Espyville

Section 2 This act shall become effective immediately upon its signing by the Governor and the passage by the State of Ohio of a substantially similar amendatory act ratifying the within change or alteration of the compact or agreement herein referred to and the passage of an Act of Congress of the United States of America consenting thereto

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. HOLLAND. Mr. President and members of the Senate, although I have quite a pile of papers in my hand,

do not become alarmed—I am not going to read them all.

In passing this putt-putt bill, I just want to call to the attention of the Senate that some of the people in Pennsylvania who have contributed much to the progressive steps we have taken, both in game and fish life, are opposed to it. There is one thing that came to my mind today and that is why the committee in considering this bill did not call before them the Commission on Forests and Waters, Game and Fish and get their opinions on the results after the putt-putt bill is passed and putt-putt boats are putt-putting all over Pymatuning Lake.

I have been told by Mr. Phillips, who I believe we all agree is quite an authority on wild life and fish, that by putting the putt-putt on Lake Pymatuning we will destroy a great deal of animal life, and he also points out that inasmuch as that it is a fly-way for the ducks going between lakes, going south, the putt-putts will scare them away and some of our great hunters in Pennsylvania will be denied the right of hunting for the ducks, shooting the ducks.

I do want to point out, though, that although some of the sportsmen are saying they are for this bill, there has never been a vote taken by all the sportsmen's clubs interested—it is merely a minority which has said they are for the putt-putts. I think the fisherman, who says he must have a putt-putt to fish, has deteriorated a great deal, because I think the greatest fun of fishing is to take a row boat out and get a little exercise and do your fishing from a row boat.

It is true that Pymatuning Lake water is discharged from below, with the result that any of the oil which gathers in the water will stay there. Of course, it is said that putt-putts will not be permitted on the refuge part of the lake. I think this is an opening to destroy one of the finest spots in Pennsylvania.

I want to call attention to a release just given, stating that a new recreational park is to be built at the lake, called the Causeway Amusement Park. This park will have merry-go-rounds, shoot-the-shoots, and they also boast of the fact that one of the largest dance halls in Pennsylvania will be built there. Gentlemen of the Senate, I think Pymatuning Lake will be noted as the home of the jitterbug and the putt-putts instead of a place where all the good fihermen of Pennsylvania go to fish, and people who are nature lovers go to see nature in the raw. When the man from mills or mines wants to get away from mechanical work and wants to see nature at its best, he will be denied that right because, after working in the mill, instead of listening to a lot of steam hammers going up and down, he will hear putt-putt, putt-putt, putt-putt.

Mr. CROWE. Mr. President, I just want to correct the statement of the gentleman from Allegheny, because on the 13th of March we held a public hearing and heard the proponents of House Bill No. 412 and also those who are opposed to it, and those who were for the bill won out by a large majority. In my capacity as Chairman of the Committee on Forests and Waters, Game and Fish, I received more than 6,000 letters, of which approximately 4,500 were for motor boats on Pymatuning Lake and about 1,500 were against them.

Your committee took a middle road on this proposition and restricted the boats to the lower end of the lake, so they will not at all interfere with the wild life.

Another thing I want to call to the attention of the gentleman from Allegheny is the fact that the Pennsylvania Railroad runs along the shore of the lake on one side, and when a train goes by with 120 freight cars and a whistling locomotive it is making far more noise than the putt-putt boats.

Mr. COX. Mr. President, this bill has probably received more interest from people of Allegheny county than any bill before the Legislature. It is the type of bill that I am sure every member of this Senate wishes he were in a position so that he could vote both ways.

I intend to vote "putt" for this bill, and in doing so I want to make just a few remarks so that my position in the matter will be clear.

Pymatuning Lake is 17 miles long and has a shoreline of about 70 miles. The game refuge is at one end of the lake and, as has been stated by the gentleman from Monroe, Senator Crowe, the amendments which have been presented to the bill provide that there shall be about 8,000 acres of water on which putt-putt boats can not be used, and I think that certainly is sufficient protection for a game refuge and that under no circumstances will it be disturbed.

I have visited Pymatuning Lake and it is one of the interesting parts of our section of the state. Long it has been noted as a source of unusual wild life, and we in the western part of the state would like to preserve it for the future, and I am satisfied that passage of this bill will not destroy it. To me, when I visited there, it seemed a shame, that the section had not been developed so that the people of our section of Pennsylvania could use it. We have no lakes, we have not any place to go. People complain about the smoke of Pittsburgh—and there is a lot of smoke—but really there is not any place within a hundred miles where people can go where there is water, and it certainly would mean a lot to the people if this expanse of 17 miles, which today is very little used by anyone, could become a source of pleasure and recreation for all the people of the State.

My colleague from Allegheny, Senator Walker, talked about the birds and bees, and now, of course, this bill deals with the ducks and I think the ducks are going to be happy under the terms of the bill, I think the fish are going to be happy and we are going to be able to make a lot of people happy too.

Mr. McGINNIS. Mr. President, I have received more letters concerning this bill than any other bill that I have had any dealings with in this Senate. At the beginning there were a lot of letters against it. They called it a sanctuary. When you name a part of Pennsylvania as a sanctuary, you get a lot of well-meaning old women and well-meaning old men who do not know the facts and somebody had said to them "Oh, do not touch that sanctuary," and that sounds very sweet, but as people wake up and learn the true facts about Pymatuning dam most of those I got letters from at the beginning changed their minds and came over to the other side.

I know a lot of people who come to Pennsylvania and say "we love your state, we like very much your mountains but you do not have enough water, you do not have any lakes hardly, very few, and one thing we do not like about Pennsylvania is that you do not have enough lakes."

Here is a lake that has been built with the money of the

taxpayers of Pennsylvania—fourteen thousand acres that will be used by the little boats, and four thousand acres as a sanctuary for the birds and bees and what fish want to loaf up there, and ducks, but here is a lake, a large lake, which is much larger than Conneaut lake, and I venture to say there is not a body of water in the United States of that size that does not have motor boats on it.

I have received statements from what I regard as the best experts on fishing in Pennsylvania, and they say unless there is more fishing in the center of that lake, or that dam, the fish will become diseased or in time they will destroy themeselves in that lake.

It seems to me, with the few bodies of water we have in this state, here is a body of water with fourteen thousand acres, I have been up there a number of times, and it is the deadest pond I ever saw, and here is a beautiful body of water that could be used and should be used.

I like the birds and the bees, and I think it is all right for us to raise money to make them happy, and to have a sanctuary, but I am also convinced that we ought to have a place for our miners and our mill workers to go and have a place where they can get on some water for one or two days out of the year and have a pleasant time, and therefore I feel that this bill pleases those who love sanctuaries in the woods and in the ponds and so forth, but it also provides that human beings can get out and go up and enjoy a day at Pymatuning dam.

Mr. WOODWARD. Mr. President, after this glorious afternoon of free speech I would like to distinguish myself by making the shortest speech on record on this bill, which is "putt-putt, tut-tut, no."

Mr. HOLLAND. Mr. President, I want to clear the mind of the Senator from Allegheny, when he says that labor of Western Pennsylvania has gone on record as opposing the placing of putt-putts and motor boats on Pymatuning Lake. Mr. President, I would like to interrogate the gentleman from Allegheny, Mr. McGinnis.

The PRESIDENT. Will the gentleman from Allegheny, Senator McGinnis, permit himself to be interrogated?

Mr. McGINNIS. I will, Mr. President.

Mr. HOLLAND. Mr. President, does the gentleman from Allegheny, Senator McGinnis, have a fisherman's license?

Mr. McGINNIS. I do not.

Mr. HOLLAND. Does the gentleman from Allegheny, Senator McGinnis, have a hunter's license?

Mr. McGINNIS. I do not.

Mr. DENT. Do you?

Mr. HOLLAND. I do. Mr. President, I want to point out to the gentleman from Allegheny County that I realize that it is a dead place down there to him, to go down there and see nature in the raw, and it is impossible to have a place where hunters and fishermen can go and have it all electrically lighted and to have big signs, dancing, cabaret, the Bolton Cafe or Bob Fohl's, because we go out there to get fresh air and to enjoy sport and get away from those things, but we do not go down there for excitement and for speed; we go down to nature to recover from the ill-effects of city life, and to the bright lights; we want the darkness because we enjoy the darkness, we go to bed early and we get better sleep, and so I think when the gentleman says it is a dead place, he never was a fisherman or hunter, because anybody who fishes or hunts knows that the woods of Maine or Canada are very, very dark, and the woods of Pennsylvania and the mountains where some of the members of the Senate, like the gentleman from Monroe, Senator Crowe, have enjoyment in having nature beside them all the time, but when a poor man works, in the mills in the south side of Pittsburgh, he likes to go to a place where he can relieve himself of all that mechanical work.

I would also like to ask how many laboring men making $5.50 a day are gaing to buy a motor boat, because I do not think many will; in fact I know they will not. I believe that this is just desecrating a place which is a sacred spot and which should be kept as a sacred spot. There is one thing we have all overlooked, and I hate to bring it in now because, after all, people in Pennsylvania say you are waving the flag, but when the boys come back you are going to have a lot of mental cases—I know because there are three in my own neighborhood—and they want quiet and there is no better place for them to go than out near Lake Pymatuning. I might say to the gentleman from Allegheny County that right at the present time there is a delegation at Washington urging the Veterans' Bureau to build a place so that the soldiers coming back whose nerves have been wrecked, can go down there and fish and enjoy the quietude of nature, and I certainly hope that the gentleman from Allegheny, Mr. McGinnis, will not go through with his ideas and try to make Pymatuning Lake the Great White Way of that district.

Mr. COX. Mr. President, I have heard the statement made repeatedly on the floor of this Senate that speeches never get votes. These speeches, however, have had a very decided effect on one of the observers, making him very poetical and lyrical, and he just handed me this poem which I would like to read for the edification of the Senate, although I know unquestionably it will not influence your votes.

"Won't you putt-putt upon the Pymatuning,
Where the waters of the Wabash do not flow.
Won't you putt-putt upon the Pymatuning,
Where the winds of the Arctic do not blow.
Oh, the House and the Senate now are voting
To take the oars out of boating;
Won't you putt-putt upon the Pymatuning,
While the silt bill can not get a vote."

Mr. DENT. Mr. President, I do not intend to take any time except to say to the gentleman from Allegheny that when he tries to label this bill a laboring bill he is getting far astream and when he gets out too far he may need that motor boat to get back.

Mr. HOLLAND. Mr. President, I wish to correct the gentleman from Westmoreland and advise him that the steelworkers of Pennsylvania at a meeting in Pittsburgh did go on record as opposing this bill.

And the question recurring,

Shall the bill pass finally?

(During the calling of the roll the following occurred:)

Mr. HALUSKA. Mr. President, I ask that the roll be verified.

The PRESIDENT. Request has been made to have the roll verified.

The Clerk will call the names of those recorded as having voted in the affirmative.

The Clerk read the names of those recorded as having voted in the affirmaitve as follows:

Barr,	Dent,	Leader,	Ruth,
Becker,	DiSilvestro,	Letzler,	Taylor,
Berger,	Ealy,	Mallery,	Thomas,
Bowers,	Heyburn,	Margie,	Tyler,
Chapman,	Homsher,	McCreesh,	Wagner,
Coleman,	Jaspan,	McGinnis,	Walker,
Cox,	Jones,	Rosenfeld,	Woodring,
Crowe,	Kephart,		

The PRESIDENT. Are there any corrections? The Chair hears none. The affirmative roll will stand as verified.

The Clerk will call the names of those recorded as having voted in the negative.

The Clerk read the names of those recorded as having voted in the negative as follows:

Blass,	Gourley,	Snowden,	Troutman,
Carr,	Haluska,	Stevenson,	Wade,
Crider,	Holland,	Stiefel,	Wilson,
Edmonds,	Klein,	Tallman,	Woodward,
Geltz,	Scarlett,		

The PRESIDENT. Are there any corrections? The Chair hears none. The negative roll will stand as verified.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30

Barr,	Dent,	Leader,	Ruth,
Becker,	DiSilvestro,	Letzler,	Taylor,
Berger,	Ealy,	Mallery,	Thomas,
Bowers,	Heyburn,	Margie,	Tyler,
Chapman,	Homsher,	McCreesh,	Wagner,
Coleman,	Jaspan,	McGinnis,	Walker,
Cox,	Jones,	Rosenfeld,	Woodring,
Crowe,	Kephart,		

NAYS—18

Blass,	Gourley,	Snowden,	Troutman,
Carr,	Haluska,	Stevenson,	Wade,
Crider,	Holland,	Stiefel,	Wilson,
Edmonds,	Klein,	Tallman,	Woodward,
Geltz,	Scarlett,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 489, on third reading, entitled:

An Act to amend Section one and two and to repeal Section three of the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 606) entitled "An act relating to the sale transfer assignment and pledge of accounts receivable" making further provision for the sale assignment transfer or pledge of certain obligations due and to become due and the notation in certain cases of such sale assignment transfer or pledge

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 499, as follows:

An Act to further amend the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by revising and changing the provisions of said act relating to the times of registering electors their enrollment as members of political parties change of party enrollment removal notices and comparing and correcting the general and district registers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsections (a) and (b) of section sixteen of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" are hereby amended to read as follows

Section 16 Days and Hours of Registration Places of Registration Use of Polling Places Payment of Rentals Use of School Buildings Public Notice

(a) From and after the first day of May one thousand nine hundred and thirty-seven each commission or any commissioner or a registrar or clerk appointed by the commission shall during ordinary business hours and during such additional hours as the commission shall from time to time prescribe on each day except Sunday holidays the day of each election and each primary the [thirty] fifty days next preceding each election and each primary and the thirty days next following each election and the five days next following each primary at the office of the commission and at such additional places in the boroughs towns and townships as the commission may from time to time designate in accordance with the

provisions of subsection (b) herein receive personal applications from persons who claim that they are entitled to be registered as electors of any borough town or township and who appear for registration Provided however That in the year one thousand nine hundred and thirty-seven applications for personal registration shall be received up to and including the first day of September anything in this section to the contrary notwithstanding And provided further That in the year one thousand nine hundred and thirty-seven each commission shall arrange to have two (2) registrars present to receive applications for the personal registrations of electors at the polling place or some other suitable place in each election district in the boroughs towns and townships of such county on at least three separate days prior to the thirtieth day previous to the primary election to be held in the year one thousand nine hundred thirty-seven (one of them being in June and another in July and the third day being in August) Of the two registrars who shall sit in each election district prior to the thirtieth day previous to the primary in the year one thousand nine hundred and thirty-seven one shall be a member of the party enrolling the largest number of voters within the election district for the preceding November election and the other shall be a member of the party enrolling the second largest number of voters within the election district for such election Such registrars shall be appointed by the commission for the year of one thousand nine hundred and thirty-seven and shall hold office only during such year No person shall be so appointed unless his name is suggested in writing by the county chairman of the party which is entitled to a registrar in such district as herein provided unless the county chairman of the proper party fails to make such suggestion on or before the nineteenth day of June one thousand nine hundred and thirty-seven in which case the commission may appoint any qualified person

(b) The commission by its own action may or upon the signed petition of at least one hundred qualified electors of any borough town or township requesting the same shall cause at least two registrars to sit not later than [thirty] fifty days prior to the primary or election for the purpose of receiving personal applications for registrations applications for change of party enrollment and removal notices from electors of said borough town or township at a suitable and conveniently located place in said borough town or township for at least one day and not more than three days [prior to the election or primary] continuously between the hours of ten Anti Meridian and three Post Meridian and between the hours of seven Post Meridian and ten Post Meridian Such petitions to be effective shall be filed with the commission at least [forty-five] sixty-five days prior to any primary or election Immediately upon such motion of the commission or immediately upon the receipt of any such petition the commission shall notify in writing the county chairmen of the political parties enrolling the largest and second largest number of voters within the county at the preceding November election of the filing of said petition and of the number of registrars the commission will appoint to serve in said boroughs towns and townships Not later than the third day after receipt of said notice said chairmen shall submit to the commission a list of qualified electors of the county to serve as registrars for said days Of the registrars appointed by the commission for such registration days an equal number shall be appointed from the names on each of the lists so submitted Provided however That if either or both of said chairmen shall fail to submit such list within the time herein provided the commission shall appoint an equal number of persons from the list actually submitted and an equal number of any qualified electors of the county or shall appoint as all of such registrars any qualified electors of the county as the case may be

Section 2 Clause (a) of section twenty-eight of said act as amended by the act approved the first day of August one thousand nine hundred forty-one (P. L. 664) is hereby further amended to read as follows

Section 28 Change of Enrollment of Political Party Cancellation of Party Enrollment Persons Suffering Disability After Registration to Have Fact Recorded Cancellation

(a) At any time prior to the [thirtieth] fiftieth day next preceding a primary or an election excepting the thirty days next following each election and the five days next following each primary any person who desires to change the enrollment of his political designation or who although registered has not hitherto enrolled as a member of a party may appear before a registrar commissioner or clerk and state in writing over his signature the political party in which he desires to be enrolled and the registrar commissioner or clerk shall cause the enrollment of the elector's political designation to be made or altered accordingly in the general and district registers Provided however That no registered elector shall be permitted to change his party enrollment between any primary and the following general or municipal election nor more than once between any November election and the following primary election In such cases the signature of the elector shall be verified by comparison with his signature on the general and district registers before the change of enrollment is made If any elector desiring to change his party enrollment is unable to sign his application he shall make his mark thereto in the presence of the registrar commissioner or clerk and shall produce such other evidence as may be necessary to establish his identity When an elector has applied for a change in the enrollment of his political designation as provided herein the registrar commissioner or clerk shall upon request stamp or mark the change so made on the elector's card attesting his registration Any person in military service who desires to change his party enrollment shall be permitted to do so by addressing to the commission a signed written application under oath taken and subscribed to before any commissioned officer of the military or naval forces either within or without the Commonwealth of before any officer of this or any other state or territory of the United States authorized to administer oaths The application shall be sent by the applicant by registered mail return receipt required and shall also contain a statement that such person is at the time of making the application absent from his residence in military service If upon examination the signature appears authentic and the application conforms to the provisions of this section the enrollment shall be changed in accordance with the application

Section 3 Section thirty-two of said act as amended by the act approved the nineteenth day of June one thousand nine hundred thirty-nine (P. L. 446) is hereby further amended to read as follows

Section 32 Comparison and Correction of Registers Commencing [thirty] fifty days prior to each election and primary the commission shall compare and correct the general and district registers

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Edmonds,	Leader,	Tallman,
Berger,	Farrell,	Letzler,	Taylor,
Blass,	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	Margie,	Troutman,
Carr,	Haluska,	McCreesh,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,

Cox,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 500, as follows:

An Act to further amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation" by revising and changing the provisions of said act relating to the times of registering electors their enrollment as members of political parties change of party enrollment removal notices and comparing and correcting the general and district registers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsections (a) and (b) of section seventeen of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county trasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation" are hereby amended to read as follows

Section 17 Days and Hours of Registration Places of Registration Use of Polling Places Payment of Rentals Use of School Buildings Public Notice (a) From and after the effective date of this act each commission or any commissioner or a registrar or clerk appointed by the commission shall during ordinary business hours and during such additional hours as the commission shall from time to time prescribe on each day except Sunday holidays the day of each election and each primary the [thirty] fifty days next preceding each election and each primary and the thirty days next following each election and the five days next following each primary at the office of the commission and at such additional places in the city as the commission may from time to time designate in accordance with the provisions of subsection (b) herein receive personal applications from persons who claim that they are entitled to be registered as electors of the city and who appear for registration

(b) Not later than [thirty] fifty days prior to each primary and election the commission shall cause at least two registrars to sit for at least two separate days at a suitable and centrally located place in each city other than the office of the commission for the purpose of receiving personal applications for registrations applications for change of party enrollment and removal notices from the electors of each city Such registrars shall sit on said days continuously between the hours of ten A M and three P M and between the hours of seven P M and ten P M Immediately upon the action of the commission which shall be taken in due time as to the number of days of such registration and as to the number of registrars to be appointed for such purpose the commission shall notify in writing the county chairman of the political parties enrolling the largest and second largest number of voters within the county at the preceding November election of such action and of the number of registrars the commission will appoint to serve in said cities Not later than the third day after receipt of said notice said chairman shall submit to the commission a list of qualified electors of the county to serve as registrars for said days of the registrars appointed by the commission for such registration days an equal number shall be appointed from the names on each of the lists so submitted Provided however That if either or both of said chairmen shall fail to submit such list within the time herein provided the commission shall appoint an equal number of persons from the list actually submitted and an equal number of any qualified electors of the county or shall appoint as all of such registrars any qualified electors of the county as the case may be

Section 2 Subsection (a) of section twenty-nine of said act as amended by the act approved the first day of August one thousand nine hundred forty-one (Pamphlet Laws 694) is hereby further amended to read as follows

Section 29 Change of Enrollment of Political Party Cancellation of Party Enrollment Persons Suffering Disability After Registration to Have Fact Recorded Cancellation (a) At any time prior to the [thirtieth] fiftieth day next preceding a primary [or an] election excepting the thirty days next following each election [and the five days next following each primary] any person who desires to change the enrollment of his political designation or who although registered has not hitherto enrolled as a member of a party may appear before a registrar commissioner or clerk and state in writing over his signature the political party in which he desires to be enrolled and the registrar commissioner or clerk shall cause the enrollment of the elector's political designation to be made or altered accordingly in the general and district registers Provided however That no registered elector shall be permitted to change his party enrollment between any primary and the following general or municipal election nor more than once between any November election and the following primary election In such cases the signature of the elector shall be verified by comparison with his signature on the general and district registrars before the change of enrollment is made If any elector desiring to change his party enrollment is unable to sign his application he shall make his mark thereto in the presence of the registrar commissioner or clerk and shall produce such other evidence as may be necessary to establish his identity When an elector has applied for a change in the enrollment of his political designation as provided herein the registrar commissioner or clerk shall upon request stamp or mark the change so made on the elector's card attesting his registration Any person in military service who desires to change his party enrollment shall be permitted to do so by addressing to the commission a signed written application under oath taken and subscribed to before any commissioned officer of the military or naval forces either within or without the Commonwealth or before any offi-

cer of this or any other state or territory of the United States authorized to administer oaths The application shall be sent by the applicant by registered mail return receipt required and shall also contain a statement that such person is at the time of making the application absent from his residence in military service If upon examination the signature appears authentic and the application conforms to the provisions of this section the enrollment shall be changed in accordance with the application

Section 3 Section thirty-three of said act as amended by the act approved the nineteenth day of June one thousand nine hundred thirty-nine (P. L. 443) is hereby further amended to read as follows

Section 33 Comparison and Correction of Registers Commencing [thirty] fifty days prior to each election or primary the commission shall compare and correct the general and district registers

Section 4 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Edmonds,	Leader,	Tallman,
Berger,	Farrell,	Letzler,	Taylor,
Blass,	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	Margie,	Troutman,
Carr,	Haluska,	McCreesh,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 501, as follows:

An Act to further amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 814) entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by revising and changing the provisions of said act relating to the times of registering electors their enrollment as members of political parties change of party enrollment removal notices comparing and correcting general and district registers preparing preliminary street lists and street lists

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) and (b) of section seventeen of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 814) entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothontaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" are hereby amended to read as follows

Section 17 Days and Hours of Registration Places of Registration Use of Polling Places Payment of Rentals Use of School Buildings Public Notice

(a) From and after the effective date of this act each commission or any commissioners or a registrar or clerk appointed by the commission shall during ordinary business hours and during such additional hours as the commission shall from time to time prescribe on each day of each election and each primary the [thirty] fifty days next preceding each election and each primary and the thirty days next following each election and the five days next following each primary at the office of the commission and at such additional places in the city as the commission may from time to time designate in accordance with the provisions of subsection (b) herein receive personal applications from persons who claim that they are entitled to be registered as electors of the city and who appear for registration

(b) The commission may cause at least two registrars to sit not later than [thirty] fifty days prior to the primary or election for the purpose of receiving personal applications for registration applications for change of party enrollment and removal notices from electors of any ward at a suitable and conveniently located place in said ward for at least one day [prior to the election or primary] continuously between the hours of ten A M and three P M and between the hours of seven P M and ten P M

Section 2 Subsection (a) of section twenty-nine of said act as amended by the act approved the first day of August one thousand nine hundred forty-one (P. L. 686) is hereby further amended to read as follows

Section 29 Changes of Enrollment of Political Party Cancellation of Party Enrollment Persons Suffering Disability After Registration to Have Fact Recorded Cancellation

(a) At any time prior to the [fifteenth] fiftieth day next preceding a primary [or an] election excepting the thirty days next following each election [and the five days next following each primary] any person who desires to change the enrollment of his political designation or who although registered has not hitherto enrolled as a member of a party may appear before a registrar commissioner or clerk and state in writing over his signature the political party in which he desires to be enrolled and the registrar commissioner or clerk shall cause the enrollment of the elector's political designation to be made or altered accordingly in the general and district registers Provided however That no registered elector shall be permitted to change his party enrollment between any primary and the following general or municipal election nor more than once between any November election and the following primary election In such cases the signature of

the elector shall be verified by comparison with his signature on the general and district registers before the change of enrollment is made If any elector desiring to change his party enrollment is unable to sign his application he shall make his mark thereto in the presence of the registrar commissioner or clerk and shall produce such other evidence as may be necessary to establish his identity When an elector has applied for a change in the enrollment of his political designation as provided herein the registrar commissioner or clerk shall upon request stamp or mark the change so made on the electors' card attesting his registration Any person in military service who desires to change his party enrollment shall be permitted to do so by addressing to the commission a signed written application under oath taken and subscribed to before any commissioned officer of the military or naval forces either within or without the Commonwealth or before any officer of this or any other state or territory of the United States authorized to administer oaths The application shall be sent by the applicant by registered mail return receipt required and shall also contain a statement that such person is at the time of making the application absent from his residence in military service If upon examination the signature appears authentic and the application conforms to the provisions of this section the enrollment shall be changed in accordance with the application

Section 3 Section 33 of said act is hereby amended to read as follows

Section 33 Comparison and Correction of Registers Preliminary Street Lists

(a) Commencing [thirty] fifty days prior to each election or primary the commission shall compare and correct the general and district registers

(b) Three months after each municipal [election] and [seven months after each] general election the commission shall prepare for each election district a preliminary street list of the names and addresses of all registered electors as of that date resident in the district arranged by streets and house numbers

(c) The commission shall cause to be made a sufficient number of exact copies of each such list and as soon as possible and not later than the first day of March in each even-numbered [year] and [the first day of July in each] odd-numbered year shall distribute the same among the inspectors and special inspectors of registration and the officials concerned with the conduct of primaries and elections and among the parties political bodies candidates and organized bodies of citizens interested therein giving at least ten copies of each street list to the city committee of each political party or political body upon the written application of the chairman thereof and at least ten copies of each street list to the executive or governing board or committee of each organized body of citizens having as its purpose or among its purposes the investigation and prosecution of election frauds upon the written application of the presiding officer of such body of citizens and at least one copy of each street list with which his candidacy is concerned to each candidate upon his written request and keeping two complete sets of such street lists on file at the office of the commission convenient for public inspection during all the hours when the other records of the commission are open to public inspection as herein provided

Section 4 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Edmonds,	Leader,	Tallman,
Berger,	Farrell,	Letzler,	Taylor,
Blass,	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	Margie,	Troutman,
Carr,	Haluska,	McCreesh,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative,

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 502, as follows:

An Act to further amend the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of cities parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" by revising and changing the provisions of said act relating to the times of registering electors and comparing and correcting the general and district registers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of section seventeen and subsection (a) of section thirty-four of the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" as amended by the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 710) are hereby further amended to read as follows

Section 17 Days and Hours of Registration Places of Registration Use of Polling Places Payments of Rentals Use of School Buildings Public Notice (a) The commission or any commissioner employe or clerk assigned for that purpose shall at the main office of the commission

during ordinary business hours and during such additional hours as the commission shall from time to time prescribe on each day and on such days and during such hours as the commission may from time to time designate at other offices in the city which the commission shall from time to time during the period of ninety days preceding any election have power to establish and discontinue except Sundays holidays the days hereinafter provided for the registration of electors in the districts or wards the day of each election and each primary the thirty days next preceding the primary election in the year one thousand nine hundred forty-one the fifty days next preceding each municipal or general election and in all subsequent years each primary election [the thirty-five days next preceding each municipal election or any special election not held on a day fixed for the holding of November or primary elections] and the thirty days next following each election and the five days next following each primary receive personal applications from persons who claim that they are entitled to be registered as electors of the city and who appear for registration Provided however That in each year the commission may also when it considers it necessary for the convenience of the electors provided one or more places of registration in each or any ward of the city at which two or more registrars as the commission may deem necessary shall be present to receive personal applications from qualified electors of the city who claim that they are entitled to be registered which registrars shall be present thereat between the hours of seven antemridian and one postmeridian and between the hours of four and ten postmeridian on such days as may be selected by the commission which shall be not less than twenty days prior to the primary election in the year one thousand nine hundred and forty-one and not more than sixty days and not less than fifty days prior to any general or municipal election and the primary election in any subsequent year [and not more than forty days and not less than thirty-five days prior to any municipal election] Provided further however That with respect to any person who shall become a citizen of the United States on a day subsequent to the sixtieth day prior to any election or primary but at least one month prior to the day of such election or primary the commission or any commissioner employe or clerk assigned for that purpose shall receive personal applications from such person if he or she is otherwise qualified at the office of the registration commission until the thirtieth day prior to such election or primary during ordinary business hours except Sundays holidays and the days hereinbefore provided for the registration of electors in the districts or wards

Section 34 Comparison and Correction of Registers (a) Commencing fifty days prior to each primary and each general election [and thirty-five days prior to each municipal election] the commission shall compare and correct the general and district registers

Section 2 This act shall remain in effect until the termination of hostilities in the present war and for six months thereafter The termination of hostilities in the present war shall be the time proclaimed as such by the President of the United States or the date specified as such in a concurrent resolution of the two houses of Congress

Section 3 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Edmonds,	Leader,	Tallman,
Berger,	Farrell,	Letzler,	Taylor,
Blass,	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	Margie,	Troutman,
Carr,	Haluska,	McCreesh,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 503, as follows:

An Act to further amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1132) entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by revising and changing the provisions of said act relating to the terms of registering electors their enrollment as members of political parties change of party enrollment removal notices comparing and correcting general and district registers preparing preliminary street lists and street lists

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsections (a) and (b) of Section seventeen of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1132) entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the chellenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" are hereby amended to read as follows

Section 17 Days and Hours of Registration Places of Registration Use of Polling Places Payment of Rentals Use of School Buildings Public Notice (a) From and

after the effective date of this act each commission or any commissioner or a registrar or clerk appointed by the commission shall during ordinary business hours and during such additional hours as the commission shall from time to time prescribe on each day except Sundays holidays the day of each election and each primary the [thirty] fifty days next preceding each election and each primary and the thirty days next following each election and the five days next following each primary at the office of the commission and at such additional places in the city as the commission may from time to time designate in accordance with the provisions of subsection (b) herein receive personal applications from persons who claim that they are entitled to be registered as electors of the city and who appear for registration

(b) The commission may cause at least two registrars to sit not later than [thirty] fifty days prior to the primary or election for the purpose of receiving personal applications for registration applications for change of party enrollment and [removing] removal notices from electors of any ward at a conveniently located point in said ward for at least one day [prior to the election or primary] continuously between the hours of ten Anti Meridian and three Post Meridian and between the hours of seven Post Meridian and ten Post Meridian

Section 2 Subsection (a) of Section twenty-nine of said act as amended by the act approved the first day of August one thousand nine hundred forty-one (P. L. 680) is hereby further amended to read as follows

Section 29 Change of Enrollment of Political Party Cancellation of Party Enrollment Persons Suffering Disability after Registration to Have Fact Recorded Cancellation (a) At any time prior to the [fifteenth] fiftieth day next preceding a primary [or an] election excepting the thirty days next following each election [and the five days next following each primary] any person who desires to change the enrollment of his political designation or who although registered has not hitherto enrolled as a member of a party may appear before a registrar commissioner or clerk and state in writing over his signature the political party in which he desires to enrolled and the registrar commissioner or clerk shall cause the enrollment of the elector's political designation to be made or altered accordingly in the general and district registers Provided however that no registered elector shall be permitted to change his party enrollment between any primary and the following general or municipal election nor more than once between any November election and the following primary election In such cases the signature of the elector shall be verified by comparison with his signature on the general and district registers before the change of enrollment is made If any elector desiring to change his party enrollment is unable to sign his application he shall make his mark thereto in the presence of the registrar commissioner or clerk and shall produce such other evidence as may be necessary to estabish his identity When an elector has applied for a change in the enrollment of his political designation as provided herein the registrar commissioner or clerk shall upon request stamp or mark the change so made on the electors card attesting his registration Any person in military service who desires to change his party enrollment shall be permitted to do so by addressing to the commission a signed written application under oath taken and subscribed to before any commissioned officer of the military or naval forces either within or without the Commonwealth or before any officer of this or any other state or territory of the United States authorized to administer oaths The application shall be sent by the applicant by registered mail return receipt required and shall contain a statement that such person is at the time of making the application absent from his residence in military service If upon examination the signature appears authentic and the application conforms to the provisions of this section the enrollment shall be changed in accordance with the application

Section 3 Subsections (a) (b) and (c) of Section thirty-three of said act are hereby amended to read as follows

Section 33 Comparison and Correction of Registers Preliminary Street Lists (a) Commencing [thirty] fifty days prior to each election or primary the commission shall compare and correct the general and district registers

(b) Three months after each municipal [election] and [seven months after each] general election the commission shall prepare for each election district a preliminary street list of the names and arddresses of all registered electors as of that date resident in the district arranged by streets and house numbers

(c) The commission shall cause to be made a sufficient number of exact copies of each such list and as soon as possible and not later than the first day of March in each even numbered [year] and [the first day of July in each] odd-numbered year shall distribute the same among the inspectors and special inspectors of registration and the officials concerned with the conduct of primaries and elections and among the parties political bodies candidates and organized bodies of citizens interested therein giving at least ten copies of each street list to the city committee of each political party or political body upon the written application of the chairman thereof and at least ten copies of each street list to the executive or governing board or committee of each organized body of citizens having as its purpose or among it purposes the investigation and prosecution of election frauds upon the written application of the presiding officer of such body of citizens and at least one copy of each street list with which his candicacy is concerned to each candidate upon his written request and keeping two complete sets of such street lists on file at the office of the commission convenient for public inspection during all the hours when the other records of the commission are open to public inspection as herein provided

Section 4 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Edmonds,	Leader,	Tallman,
Berger,	Farrell,	Letzler,	Taylor,
Blass,	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	Margie,	Troutman,
Carr,	Haluska,	McCreesh,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 548, entitled:

An Act providing that when the contract of a fiduciary is made by him or approved by court inadequacy of price or an offer to deal on other terms, shall not relieve the fiduciary of his obligation or constitute ground for any court to set aside the contract or to refuse to enforce it.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. WALKER. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none

The Clerk read the amendments as follows:

Amend Section 1, page 1, line 6, by inserting after the word "shall" the following: "except as otherwise agreed by the parties"; amend the Bill, Section 1, page 1, line 9 by adding after the word "otherwise" the following: "Provided that this act shall not affect or change the inherent right of a court to set aside a contract for fraud, accident or mistake or for gross inadequacy of price".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing on final passage.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 563, as follows:

An Act prohibiting the sale of surplus property as defined in the Federal Surplus Property Act of 1944 by or to certain persons using words or names indicating an official relationship with the United States government making exceptions in certain cases and imposing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 It shall be unlawful for any person to sell or offer for sale any surplus properties as defined in the Federal Surplus Property Act of 1944 October third one thousand nine hundred forty-four C 479 58 Stat 765 who or which does business carries on or trades under or in any way uses in dealing with the public directly or indirectly any name which by reason of the inclusion of a word or words such as "army" "navy" "United States" "federal" "treasurey" "procurement" "G I" or any others which connote the United States government or its armed forces or any of its departments or agencies has a tendency to lead the purchasing public to believe contrary to fact that the establishment at which such materials or property are offered for sale has some official relationship to the United States government or that all the articles sold or offered for sale are such surplus properties or that the articles there sold are of higher quality and lower prices than those elsewhere obtainable Provided however That this act shall not apply to any establishment or business which for two years prior to the effective date of this act has utilized any such terms as part of its trading name

Section 2 No contract to sell sale or any other arrangement concerning the disposition of any such surplus properties shall be made to any person who or which carries or trades under or in any way uses in dealing with the public or intends to use in retailing the same directly or indirectly any name which includes the words quoted or referred to in section one of this act Provided however That this section shall not apply to any establishment or business which for two years prior to the effective date of this act has utilized any such terms as a part of its trading name

Section 3 Any person who wilfully violates any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be fined not more than five thousand dollars ($5,000) or be imprisoned for not more than one year or both in the discretion of the court

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Edmonds,	Leader,	Tallman,
Berger,	Farrell,	Letzler,	Taylor,
Blass,	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	Margie,	Troutman,
Carr,	Haluska,	McCreesh,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 591, on third reading, entitled:

An Act to amend the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contributions requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" by authorizing the bringing of suits against domestic fraternal benefit societies in counties in which they maintain subordinate lodges and where claimant resides and providing for the service of process on the Insurance Commissioner as attorney therefore

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, in the absence of the sponsor, I ask unanimous consent that Senate Bill No. 625, on third reading, entitled:

An Act to amend section ten of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 242) entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties" by further regulating the number of apprentices in beauty shops

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 662, as follows:

An Act to promote interstate cooperation for the conservation and protection of water resources in the Delaware River Basin

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

(1) Whereas the States of New York New Jersey Pennsylvania and Delaware have each created and now maintain a Commission (or Committee) on Interstate Cooperation for the purpose of establishing and maintaining governmental machinery to facilitate communcation negotiation understanding and cooperation between said states respectively and other states of the Union both regionally and nationally with power to establish such committees sub-committees and advisory boards as are deemed advisable to conduct conferences and to formulate proposals concerning subjects of intergovernmental cooperation to study the laws of the several states hold public or private hearings make findings and recommendations and to submit drafts of legislation to promote uniform laws for the elmination of the confusion and conflict between the serveral states of the Union and the Federal government in the matter of laws and administrate practices concerning conservation prevention abatement and control of pollution water supply public welfare flood control and other subjects and

(2) Whereas said Commissions (or Committees) on Interstate Cooperation of said states have organized and established and are now maintaining as an instrument of governmental machinery a joint advisory board known as "The Interstate Commission on the Delaware River Basin" as a regional commission composed of standing subcommittees of said Commissions (or Committees) on Interstate Cooperation respectively for the purpose of entering upon a program to study the conservation water supply pollution and other potential uses and benefits of and to develop integrated plans to conserve and protect the waters and other resources of the Delawaer River Basin in the following specified particulars

A To serve as a fact-coordinating body and to develop the means and procedure by which the general plans and policies proposed for the development of the region may be carried out

B To sponsor the carrying out of properly developed plans which result from surveys and research concerning population land and water resources and uses and other related subjects

C To coordinate the activities of the Commission and Committees on Interstate Cooperation and their joint agency the Council of State Government with the work of the appropriate state and Federal agencies for the prevention and abatement of pollution for flood control and for the proper general use and control of the waters of the Delaware River

D To encourage interstate compacts and the enactment of uniform state laws for the abatement of water pollution for flood control and for the proper general use and control of the waters of the Delaware River

E To advance perpetuate and outline the work recommended by its conferences and to develop and propose new objectives and

(3) Whereas it is the purpose of the Commissions (or Committees) on Interstate Cooperation of said four states acting through said Interstate Commission on the Delaware River Basin to eliminate confusion and conflict among said states by the promotion and enactment of uniform laws in said states to preserve in a safe and sanitary condition the waters and watershed of said Delaware River Basin and to provide uniform concurrent regulations for the control and the enforcement of the elimination of pollution in the waters thereof in said states respectively and

(4) Whereas said Interstate Commission on the Delaware River Basin in cooperation with the state health departments of said states respectively has made a study for the purposes above recited of said Delaware River and its tributaries in said Delaware River Basin and has formulated proposals for the intergovernmental cooperation of said states in the correction and control of pollution of the waters thereof which have been formally approved ratified and accepted by the health departments of said states respectively in the following form

A Reciprocal Agreement as drafted and negotiated by the Interstate Commission on the Delaware River Basin with subsequent formal ratification by the State Departments of Health of Delaware-New Jersey-New York-Pennsylvania for the Conservation and Control of Pollution of the Waters of the Interstate Delaware River

Whereas a substantial part of the territory of the states of New York New Jersey Pennsylvania and Delaware is situated within the Delaware River drainage basin and

Whereas the incerase in population of the various municipal areas within the Delaware River Basin and the growth of industrial activity within the Basin have resulted in increasingly serious pollution of the waters of the Interstate Delaware River and its tributaries and

Whereas such pollution constitutes a grave menace to the health welfare and recreational facilities of the people living in the Delaware River Basin and occasions great economic loss and

Whereas the control of future pollution and the correction of existing pollution of the waters of the interstate Delaware River and its tributaries is of prime importance to the people living in the Delaware River Basin and can best be accomplished through the cooperation of the representatives of the people in the Basin in the states of New York New Jersey Pennsylvania and Delaware

Now therefore the State of New York and the State of New Jersey and the Commonwealth of Pennsylvania and the State of Delaware agree and are bound as follows

Article I

Each of the signatory states pledges to each of the other signatory states faithful cooperation in the control of future pollution and in the correction of existing pollution of the waters of the interstate Delaware River and its West Branch from the New York-Pennsylvania boundary line down to the Atlantic Ocean In order to effect such objects each of the states agrees to enact adequate legislation if necessary to enable each such state so to require the treatment of sewage industrial waste or other artificial polluting matter as to place and maintain the waters of the aforesaid interstate Delaware River and of the tributaries thereof just above the confluence with the Delaware River in the clean and sanitary conditions required by the provisions of this agreement Furthermore each such state agrees so to enforce the provisions of these requirements and other supplementary applicable legislation if any as to bring about the attainment of the objectives of pollution control and correction in accordance with such reasonable and effective programs as may

be determined from time to time by the states in the manner prescribed herein

Article II

It is recognized by the signatory states that due to such variable factors as location size character and flow and of the many varied uses of the waters of the interstate Delaware River and its aforesaid West Branch such as water supply recreation navigation industrial developments maintenance of fish life shellfish culture agriculture and other purposes that no single standard of sewage and waste treatment and of quality of receiving waters is practical for all parts of the river Therefore in order to apply minimum requirements for the attainment of correction and control of pollution which will be appropriate to the varied factors including the existing and potential quality and uses of the waters the interstate Delaware River is hereby divided into four zones to wit

Zone I Zone 1 is that part of the Delaware River and its West Branch extending from the New York-Pennsylvania boundary line to the head of tidewater at Trenton New Jersey and Morrisville Pennsylvania

The drainage basin contributory to this zone excepting part of the Lehigh River Basin is relatively sparsely inhabited and contains few sewered communities and relatively few industrial establishments producing waste water The streams draining this area being in general relatively clean and of high elevation are well adapted as sources of public water supplies after treatment or purification

The principal uses of the waters of the Delaware River in Zone 1 are expected to be for water supply after such treatment or purification as may be necessary and for recreation bathing maintenance of fish and acquatic life agriculture and for other related purposes

Zone II Zone 2 is that part of the Delaware River extending from the head of tidewater at Trenton New Jersey and Morrisville Pennsylvania to a line drawn perpendicular to the channel of the Delaware River from the mouth of Pennypack Creek in Philadelphia Pennsylvania to the corresponding point on the New Jersey shore

The drainage basin contributary to this zone is somewhat more densely populated than that of Zone 1 and it contains more sewered communities and industrial establishments

The principal uses of the waters of the Delaware River in Zone 2 are expected to be for water supply after treatment or purification and for recreation navigation maintenance of fish and aquatic life agricultural industrial and other purposes

Zone III Zone 3 is that part of the Delaware River extending from the aforesaid line connecting the mouth of Pennypack Creek in Philadelphia and the corresponding point in New Jersey to the Pennsylvania-Delaware boundary line

The drainage basin contributary to this zone contains populous metropolitan areas including Philadelphia Pennsylvania and Camden New Jersey

The principal uses of the waters of the Delaware River in Zone 3 are expected to be for navigation industrial water supply and other purposes

The water in this zone however should be of such sanitary quality that it will not be unfit for use as sources of water supply will not be harmful to fish life and will not adversely affect the quality of the waters of tidal tributaries

Zone IV Zone 4 is that part of the Delaware River extending from the Pennsylvania-Delaware boundary line to the Atlantic Ocean

The principal uses of the waters of the Delaware River in Zone 4 are expected to be for navigation industrial water supplies commercial fishing shellfish culture recreation and other purposes

In order to attain conditions of cleanliness and sanitation of the waters of the Delaware River which will be consistent with the appropriate existing and future quality and uses of such waters the following minimum requirements shall apply to the several zones herein provided It is the purpose and intent of such requirements to apply to artificial (not natural) causes of pollution

Article III

In order to put and maintain the waters of the interstate Delaware River and its West Branch as aforesaid in a clean and sanitary condition no sewage industrial wastes or other polluting matter shall be discharged into or be permitted to flow or fall into or be placed in any respective zone of the interstate Delaware River as herein established unless such sewage industrial waste or other artificial polluting matter shall first have been so treated as to produce an effluent which will meet the following minimum requirements

Zone 1 1 Such effluent shall be free of noticeable floating solids color oil grease or sleek and practically free of suspended solids

2 Such effluent shall be sufficiently free of turbidity that it will not cause noticeable turbidity in the water of the Delaware River

3 Such effluent shall show a reduction of organic substances of at least eighty-five (85) per cent as measured by the bio-chemical oxygen demand and furthermore such effluent in no case shall exceed a bio-chemical oxygen demand of fifty (50) parts per million and furthermore the discharge of such effluent after disperson in the water of the river shall not cause a reduction of the dissolved oxygen content of such water of more than five (5) per cent The aforesaid reduction in dissolved oxygen content shall be determined by the average results obtained from dissolved oxygen tests made upon samples collected on not less than six (6) consecutive days from points in the river above and below the point or points of effluent discharge

4 Such effluent shall be of such quality that the most probable number of organisms of the Coli Areogones group shall not exceed one (1) per milliliter in more than ten (10) per cent of the samples of sewage effluent tested by the confirmed test and provided further that no single sample shall contain more than one hundred (100) organisms of the Coli Aerogenes group in one (1) milliliter

5 Such effluent shall be sufficiently free of acids alkalis and other toxic or deleterious substances that it will not create a menace to the public health through the use of the waters of the Delaware River for public water supplies for recreation bathing agriculture and other purposes nor be inimical to fish animal or aquatic life

6 Such effluent shall be free of offensive odors and also be free of substances capable of producing offensive tastes or odors in public water supplies derived from the Delaware River at any place below the discharge of such effluent

Zone 2 1 Such effluent shall be free of noticeable floating solids color oil or grease and practically free of both suspended solids and sleek

2 Such effluent shall be sufficiently free of turbidity that it will not cause noticeable turbidity in the water of the Delaware River

3 Such effluent shall show a reduction of organic substance of at least eighty-five (85) per cent as measured by the bio-chemical oxygen demand and furthermore such effluent in no case shall exceed a bio-chemical oxygen demand of one hundred (100) parts per million and furthermore the discharge of such effluent after dispersion in the water of the river shall not cause a reduction of the dissolved oxygen content of such water of more than ten (10) per cent The aforesaid reduction in dissolved oxygen content shall be determined by the average results obtained by dissolved oxygen tests made upon samples collected on not less than six (6) consecutive days from points in the river above and below the point or points of effluent discharge

4 Such effluent shall be of such quality that the most probable number of organisms of the Coli Aerogenes group shall not exceed one (1) per milliliter in more than twenty-five (25) per cent of the samples of sewage effluent tested by the confirmed test and provided further that no single sample shall contain more than one hun-

dred (100) organisms of the Coli Aerogenes group in one (1) milliliter

5 Such effluent shall be sufficiently free of acids alkalis and other toxic or deleterious sustances that it will not create a menace to the public health through the use of the water of the Delaware River for public water supplies for recreation industrial and other purposes nor be inimical to fish animal or aquatic life

6 Such effluent shall be free of offensive odors and also be free of substances capable of producing offensive tastes and odors in public water supplies derived from the Delaware River at any place above or below the discharge of such effluent

Zone 3 1 Such effluent shall be free of noticeable floating solids oil or grease and substantially free of both settleable solids and sleek

2 Such effluent shall be sufficiently free of turbidity that it will not cause substantial turbidity in the water of the Delaware River after dispersion in the water of the river

3 Such effluent shall show a reduction of at least fifty-five (55) per cent of the total suspended solids and a reduction of not less than thirty-five (35) per cent of the bio-chemical demand (It is the intent of this requirement to restore the dissolved oxygen content of the river water in this zone to at least fifty (50) per cent saturation To accomplish this it may be necessary in the case of certain wastes to obtain reductions greater than those required under this item)

4 Such effluent if it be discharged within two miles of a public water works intake or within prejudicial influence thereof shall at all times be effectively treated with a germicide

5 Such effluent shall be sufficiently free of acids alkalis and other toxic or deleterious substances that it will not create a menace to the public health through the use of the waters of the Delaware River for public water supplies or render such waters unfit for industrial and other purposes or cause the water of the Delaware River to be harmful to fish life

6 Such effluent shall be practically free of substances capable of producing offensive tastes or odors in public water supplies derived from the Delaware River

Zone 4 1 Such effluent shall be free of noticeable floating solids oil or grease and substantially free of both settleable solids and sleek

2 Such effluent shall be sufficiently free of turbidity that it will not cause substantial turbidity in the waters of the Delaware River after dispersion in the water of the river.

3 Such effluent shall show a reduction of at least fifty-five (55) per cent of the total suspended solids and shall be subject to such further treatment as may be needed to prevent a nuisance

4 Such effluent if it be discharged within prejudicial influence of a public water works intake or of recreational areas or of shell fish grounds shall at all times be effectively treated with a germicide except that in the case of recreational area influence such treatment need not be provided during the period from October 15th to May 15th of each year

5 Such effluent shall be sufficiently free of acids alkalis and other toxic or deleterious substances that it will not create a menace to the public health through the use of the waters of the Delaware River for public water supplies or render such waters unfit for commercial fishing shell fish culture recreational industrial or other purposes

6 Such effluent shall be practically free of substances capable of producing offensive tastes or odors in public water supplies derived from the Delaware River

It is further recognized by the signatory states that the quality of the waters of the intrastate tributaries of the Delaware River and its aforesaid West Branch are of interstate concern at their points of confluence with the Delaware River and its West Branch Therefore it is also agreed that sewage industrial waste or other artificial polluting matter discharged into or permitted to flow or to fall into or be placed in any intrastate tributary of the aforesaid Delaware River shall be treated to that degree if any necessary to maintain the waters of such intrastate tributary immediately above its confluence with the aforesaid Delaware River in a condition at least equal to the clean and sanitary condition of the waters of the Delaware River immediately above the confluence of such tributary

Analyses and tests regarding the minimum requirements herein prescribed shall be determined in accordance with the provisions contained in the American Public Health Association's latest edition on "Standard Methods for the Examination of Water and Sewage"

The aforesaid requirements as to treatment of sewage industrial wastes or other artificial polluting matter and as to the sanitary quality of receiving waters are minima It is the intent and purpose of these requirements to accomplish reasonable and adequate control and correction of pollution Due to the many variable factors involved however and to the impossibility of forecasting future developments with certainty it may be necessary in the future to impose additional requirements particularly in Zones 2 and 3

The minima herein prescribed therefore shall be considered the first steps toward attaining the objectives sought and if necessary may be required to be supplemented in the case that the general application of such minimum requirements does not adequately improve and maintain the sanitary quality of the waters of the Delaware River

Section 1 That part of the area of the Delaware River Basin lying within this state is hereby established and declared to be a component part of an interstate region for the intergovernmental cooperation by said states in the conservation protection and development of the water resources thereof by means of integrated plans and said Interstate Commission on the Delaware River Basin is hereby recognized as the duly established regional commission or agency of this state for intergovernmental cooperation in effectuating the purposes described in paragraph (2) of the above preamble with full and complete authority to exercise for the accomplishment of said purposes the governmental machinery powers and duties conferred by this state upon said Commission (or Committee) on Interstate Cooperation

Section 2 The reciprocal agreement set forth in paragraph (4) of the above preamble is hereby ratified and applied to the waters and watershed of said Delaware River Basin within the territorial limits of this state and its terms and provisions shall supersede the terms and provisions of any existing laws and regulations applicable to that area to the extent only that the terms and provisions of such existing laws and regulations are inconsistent with the terms and provisions set forth in said reciprocal agreement

Section 3 The Department of Health or such other agency designated by the law of the respective signatory states to deal with control or abatement of pollution is hereby empowered and directed to apply and carry into effect the proposals terms and provisions of said reciprocal agreement in the several zones therein prescribed respectively within the territorial limits of this state and to enforce the same by the exercise of such administrative and legal authority and the institution and prosecution of such actions suits or other proceedings as may be necessary or appropriate as are now or may hereafter be provided under the laws and practice of this state

Section 4 The Department of Health or such other agency designated by the law of the respective signatory states to deal with control or abatement of pollution is hereby authorized and directed to cooperate with said Interstate Commission on the Delaware River Basin in the further study of the sanitary condition of the waters of Delaware River and its tributaries in said Delaware River Basin and to approve adopt and enforce within this state such reasonable modifications changes or alterations in the zones or standards of quality of water in said river and tributaries as may from time to time be recommended by said Interstate Commission on the Delaware River Basin and approved by the departments of health of the other states constitutent to said Delaware River Basin

Section 5 The terms and provisions of said reciprocal

agreement shall become effective upon receipt by the Secretary of State of this state of a certificate from the Executive Secretary of The Interstate Commission on the Delaware River Basin that an act in substantially the same form as this act has been passed by the Legislature and approved by the Governor of one of the other three states constitutent to said Delaware River Basin together with a certified copy of said act of said state and thereupon the Secretary of State shall advise the Department of Health of this state accordingly

Section 6 This act shall take effect immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Edmonds,	Leader,	Tallman,
Berger,	Farrell,	Letzler,	Taylor,
Blass,	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	Margle,	Troutman,
Carr,	Haluska,	McCreesh,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 805, on third reading, entitled:

An Act to amend Article VIII of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it unlawful to injure tap or make unauthorized connections with telegraph and telephone facilities to receive or send communications by means of such unauthorized connections or to induce such actions by another and providing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 917, as follows:

An Act to validate certain acknowledgments and to regulate the effect thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All acknowledgments of written instruments made and certified in the manner and form in general use in the Commonwealth of Pennsylvania prior to the act approved the twenty-fourth day of July one thousand nine hundred forty-one (P. L. 490) are hereby validated and all such instruments in writing so acknowledged and certified may be offered in evidence without further proof and if such instrument so acknowledged and certified conveys or relates to or concerns any interest in lands it may be recorded in the recorder's office of the county or counties where such lands lie and the record of same made before or after the passage of this act shall be constructive notice of all matters contained therein and such record or exemplification of same duly certified shall be legal evidence in all cases in which the original would be competent evidence

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Edmonds,	Leader,	Tallman,
Berger,	Farrell,	Letzler,	Taylor,
Blass,	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	Margle,	Troutman,
Carr,	Haluska,	McCreesh,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Jones,	Snowden,	Woodring,
Dent,	Kephart,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS ON SECOND READING CALENDAR

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 40, on second reading, entitled:

An Act to amend or further amend the title and sections one five seven nine and ten of the act approved the eighth day of June one thousand nine hundred seven (P. L. 496) entitled "An act to establish a Board of Commissioners of Navigation for the river Delaware and its navigable tributaries regulating their jurisdiction over ships vessels and boats and wharves piers bulkheads docks slips and basins and exempting cities of the first class from certain of its provisions and making an appropriation therefor" changing the membership of the Navigation Commission for the Delaware River and its navigable tributaries and excepting the Port of Chester from certain provisions of said act

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 223, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" and known as The Fiscal Code by authorizing the Commonwealth of Pennsylvania to petition for a resettlement of claims against the Commonwealth by the Auditor General and State Treasurer and to petition for a review of settlements by the Board of Finance and Revenue and to appeal from the decisions of the Board of Finance and Revenue to the Court of Common Pleas of Dauphin County

The first, second and third sections were read and agreed to.

The fourth section was read.

On the question,

Will the Senate agree to the section?

Mr. HEYBURN offered the following amendment:

Amend Section 4, page 8, line 13 by inserting at the end of said line the following: "other than the Commonwealth."

It was agreed to.

The section was agreed to as amended.

The fifth section and title were read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

MOTION TO RECOMMIT BILL

Mr. McCREESH. Mr. President, I move that Senate Bill No. 239, on second reading, entitled:

An Act to promote the public welfare and to protect mental defectives by prescribing circumstances under which selective sterilization of certain types of individuals may be performed without civil or criminal liability; and providing penalties

be recommitted to the Committee on Public Health.

Mr. COLEMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. CROWE. Mr. President, as sponsor of this bill I would like to ask that the bill go over in order so that some of us may further study it.

Mr. McCREESH. Mr. President, I must leave tonight to see my son off tomorrow to the Pacific Coast; I can not be here tomorrow. This bill has gone over and over and back and forth for some time and I think we should decide once for all what to do with the bill.

This bill is a dangerous and bad bill and we should not hesitate to declare, in our minds, what way we are going to vote. This bill may create a racket in Philadelphia or Pennsylvania that would become very dangerous to good American citizen doctors who are now performing good services. You take a doctor like Dr. Chapman, perhaps he would now allow his name to be connected with this bill in any way.

However, there are several doctors who make a practice of performing illegal operations, with the intent to commit, we will say, murder, and that is the intent and the sole purpose of this bill.

Mr. President, you can size up this bill in different ways. You can say you can sterilize some person and perhaps place her in a roadhouse and you create a disease through the state of Pennsylvania that might destroy the health of the youth of Pennsylvania.

I say to you, Mr. President, that Pennsylvania has a good record and it is getting along O. K. and should continue that way, and we should not allow a bill to pass of this nature and I ask, Mr. President, for a roll call so that I will be here to cast my vote.

Mr. CROWE. Mr. President, as far as I am concerned, I am perfectly willing that the bill go over in order until such time as the gentleman from Philadelphia can be present, so that we can have a more personal and intimate discussion on the subject.

Mr. McCREESH. Mr. President, if I could see any particular reason for this bill going over in order I would have no objection, but I feel we might as well vote on it today . What is the use of waiting? This bill in my estimation is a bad bill and we should not have to wait until Monday or Tuesday to decide which way we are going to vote. Men of good sound sense should not have to decide or wait to see what way they are going to vote on this bill.

Mr. CROWE. Mr. President, the constitutionality of this bill has to be decided upon and there are a number of legal questions and I think we should consult with our legal advisors before we go further with the bill.

MOTION THAT MOTION BE LAID ON THE TABLE

Mr. HEYBURN. Mr. President, I move that the motion of the gentleman from Philadelphia, Mr. McCreesh, to recommit Senate Bill No. 239, be laid on the table.

Mr. CARR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion to lay on table?

Mr. JASPAN. Am I to take it from that, Mr. President, that the bill will not come up before Monday? I understand the gentleman from Philadelphia, Mr. McCreesh, who is very much interested in this bill, will not be here tomorrow or Thursday because his son, who has served in the Pacific for over two years is leaving, and the Senator will not be in any position to cast any vote. Have we some assurance that the motion to recommit the bill will lay on the table until Monday?

The PRESIDENT. Does the gentleman from Delaware withdraw his motion?

Mr. HEYBURN. Mr. President, the motion was to lay

the motion of the Senator from Philadelphia on the table. I did not understand he wanted to withdraw his motion.

PARLIAMENTARY INQUIRY

Mr. DENT. Mr. President, I rise on a parlimentary inquiry.

The PRESIDENT. The gentleman from West Moreland will proceed.

Mr. DENT. Mr. President, I desire to inquire if the motion to have the motion of the Senator from Philadelphia laid on the table passes, and the bill still remains on the Calendar and comes up tomorrow under regular procedure on the Calendar, what will happen.

Mr. HEYBURN. The bill can go over in order, Mr. President.

Mr. DENT. I might suggest the procedure to be followed, that the gentleman from Philadelphia withdraw his motion to send the bill back to committee, with the express understanding that the bill will not be called up when he is absent on such a worthwhile mission, and therefore with permission of the gentleman from Philadelphia I ask that his motion be withdrawn.

MOTION WITHDRAWN

Mr. HEYBURN. Mr. President, I withdraw my motion to have the motion to recommit Senate Bill No. 239 laid on the table.

Mr. WALKER. Mr. President, I withdraw my seconding of the motion.

And the question recurring,

Will the Senate agree to the motion to recommit?

MOTION TO RECOMMIT WITHDRAWN

Mr. McCREESH. Mr. President, I withdraw my motion that Senate Bill No. 239 be recommitted to the Committee on Public Health.

Mr. COLEMAN. Mr. President, I withdraw my seconding of the motion.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 239, on second reading, entitled:

An Act to promote the public welfare and to protect mental defectives by prescribing circumstances under which selective sterilization of certain types of individuals may be performed without civil or criminal liability; and providing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 278, on second reading, entitled:

An Act making it a felony for any person to bribe a participant in any athletic contest

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 296, on second reading, entitled:

An Act providing that taxes levied by political subdivisions of the Commonwealth on real estate of service persons shall not bear interest or be subject to penalties and providing for abatement of certain accrued interest and penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 420, on second reading, entitled:

An Act to amend section six hundred seven of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by prohibiting pool-selling and bookmaking in connection with any sporting event or athletic contest and providing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 423, on second reading, entitled:

An Act to amend section two thousand three hundred eleven of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing temporarily for payment of State Appropriation where schools are closed on account of impassable roads heavy snow or floods

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 426, on second reading, entitled:

An Act to further amend subsection (b) of section four hundred fifteen of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and interinsurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by increasing the amount of group life insurance covering certain borrowers and purchasers

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 461, on second reading, entitled:

An Act concerning devices bequests or gifts in trust for the care and maintenance of cemeteries cemetery lots in perpetuity trustees and substituted trustees thereof sureties of said trustees excess income from said funds and the investment of such trust funds accounts of said trustees approving actions and proceedings prior to this act and repealing conflicting laws

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 474, on second reading, entitled:

An Act providing for the granting of certificates of licensure to practice professions or work at any trade or occupation in this Commonwealth for which licenses are issued by any State board or other State agency to certain persons who served in the military or naval forces of the United States

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 475, entitled:

An Act requiring cities boroughs towns and townships to notify adjacent political subdivisions of proposed streets roads and highways leading into them

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 479, entitled:

An Act to enable domestic stock and mutual insurance companies to comply with the taxing statutes and to relieve officers directors and trustees of domestic stock and mutual insurance companies of personal liability by reason of the payment or determination not to contest payment of any license excise privilege premium occupation or other fee or tax imposed by any State or political subdivision thereof

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, at the request of the Republican Caucus I move that House Bill No. 507, on second reading, entitled:

An Act to further amend section eight hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" regulating contracts and purchases by townships and prescribing penalties

be recommitted to the Committee on Highways, for the purpose of further study.

Mr. THOMAS. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 547, on second reading, entitled:

An Act to further amend the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existing corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and duties and limitations upon powers of corporations or persons authorized to engage in a banking or fiduciary business or both

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 548, entitled:

An Act relating to chattel mortgages on any chattel or chattels of any kind or description, including among other things livestock, poultry, farm machinery, farm equipment and crops grown, growing or to be grown; designating the operation and effect of the lien of such mortgages; providing for the filing, indexing and docketing of such mortgages and related instruments in prothonotaries' offices, and prescribing prothonotaries' fees; providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states; regulating the assignment, release, satisfaction and extension of the lien of such mortages; prescribing methods of foreclosure; defining defaults and violations; and fixing penalties.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. GOURLEY offered the following amendments:

Amend Sec. 1, page 2, lines 6 and 7, by striking out the words "among other things" and inserting in lieu thereof "but not limited to"; Amend Sec. 1, page 2, line 13, by adding after the word "such" "The indebtedness secured by any such chattel mortgage shall not bear interest in

excess of the rate which the creditor is permitted by law to charge at the time of the execution of such mortgage".

They were agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. GOURLEY offered the following amendment:

Amend Sec. 3, page 2, line 27, by striking out the words "among other things" and inserting in lieu thereof "but not limited to".

It was agreed to.

The section was agreed to as amended.

The fourth section was read and agreed to.

The fifth section was read.

On the question,

Will the Senate agree to the section?

Mr. GOURLEY offered the following amendments:

Amend Sec. 5, page 4, line 12, by adding after the word "act" "provided, however, that the filing, as provided in section eight of this act, of a chattel mortgage against any motor vehicle trailer or semi-trailer with respect to which a Certificate of Title is issuable under the Motor Vehicle Code (Act of May 1, 1929, P. L. 905, as amended) shall not operate as notice of the lien thereof to the Commonwealth, creditors and purchasers unless and until a statement of such lien is noted on the Certificate of Title issued with respect to such motor vehicle, trailer or semi-trailer, pursuant to the provisions of said Motor Vehicle Code."; Amend Sec. 5, page 4, line 22, by adding after the word "act" "and provided further, That any real estate mortgage covering the realty and chattels attached to realty shall remain a prior lien to a chattel mortgage placed subsequently thereon, and a judicial sale on liens subsequent to the lien of a chattel mortgage shall not divest the lien of such chattel mortgage and the title of the purchaser at such judicial sale shall be subject to the lien of such chattel mortgage."

They were agreed to.

The section was agreed to as amended.

The sixth section was read.

On the question,

Will the Senate agree to the section?

Mr. GOURLEY offered the following amendment:

Amend Section 6, Page 5, Line 16, by striking out the word "exxpressly" and inserting in lieu thereof the word "expressly".

It was agreed to.

The section was agreed to as amended.

The seventh section was read and agreed to.

The eighth section was read.

On the question,

Will the Senate agree to the section?

Mr. GOURLEY offered the following amendment:

Amend Sec. 8, page 7, line 28, by inserting after the word "advanced" "or to be advanced".

It was agreed to.

The section was agreed to as amended.

The ninth and tenth sections were read and agreed to.

The eleventh section was read.

On the question,

Will the Senate agree to the section?

Mr. GOURLEY offered the following amendment:

Amend Section 11, Page 10, Line 6, by striking out the word "mragin" and inserting in lieu thereof the word "margin".

It was agreed to.

The section was agreed to as amended.

The twelfth and thirteenth sections were read and agreed to.

The fourteenth section was read.

On the question,

Will the Senate agree to the section?

Mr. GOURLEY offered the following amendment:

Amend Sec. 14, page 12, line 15, by striking out the word "shall" and inserting in lieu thereof "may".

It was agreed to.

The section was agreed to as amended.

The fifteenth, sixteenth, seventeenth and eighteenth sections were read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. GOURLEY offered the following amendment:

Amend the title, page 1, second and third lines of title, by striking out the words "among other things" and inserting in lieu thereof "but not limited to".

It was agreed to.

The title was agreed to as amended.

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 548, on second reading, entitled:

An Act relating to chattel mortgages on any chattel or chattels of any kind or description including among other things livestock poultry farm machinery farm equipment and crops grown growing or to grown designating the operation and effect of the lien of such mortgages providing for the filing indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states regulating the assignment release satisfaction and extension of the lien of such mortgages prescribing methods of foreclosure defining defaults and violations and fixing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 590, on second reading, entitled:

An Act to further amend section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 685) entitled "An act designating certain life insurance companies as limited life insurance companies and further describing the powers thereof" by further describing the powers of limited life insurance companies under certain conditions

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 611, on second reading, entitled:

An Act to further amend the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2603) entitled "An act relating to vocational education creating vocational school districts for the purpose of conducting systems of vocational schools departments or classes providing for their government prescribing their powers and duties conferring powers and imposing duties on School districts and on the State Board for Vocational Education and providing for referendum in certain cases" limiting the taxing power of vocational school districts and providing for determining the question of establishing vocational schools, departments or classes by the directors of the school district or the several school districts constituting the vocational school district

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 613, on second reading, entitled:

An Act to amend the act approved the eighth day of April one thousand nine hundred thirty-seven (P. L. 262) entitled "An act relating to consumer credit in amount of one thousand dollars ($1,000) or less requiring licenses from the Secretary of Banking restricting licenses to domestic business corporations fixing minimum capital requirements conferring certain powers on the Secretary of Banking limiting interest and other charges providing certain exemptions; and imposing penalties" by changing the short title of the act redefining the term "charges" changing the form of the application restricting the conduct of business by a licensee enlarging the authority of the Secretary of Banking altering the powers of licensees offering the requirements and limitations applicable to licensees and altering the form of certain statements

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 621, entitled:

An Act to further amend paragraph (d) and to amend paragraph (f) of section one thousand two hundred five of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further regulating the employment dismissal suspension demotion and retirement of professional employes

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 631, entitled:

An Act to further amend section one thousand eleven of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 565) entitled "An act relating to the powers and duties of the Deparament of Banking and the Secretary of Banking in exercising supervision over, and taking possession of and conducting or liquidating the business and property of corporations associations and persons receiving deposits or otherwise tranacting a banking business corporations acting as fiduciaries and building and loan associations providing for the payment of the expense of the Department of Banking by supervised corporations associations or persons and appropriating the Banking Department Fund authorizing the Department of Banking under certain circumstances to examine corporations associations or persons affiliated or having business transactions with supervised corporations associations or persons authorizing appeals to the Supreme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries registers of wills recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services rendered under this act providing penalties and repealing certain acts and parts of acts" by providing that hereafter any claim for the amount of any deficiency in the funds property or investments of an estate of which the institution was fiduciary or any surcharge with respect to such estate shall have the same rank and priority upon liquidation by the secretary as receiver as is given to deposits and other claims enumerated in the third category set forth in said section

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 641, on second reading, entitled:

An Act to amend the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the

recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" as amended by further modifying the terms qualifications and other conditions under which the investment of trust funds may be made by fiduciaries

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 665, on second reading, entitled:

An Act to further amend paragraphs (a) and (d) of section five hundred five of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officers of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by further regulating the designation of State depositories and limiting the deposit of State moneys therein

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 695, entitled:

An Act to amend Section eight hundred one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any part thereof that are or may be inconsistent therewith" providing for special meetings of school directors under jurisdiction of county superintendents

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 789, on second reading, entitled:

An Act validating county treasurers' sales of unseated lands heretofore made where such sales were held under laws not at that time applicable to such lands

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 791, on second reading, entitled:

An Act to further amend section two of the act approved the ninth day of March one thousand eight hundred forty-seven (P. L. 278) entitled "An act in relation to the sales of unseated lands in the several counties of this Commonwealth" by providing that the cost of advertising such sales shall be paid out of the proceeds of the sale

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 850, on second reading, entitled:

An Act to further amend sections five hundred twenty-two and five hundred twenty-four and to repeal section five hundred twenty-three of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund; providing penalties and repealing existing laws" by providing regulations relating to standard fire insurance policies

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

HOUSE RESOLUTION No. 38 TAKEN FROM TABLE

Mr. HEYBURN. Mr. President, on page 257 of the House History, I call up from the table House Resolution No. 38, Serial No. 50, entitled:

INVESTIGATION OF FINANCE COMPANIES

In the House of Representatives, March 13, 1945.

Whereas, there are many ethically conducted and honestly operated companies dealing in consumer credit and engaged in the business of financing on conditional sale or lease, motor vehicles and other articles of personal property, it appears there are also many other finance and consumer credit companies which engage in unscrupulous and unconscionable practices unjustifiably detrimental to purchasers and inimical to public good; and

Whereas, the losses suffered from these nefarious practices fall upon the shoulders of those least able to bear them—the persons in lower income brackets who for want of ready cash are obliged to purchase even necessities on deferred payment bases to enrich those guilty of chicanery; and

Whereas, shortly there will return to this Commonwealth our native sons and daughters who have so well

served their country here and overseas and who will want to take up anew their civil pursuits and reestablish their homes with those necessities which they must have and those luxuries to which they are entitled; and

Whereas, those veterans most of whom gave up lucrative positions of employment in answer to the call of war, may be by the very reason of their patriotism, unable financially to attain their just aims without resorting to installment purchases, and accordingly may become the victims of the designing manipulations of dishonest finance companies and others dealing in consumer credit; Therefore, To that end, Be it

Resolved (if the Senate concurs) the Joint State Government Commission of the Geenral Assembly, with the cooperation of the Secretary of Banking, the Insurance Commissioner and the Attorney General, is hereby directed to investigate and explore all matters connected with the operation and management of the conditions prevailing in finance companies and others in this Commonwealth dealing in consumer credit or otherwise engaged in the business of financing motor vehicles and other articles of personal property which are sold or leased on what is commonly known as the installment plan, for the purpose of ascertaining and reporting as soon as reasonably possible to the General Assembly such nefarious unscrupulous and improper practices as are deemed to be inimical to the public good and in the main to ascertain and report on any prevailing practices of such companies or individuals as the case may be, which may inure to the disadvantage or detriment of the public generally and returning veterans specifically, and to report thereon with recommendations for such legislation as it may deem advisable under the circumstances.

For these purposes the Joint State Government Commission of the General Assembly shall have the power to compel the appearance of witnesses and the production of books, papers and records, and to issue proper subpoenas for the attendance of witnesses and the production of books, papers, records, and any and all other writings deemed necessary for the fulfillment of the duties prescribed by this resolution.

and move its adoption.

Mr. WALKER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. JASPAN. Mr. President, I am not opposed to the idea behind this bill, but frankly I think with respect to small loan companies we have a bank law today of 1937 that pretty well covers the situation as to consumer credits and as to credit companies, we also have an act covering the situation pretty well. If it applies only to automobile finance companies, and I know there are some gyp companies that have not been doing the right thing, I am in accord with it, but, however, there is one thing I question, and have my doubts about, and that is the time limit, and if an investigation is to be made and a recommendation submitted to the Legislature, when is it going to be done.

Take for instance, today the Senator from Philadelphia, Senator Rosenfeld, introduced a bill to cover sharp practices practiced by automobile finance companies, and if they are going to continue to do those things let us take action immediately and not wait until some time in the distant future.

I do not think this resolution is politically motivated. I feel there is some merit to it. However, we need some action, and this resolution is very indefinite and vague as to the work to be done and how soon it will be done. It says "report as soon as reasonably possible." You might say what is the weather going to be tomorrow—it might be cloudly, it might be rainy, or it might be clear.

Frankly, Mr. President, I see no merit in this entire proposition. There are laws on the books covering small loans and there are laws on the books covering consumer credits. If automobile finance companies see fit to resort to sharp practices a bill should be introduced, and one was introduced tonight, to cover those sharp practices, by my colleague from Philadelphia, Senator Rosenfeld. Let us act and act immediately. If the Banking Department, or the Governor, has information that they have been resorting to sharp practices, why, investigate then. What is the motive, what is the reason behind the investigation, let us get down to brass tacks and do something immediately, and not in the distant future.

However, I will say this much, if it is going to affect, and it does, people in the low bracket incomes and the soldiers who will come home, although I do not think it will affect them at all because those that will come home can take advantage of the act as passed by Congress and they can get loans to buy anything at much lower rates than are contemplated within the provisions of the small loans act or the consumer credit act or any other we might analyze and finally enact into law.

That to me does not seem reasonable, it is just a blind to cover up something. However, if there are any gyp companies, and I have no doubt about it, and I have reason to believe, and I feel a bill should be introduced, and it has been introduced tonight—I have plenty of time, Mr. Governor, and I kept them for an hour and a half on something phony and I may keep them for another hour and a half if they desire—they desire resepect at times and we feel we are entitled to the same thing, whether we are in the minority or the majority.

I represent a district and the people in that district and they listen to me; I do not hearken to the call of any leaders who do not necessarily represent the people. There may be some of them over there who are not interested in the people but who simply represent leaders. I am here to mould public opinion and not the opinion of my leaders, who might not agree with my people, and it is high time, as I said before on this floor—and they can laugh if they want to and that is all right with me, but let us be honorable, every man has a right to this floor and, Mr. President, you have been fair to everybody, nobody can question that, but there are some gentlemen over there who forget our rights and who may disagree with me and vote for anything that is not in accord with his sentiments or thoughts.

However, Mr. President, he should be a gentleman—and if he does not know how to be I will take care of him in any way he sees fit, on or off this floor, and I have a short right arm, but I will take care of him—let us be men, not boys, this is a very serious matter, something in which the department is interested and one of our leading newspapers, and I think there is some merit to it, but let us do it the right way, let us not go on a witch-hunting expedition or fishing expedition, and that is what this is it seems to me. I can not vote against it but I do not think there is much merit to it.

And the question recurring,

Will the Senate agree to the motion?

The motion was agreed to.

BILLS INTRODUCED AND COMMITTED

Mr. KEPHART. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KEPHART read in place and presented to the Chair Senate Bill No. 681, entitled:

A Joint Resolution proposing an amendment to article fourteen of the Constitution of the Commonwealth of Pennsylvania authorizing the consolidation of the County of Philadelphia and the City of Philadelphia and the offices thereof.

Which was committed to the Committee on Constitutional Changes.

Mr. STIEFEL. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STIEFEL read in place and presented to the Chair Senate Bill No. 682, entitled:

An Act providing that claims of service persons against the United States Government shall not be transferable or assignable.

Which was committed to the Committee on Judiciary Special.

He also read in his place and presented to the Chair Senate Bill No. 683, entitled:

An Act authorizing the appointment of guardian on a certificate of incompetence and without trial.

Which was committed to the Committee on Judiciary Special.

Mr. GELTZ. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELTZ read in place and presented to the Chair Senate Bill No. 684, entitled:

An Act authorizing and empowering any corporation for profit, heretofore or hereafter organized under any general or special law of this Commonwealth, by action of its board of directors, to make contributions, out of its income in any taxable year, for public and charitable purposes, to an amount which does not exceed fifteen per centum (15%) of the net income of such corporation for such taxable year, as returned by it to the Federal Government for income tax purposes, and ratifying contributions heretofore made.

Which was committed to the Committee on Corporations.

ADJOURNMENT

Mr. HEYBURN. Mr. President, I move that the Senate do now adjourn until Tuesday, April 10, 1945, at 3:00 o'clock p. m., Eastern War Time.

Mr. WILSON. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 7:34 o'clock p. m., Eastern War Time until Tuesday, April 10, 1945, at 3:00 o'clock p. m., Eastern War Time.

HOUSE OF REPRESENTATIVES

MONDAY, April 9, 1945.

The House met at 9 p. m.

The SPEAKER (Ira T. Fiss) in the Chair.

PRAYER

Rev. George C. Bingaman, Pastor of Coopersburg Reformed Church, a guest of the Chaplain offered the following prayer:

Almighty and Everlasting Father, who hast blessed this nation with, an honorable heritage and the Commonwealth with a noble memory of liberty fought for by the ancestor pioneer and soldier's for our freedom, guide and assist, we beseech Thee, this venerable body as it convenes and deliberates this day, giving them wisdom to discern the critical issues of the Legislation proposed, giving them patience and tolerance to grant audience to all sincere and patriotic interest groups, giving them courage and moral stamina to fight for the maintenance of the common and public good. Have Mercy upon us, O God, and grant this Assembly Thy power, wisdom, and love, so that our Commonwealth might act this day unto Thy names' honor and glory, through Jesus Christ Our Lord, Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Thursday, April 5, 1945.

The Clerk proceeded to read the Journal of Thursday, April 5, 1945, when, on motion of Mr. HERING unanimously agreed to, the further reading was dispensed with and the Journal approved.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 36.

An Act to add section seven hundred thirty-four to the act approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," making wilful abandonment or nonsupport of an aged or indigent person in certain cases a misdemeanor; and prescribing penalties

Referred to the Committee on Judiciary General.

SENATE BILL No. 360.

An Act to amend the title and section two of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 340) entitled "An act empowering cities of the third class boroughs incorporated towns and townships to co-operate with each other through joint agreements in the exercise of their governmental powers duties and functions relating to the public health recreation zoning and municipal planning" by extending the power of municipalities to co-operate in the exercise of their powers duties and functions.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 570.

A Joint Resolution proposing an amendment to article nine, section eight, of the Constitution of the Commonwealth of Pennsylvania.

Referred to the Committee on Constitutional Amendments.

SENATE BILL No. 573.

An Act to further amend section one of the act, approved the fourth day of June, one thousand nine hundred fifteen (P. L. 828), entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock, and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations, co-partnership associations, and joint-stock associations; providing the manner of collecting such tax, and prescribing penalties," by modifying the rates of tax imposed by the said act.

Referred to the Committee on Ways and Means.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

INSPECTION STATE POLICE FORCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 3, 1945.

Dear Speaker:

I have selected Lt. Col. John Nuckel of the Department of Military Affairs to make the inspection of the Pennsylvania State Police Force, in accordance with your resolution.

Very sincerely,

(Signed) EDWARD MARTIN.

Honorable Ira T. Fiss
Speaker of the House
Harrisburg, Pennsylvania.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

THANKS EXTENDED TO HOUSE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 4, 1945.

Dear Speaker:

I wish you would express to the members of the House my appreciation of their participation in the awarding of the citation to Major General Milton G. Baker, Commander of the Pennsylvania State Guard. It has done much to stimulate interest in our State forces.

With personal regards, believe me

Very sincerely,

(Signed) EDWARD MARTIN.

Honorable Ira T. Fiss
Speaker of the House
Harrisburg, Pennsylvania.

SENATE MESSAGES

The Clerk of the Senate, Mr. Steinfeld, being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence 208, 209, 157, 248, 413, 604, 499, 500, 501, 502, 503, 563.

House Bills concurred in by Senate 199, 382, 662, 898, 917.

Amended House Bills returned for concurrence 191, 321, 527, 412.

Amended Senate Bill concurred in by Senate 314.

Resolution for concurrence recalling bill from Governor Senate 18 and Senate 230.

Resolution—adjournment for week.

Senate concurrence in House Resolution 38.

PETITIONS AND REMONSTRANCES

The SPEAKER laid before the House the following petitions and remonstrances which were read by the Clerk.

LITTLE STEEL FORMULA

Communication from C. R. Kinnear, Titusville, favoring passage of House Resolution No. 29, memorializing Congress to revise the Little Steel Formula.

Referred to the Committee on Labor.

BINGO

Communication from the Lord's Day Alliance of Pennsylvania, thanking Speaker for his negative vote on House Bill No. 725 legalizing bingo games in certain cases.

Referred to the Committee on Law and Order.

PURCHASING LIQUOR ON AGE

Communication from the Joint Action Committee of Pennsylvania favoring passage of Senate Bill No. 393 and House Bill No. 797, requiring persons between 21 and 23 years of age to carry an identification card.

Referred to the Committee on Liquor Control.

ANIMALS

Communications from citizens of Pennsylvania protesting passage of House Bill No. 1022, relating to sale of animals for research purposes.

Referred to the Committee on Public Health and Sanitation.

COMMUNICATION

The SPEAKER laid before the House a communication which was read by the Clerk as follows:

WESTERN UNION

Erie, Penna., April 9, 1945.

Hon. Ira Fiss
Speaker House of Representatives
Hrsbg.

Representative Dalrymple grandfather again boy born to daughter Sunday p. m.

FRANCIS E. DIETEMAN.

The SPEAKER. The Chair also congratulates the gentleman from Erie.

The Chair recognizes the gentleman from Erie, Mr. Dalrymple.

Mr. DALRYMPLE. Mr. Speaker, I don't know who did that. Nevertheless, Mr. Speaker, she is a marvelous mother to this boy. I received word about 8:30 tonight. However, she is a grand mother, and the granddaddy is a grand guy too. I love to blow my own horn. However, everything seems to be fine. I might charge about a buck if you come to Erie, if you want to see the boy.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS NOS. 204, 270, 420, 456, 493 and 727

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 9, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 204, Printer's No. 150, entitled "An Act to amend sections fourteen and twenty of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 414) entitled 'An act relating to vital statistics and to make uniform the law with reference thereto' by changing the conditions under which information or records may be furnished and certified copies of birth certificates shall be issued."

EDWARD MARTIN.

April 6, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 270, Printer's No. 174, entitled "An Act to amend section three hundred two of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled 'An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto' by exempting for the duration of the present war any resident of the Commonwealth who is in service with the Armed Forces of the United States or any of its Allies from the payment of a fee to the Commonwealth for a Resident Hunter's License."

EDWARD MARTIN.

April 6, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 420, Printer's No. 272, entitled "An act to amend the act approved the twelfth day of May one thousand nine hundred forty-three (P. L. 259) entitled 'An act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employes Retirement System and in certain other cases into the State Employes' Retirement Fund for certain purposes' by providing for allocation and distribution of such moneys and further prescribing their use."

EDWARD MARTIN.

April 6, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 456, Printer's No. 421, entitled "An Act authorizing and empowering minors seventeen years of age or older to contract for and to make loans in accordance with the provisions of the act of Congress known as the 'Servicemen's Readjustment Act of 1944' or any agency of the Commonwealth hereafter created and saving and relieving the parents guardians and trustees of such minors from any liability therefor unless joining therein."

EDWARD MARTIN.

April 6, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 493, Printer's No. 254, entitled "A Supplement to the act approved the fourth day of June one thousand nine hundred and forty-three (Appropriation Acts page fifty-nine) entitled 'An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-three' providing for a deficiency in the appropriation made by said act to the Department of the Auditor General for the fiscal biennium ending May thirty-first one thousand nine hundred and forty-five."

EDWARD MARTIN.

April 6, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 727, Printer's No. 209, entitled "An Act providing for the issuance of certified copies of birth death and marriage certificates by the proper city and county officers in cities of the first class to disabled war veterans and their dependents in death and compensation cases free of charge."

EDWARD MARTIN.

RESOLUTION

RECALLING HOUSE BILL No. 719 FROM THE GOVERNOR

Mr. HALL offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, April 6, 1945.

Resolved (if the Senate concur), That House Bill No. 719, Printer's No. 283, entitled "An act to amend section one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 558) entitled 'An act authorizing the Department of Property and Supplies to sell and convey a lot or piece of land in Delaware County' correcting an erroneous measurement", be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

VETO OF HOUSE BILL No. 115

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 6, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I return herewith, without my approval, House Bill No. 115, Printer's No. 267, entitled "An act to exempt from taxation for all local purposes certain property of hospitals universities colleges seminaries academies associations and institutions of learning benevolence or charity and declaring the public policy of the Commonwealth with respect to the exemption of said property from such taxation."

This bill is designed to broaden the exemption from taxation of real estate held by "institutions of purely public charity" as authorized by Article 9, Section 1 of the Constitution of Pennsylvania. It would extend the exemption beyond that granted by subsection (c) of Section 204 of the Act of May 22, 1933, P. L. 853 as read in the light of the opinion of the Supreme Court in YMCA of Germantown v. Phila., 333 Pa. 401 (1936), to relieve from local taxation property owned by a charitable institution and operated as a business, the proceeds of which would enure to the purposes of the charity.

In an extremely well reasoned opinion written by the present Chief Justice, the Supreme Court in the YMCA of Germantown case said:

> "* * * The fact that all the net proceeds of a business are used for charitable purposes does not make that business a charitable institution. If any business is manifestly commercial in character, it is not relieved of that classification simply because its earnings are devoted to charity. * * *"

By this the Court appears to imply that so much of the property of a charitable organization which is operated for profit is not owned by an institution of purely public charity within the meaning of Article 9, Section 1 of our Constitution. Consequently, the present bill must be considered as of doubtful constitutionality.

The object of allowing tax exemption to institutions of purely public charity is to reward them for assuming the burden of providing food, shelter and care for the indigent thereby relieving the government of a burden which it would otherwise bear. Where a charity though conducted for the most worthy of causes, operates a business, it necessarily does so in competition with other business and if it be relieved of local taxation, it is thereby given an advantage over its competitors and thus in fact passes to them the obligation of supporting in part, the causes which the charity has espoused Furthermore, not only must the competitors as members of the community absorb the cost of government of which the charity is relieved but by reason of the preferential treatment may be subjected to business losses which in turn may account for decreased sources of governmental revenue. Briefly, a charitable institution which conducts a business is requiring others involuntarily to assume at least in part the support of its objects and an exemption of that business from taxation theoretically would allow compensation without the consideration which the Constitution presupposes.

I am inclined to agree with the statement of the Chief Justice in the YMCA of Germantown case that a tax exemption based upon the sole criterion that the proceeds of a business are used to support a charity is "adminstratively impracticable" and will lead "both to injustice and fiscal confusion."

For these reasons, the bill is not approved.

EDWARD MARTIN.

On the question,

Shall the bill become a law, the objections of His Excellency the Governor to the contrary notwithstanding?

COMMUNICATION AND BILL LAID ON TABLE

Mr. LICHTENWALTER. Mr. Speaker, I move that the communication together with the bill be laid on the table?

The motion was agreed to.

SENATE MESSAGES

RESOLUTIONS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which read as follows:

In the Senate, April 6, 1945.

Resolved, (if the House of Representatives concur), That Senate Bill No. 18, Printer's No. 187, entitled:

An Act to amend sections one and two of the act approved the eighteenth day of July, one thousand nine hundred thirty-five (P. L. 1303), entitled "An act to regulate the sale of certain hypnotic, analgesic, and body-weight reduction drugs, in the interest of public health," by redefining the meaning of "other hypnotic drug, or analgesic drug or body-weight reducing drug" and adding "inhalers" to the remedies permitted to be sold at retail

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 9, 1945.

Resolved, (if the House of Representatives concur), That Senate Bill No. 230, Printer's No. 288, entitled:

An Act to amend the title and the act approved the thirtieth day of April one thousand nine hundred and forty-three (P. L. 145) entitled "An act providing for and regulating the accumulation investment and expenditure by counties cities boroughs incorporated towns and townships of funds for post war projects" extending the provisions of said act to school districts and to the expenditure of such funds jointly with the Commonwealth or any department or agency thereof and defining the term "post war period"

be recalled from the Governor for further consideration.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

CONCURRENCE IN HOUSE RESOLUTION No. 38

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, March 12, 1945.

Whereas there are many ethically conducted and honestly operated companies dealing in consumer credit and engaged in the business of financing on conditional sale or lease motor vehicles and other articles of personal property it appears there are also many other finance and consumer credit companies which engage in unscrupulous and unconscionable practices unjustifiably detrimental to purchasers and inimical to public good and

Whereas the losses suffered from these nefarious practices fall upon the shoulders of those least able to bear them the persons in lower income brackets who for want of ready cash are obliged to purchase even necessities on deferred payment bases to enrich those guilty of chicanery and

Whereas shortly there will return to this Commonwealth our native sons and daughters who have so well served their country here and overseas and who will want to take up anew their civil pursuits and reestablish their homes with those necessities which they must have and those luxuries to which they are entitled and

Whereas these veterans most of whom gave up lucrative positions of employment in answer to the call of war may be by the very reason of their patriotism unable financially to attain their just aims without resorting to installment purchases and accordingly may become the victims of the designing manipulations of dishonest finance companies and others dealing in consumer credit Therefore To that end Be it

Resolved (if the Senate concurs) the Joint State Government Commission of the General Assembly with the cooperation of the Secretary of Banking the Insurance Commissioner and the Attorney General is hereby directed to investigate and explore all matters connected with the operation and management of the conditions prevailing in finance companies and others in this Commonwealth dealing in consumer credit or otherwise engaged in the business of financing motor vehicles and other articles of personal property which are sold or leased on what is commonly known as the installment plan for the purpose of ascertaining and reporting as soon as reasonably possible to the General Assembly such nefarious unscrupulous and improper practices as are deemed to be inimical to the public good and in the main to ascertain and report on any prevailing practices of such companies or individuals as the case may be which may inure to the disadvantage or detriment of the public generally and returning veterans specifically and to report thereon with recommendations for such legislation as it may deem advisable under the circumstances

For these purposes the Joint State Government Commission of the General Assembly shall have the power to compel the appearance of witnesses and the production of books papers and records and to issue proper subpoenas for the attendance of witnesses and the production of books papers records and any and all other writings deemed necessary for the fulfillment of the duties prescribed by this resolution

LEAVES OF ABSENCE

By consent of the House leave of absence was granted as follows:

Mr. Chudoff for Messrs. ROSE and HERMAN for tonight's session.

Mr. Hare for Mr. HEWITT for tonight's session because of illness.

Mr. Owen for Mr. CHERVENAK because of illness.

The Speaker for Messrs. FOOR and MIHM because of illness.

Mr. HERING for himself for Wednesday and Thursday of this week.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 763, entitled:

An Act to amend section one of the act approved the twentieth day of May one thousand nine hundred twenty-one (P. L. 936) entitled "An act authorizing receivers of taxes in and for cities of the first class to furnish certificates of taxes and claims which are liens on real estate and fixing the fees for such services" by relieving the receiver of taxes of the liability for the accuracy of said certificate

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 861, entitled:

An Act to further amend section seven hundred seven subsection (e) of section nine hundred three and to repeal section seven hundred eight and subsection (f) of section nine hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways, and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" changing the provisions of said act relative to the registration of motor vehicles used for the transportation of passengers

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 871, entitled:

An Act to further amend section twenty-seven of the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled"A further supplement to an act, entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," further limiting the application of the section and making such further limitation retroactive.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1209, entitled:

An Act relating to and regulating the business of the use and disposition of the bodies of dead animals; providing for the licensing of such business and the cancellation of such license; authorizing the Department of Agriculture to promulgate rules and regulations therefor and imposing certain duties upon said department; and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 421, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 78, entitled:

An Act to further amend the act, approved the twenty-second day of June, one thousand nine hundred and thirty-five (P. L. 414), as renumbered and amended, first, extraordinary session of one thousand nine hundred and thirty-six, by the act, approved the seventeenth day of July, one thousand nine hundred and thirty-six (P. L. 51), as reenacted and amended by the act, approved the eighteenth day of May, one thousand nine hundred and thirty-seven (P. L. 633), and as last reenacted and amended by the act, approved the eleventh day of July, one thousand nine hundred and forty-one (P. L. 361), entitled "An act to reenact and amend the title and the act, approved the twenty-second day of June, one thousand nine hundred thirty-five (P. L. 414), entitled 'An act to provide revenue for State purposes; imposing taxes upon certain classes of personal property; providing for the assessment, collection, and lien of the same, and the distribution of the proceeds thereof; imposing duties on executors, administrators, registers of wills, recorders of deeds, prothonotaries, and court clerks, and on persons, copartnerships, associations, banks, national banks, trust companies, and other corporations receiving deposits of money, and on certain corporations and limited partnerships; conferring powers and imposing duties on certain State officers and departments; imposing penalties; and making an appropriation.'" by excepting and excluding therefrom the obligations of municipal corporations by exempting scrip bonds certificates and evidences of indebtedness held in certain employee pension trusts and held under certain circumstances for the benefit of non-residents of this Commonwealth and by making further provision for the assessment collection and the making of payment of and report concerning the tax imposed by the act

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 122, entitled:

An Act to further amend Section 1 of the act approved the seventeenth day of June, one thousand nine hundred thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes" by exempting and excluding therefrom all public loans and obligations of any county city borough town township school district and incorporated district of this Commonwealth and the bonds and obligations of bodies corporate and politic of this Commonwealth known as municipal authorities by exempting personal property held in certain employee pension trusts and personal property held under certain circumstances for the benefit of non-residents of this Commonwealth and by exempting annuities and shares of stock of corporations liable to a gross premiums tax and shares of stock of corporations relieved of the capital stock tax

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 671, entitled:

An Act to amend section six hundred eight of the act, approved the twenty-eighth day of April, one thousand nine hundred thirty-seven (P. L. 417), entitled "An act relating to milk and the products thereof; creating a Milk Control Commission; establishing its jurisdiction, powers and duties; regulating the production, transportation, manufacturing, processing, storage, distribution, delivery and sale of milk and certain products thereof; providing for the licensing of milk dealers and the payment of fees therefor; requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers; authorizing the holding of hearings and the issuance of subpoenas by the commission; conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules, regulations and orders of the commission; authorizing the commission to adopt rules, regulations and orders, and to enter into interstate and Federal compacts; requiring persons who weigh, measure, sample or test milk to procure permits or certificates, to take examinations, to pay fees therefor, to furnish certain notices, records and statements, and to use certain methods of weighing, measuring, sampling and testing; authorizing the commission to examine the business, papers and premises of milk dealers and producers, requiring the keeping of records and the filing of reports by milk dealers, and permitting, with limitations, the use of information obtained thereby; authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor, and conferring certain powers upon the Governor with respect thereto; providing for appeals to the courts from decisions of the commission, and for the burden of proof upon such appeals; prescribing penalties, fines and imprisonment for violations of this act and rules, regulations and orders of the commission; defining perjury; defining remedies; repealing legislation supplied and superseded by this act, and saving rights, duties and proceedings thereunder; and making appropriations," by requiring milk dealers to give daily reports of milk delivered by milk producers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 715, entitled:

An Act to further amend the title and the act, approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521), entitled, as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; defining as a transfer and taxing the right of survivorship in property as to which such right exists; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," by adding a new section; changing the provisions imposing inheritance taxes on personal property accounts in trust and transfers intended to take effect in possession or enjoyment at or after death; imposing additional duties on banks, safe deposit companies, trust companies, corporations, institutions or depositories, surviving parties of joint accounts, or accounts in trust, persons, registers of wills and the Department of Revenue, and providing penalties; changing the provisions for rate of tax debts and deductions, the computation of tax on life estates or estates for years, the assessment of tax on future estates, the lien of taxes and commissions to be retained by registers of wills.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 806, entitled:

An Act to further amend sections twenty and twenty-one of the act approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred seventy-nine" by clarifying the provisions for the appraisal and valuation of the capital stock of corporations subject to capital stock and franchise taxes and by changing the gross receipts fraction applicable to foreign corporations doing business in this Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 807, entitled:

An Act to amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances for the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," as amended; by further regulating the procedure and the jurisdiction of the Board of Finance and Revenue relative to certain claims for refund; changing and restricting the right of the Commonwealth to impose interest on certain unpaid taxes and bonus when such taxes and bonus are not settled within a prescribed period of time, further providing for the report settlement and resettlement of taxes bonus and other accounts due the Commonwealth and for the furnishing of receipts for transfer inheritance and estate taxes; elimination provisions for an Attorney General's commission and further regulating the procedure for filing petitions for resettlement, petitions for review, appeals to court.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 872, entitled:

An Act to provide revenue for State purposes by imposing an excise tax on the net income of co-operative agricultural associations having capital stock, in lieu of all other taxes except tax on real estate; providing for the assessment, collection, settlement and resettlement of tax and reviews and appeal therefrom; conferring powers and imposing duties on certain persons, co-operative agricultural associations having capital stock, State and County officers, boards, and departments; and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 102, entitled:

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and other expenses of the State government during the two fiscal years beginning the first day of June one thousand nine hundred forty-five evidenced by tax anticipation notes secured by and payable from current revenues levied assessed collectible and accruing during such two fiscal years defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the repayment of such loans and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 423, entitled:

An Act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities counties and townships as herein defined prescribing the rights powers and duties of such Authorities authorizing such authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such authorities authorizing such authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof conferring exclusive jurisdiction on certain courts over rates

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 647, entitled:

An Act to amend section two thousand one of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by fixing the minimum salaries or compensation for paid policemen in police departments or bureaus in such cities.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

BILL RECOMMITTED

Mr. McCLESTER. Mr. Speaker, I move that this bill be recommitted to the Committee on Cities—Third Class for further consideration.

On the question,

Will the House agree to the motion?

Mr. ANDREWS. Mr. Speaker, I would like to interrogate one of the sponsors of this bill, either one.

The SPEAKER. Will the gentleman from Lehigh, Mr. Moser, permit himself to be interrogated?

Mr. MOSER. I shall, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, I would like to ask the gentleman whether there was an agreement in Committee that this bill would be recommitted?

Mr. MOSER. Mr. Speaker, I know nothing about any agreement. I was not a member of that Committee.

Mr. ANDREWS. I would like to interrogate the Chairman of the Committee who reported the bill, Mr. Speaker—the Chairman of the Committee on Third Class Cities.

The SPEAKER. Will the gentleman from Butler, Mr. McClester, permit himself to be interrogated?

Mr. McCLESTER. I shall, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, was there an understanding or an agreement when this bill was reported out that it would be recommitted?

Mr. McCLESTER. That is right, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, in that event there being an agreement on the part of the Committee that the bill would be recommitted, we will not oppose the motion.

Mr. MOSER. Mr. Speaker, I desire to interrogate the gentleman from Butler, Mr. McClester.

The SPEAKER. Will the gentleman from Butler permit himself to be interrogated?

Mr. McCLESTER. I shall, Mr. Speaker.

Mr. MOSER. Mr. Speaker, when was bill referred to your Committee, in other words introduced; when was that?

Mr. McCLESTER. I could not tell you the answer to that question unless I would look at the date.

Mr. MOSER. February 19?

Mr. McCLESTER. It looks like that, Mr. Speaker.

Mr. MOSER. Then, Mr. Speaker, the Committee had this bill from February 19th until March 29th to discuss this bill.

Mr. McCLESTER. We have had it in Committee, yes sir.

Mr. MOSER. What was the real object in sending this bill back for further study? To kill it?

Mr. McCLESTER. That is the old perennial question, or weekly question, I don't know which it would be. It is always supposed that when a bill is sent to Committee that it is sent back to be killed. I am not in position to say what the Committee is going to do with the bill. We felt in Committee that we wanted to send it out for two readings and then have it recommitted. As to what the Committee does then that is a matter for the Committee to decide. I am merely Chairman of the Committee.

Mr. MOSER. Mr. Speaker, when the bill was reported out, I would like to ask the gentleman whether it was for the purpose of waiting for some reaction?

Mr. McCLESTER. I don't know, Mr. Speaker. That is often the case, and I wouldn't be a bit surprised if that were the case here.

Mr. ANDREWS. Mr. Speaker, I desire to interrogate the Chairman of the Committee on Third Class Cities.

The SPEAKER. Will the gentleman from Butler, Mr. McClester, permit himself to be interrogated?

Mr. McCLESTER. I shall, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, I would like to ask the gentleman whether there has been any opposition to this bill other than that which might have been offered by the chairman or head of the League of Third Class Cities?

Mr. McCLESTER. Mr. Speaker, I am not in position to say what the other members of the Committee may have heard with reference to the bill. I could not answer that question for him.

Mr. MOSER. Mr. Speaker, I rise to oppose this motion. The bill is to increase the policemen's compensation, a minimum bill. It has been before the Committee for ample time to make a study, and every Member of the House knows that there is many a good piece of legislation that has been recommitted—this is a good piece of legislation and I hope that we can advance it on the floor so that we can thresh the merits of the bill out on third reading. I ask the Members of the House to vote down this motion and be fair with the policemen.

Mr. ANDREWS. Mr. Speaker, I want to make our position very clear. If the Committee agree, and our Democratic Members agreed that this bill should go back, much as I regret the position in which we find ourselves, I personally, and I hope that the Members on this side, will honor the agreement made in that Committee, and that the Members will continue their efforts to get this bill back. Personally I think these agreements to trot out a bill for two readings and then trot it back again is principally the bunk, designed to fool somebody—a bad parliamentary practice. However, that if there was an agreement I regret that we have to stand by that agreement.

Mr. LONGO. Mr. Speaker, I desire to interrogate the Chairman of the Committee on Third Class Cities.

The SPEAKER. Will the gentleman from Butler permit himself to be interrogated?

Mr. McCLESTER. I shall, Mr. Speaker.

Mr. LONGO. Mr. Speaker, I would like to ask the gentleman as Chairman of the Committee on Third Class Cities if this bill is recommitted, will he submit this bill to the Committee?

Mr. McCLESTER. I shall, Mr. Speaker.

Mr. LONGO. That is all, Mr. Speaker.

The yeas and nays were required by Mr. Moser and Mr. Freed and were as follows:

YEAS—108

Andrews,	Flack,	Lichtenwalter,	Salus,
Baker,	Fleming,	Lovett,	Serrill,
Barrett,	Fox,	Lyons,	Shaffer,
Baumunk,	Frost,	Madigan,	Shoemaker,
Bentzel,	Fullerton,	Mahany,	Skale,
Boies,	Gaffney,	McClester,	Snyder,
Bonawitz,	Gallagher,	McDowell,	Sorg,
Boory,	Gardner,	McKinney,	Stockham,
Bower,	Getchey,	McMillen,	Stonier,
Brancato,	Gore,	McNair,	Stuart,
Breisch,	Grant,	Mikula,	Swope,
Brice,	Green,	Milliken,	Tate,
Brunner, C. H.,	Greer,	Mills,	Trout,
Brunner, P. A.,	Gyger,	Moore, C. E.,	Turner,
Cadwalader,	Haberlen,	Moran,	Varallo,
Chudoff,	Hall,	Murray, P. G.,	Verona,
Cohen,	Helm,	Myhan,	Washbaus,
Coleman,	Hering,	Owens,	Wagner,
Cooper,	Howells,	Pickens,	Watkins,
Corrigan,	Hunter,	Polen,	Wescott,
Costa,	James,	Propert,	Wood, L. H.,
Coulson,	Jones,	Readinger,	Wood, N.,
Coyle,	Kline,	Reagan,	Worley,
Cullen,	Kolankiewicz,	Reilly,	Wright,
Dennison,	Laughner,	Robertson,	Yeakel,
Dye,	Leisey,	Royer,	Yester,
Elder,	Leonard,	Rudisill,	Fiss,
Finnerty,			Speaker.

NAYS—70

Boorse,	Heatherington,	McNally,	Reidenbach,
Burns,	Hennihan,	Miller,	Reynolds,
Cook,	Hersch,	Mooney,	Riley,
Dalrymple,	Hoffman,	Moore, W. J.,	Schuster,
Depuy,	Huntley,	Moser,	Sloan,

Dillon,	Kennedy,	Murray, M. L.,	Smith,
Dougherty,	Kirley,	Nelson,	Snider,
Duffy,	Komorofski,	O'Brien,	Sollenberger,
Elish,	Kurtz,	O'Connor,	Stank,
Erb,	Lane,	O'Donnell,	Tittle,
Ewing,	Levy,	O'Neill,	Trachtman,
Freed,	Longo,	Pentrack,	Trent,
Gibson,	Lopez,	Petrosky,	Turbett,
Goodling,	Madden,	Polaski,	Waterhouse,
Greenwood,	Matthews,	Powers,	Weiss,
Guthrie,	McAtee,	Reese, D P.,	Welsh,
Hamilton,	McLanahan,	Regan,	White,

NOT VOTING—23

Barton,	Dix,	Lee,	O'Dare,
Bentley,	Hare,	Loftus,	Pettigrew,
Boney,	Haudenshield,	McCormack,	Reese, R E.,
Brothers,	Hoggard,	Modell,	Root,
Brown,	Hoopes,	Munley,	Scanlon,
Dague,	Krise,	Nagel,	Tahl,

So the question was determined in the affirmative and the motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 210, entitled:

An Act to amend section seven of the act approved the sixteenth day of July one thousand nine hundred forty-one (P. L. 400) entitled "An act to protect the debtors obligors or guarantors of debts for which judgments are entered or may be entered and owners of real property affected thereby and others indirectly liable for the payment thereof by prescribing the method of fixing the fair market value of such property sold on execution and limiting the amount collectible thereafter on such judgments" providing for the discharge of obligations secured by the bond mortgage or other evidence of indebtedness on which real property is sold and for satisfaction of judgments entered thereon

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1175, entitled:

A Supplement to the act approved the fourth day of June, one thousand nine hundred forty-three (Appropriation Acts, page 59) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-three" providing for a deficiency in an appropriation made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred forty-five

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 303, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of the Allentown State Hospital, to acquire a certain tract of land for the use of said hospital, and making an appropriation therefor.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 685, entitled:

An Act to further amend section one of the act approved the twenty-fourth day of June one thousand nine hundred and nineteen (P. L. 579) entitled "An act to fix the salary and mileage of the members of the General Assembly and to provide for the furnishing of such postage stationery and supplies as may be necessary for the conduct of their offices and repealing all acts or parts of acts inconsistent therewith" increasing the mileage rate of members of the General Assembly

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-fourth day of June one thousand nine hundred and nineteen (P. L. 579) entitled "An act to fix the salary and mileage of the members of the General Assembly and to provide for the furnishing of such postage stationery and supplies as may be necessary for the conduct of their offices and repealing all acts or parts of acts inconsistent therewith" as last amended by the act approved the twenty-eighth day of May one thousand nine hundred and thirty-seven (P. L. 999) is hereby further amended to read as follows

Section 1 Be it enacted &c That the salary of the members of the General Assembly shall be three thousand dollars ($3.000) for each biennial session and mileage to and from their homes at the rate of [five] ten cents per mile circular for each week a member was in actual attendance at the session to be computed by the ordinary mail route between their homes and the capital of the State The salary of the members of the General Assembly shall be five hundred dollars ($500) and mileage as aforesaid for each special or extraordinary session lasting less than one calendar month and seven hundred and fifty dollars ($750) and mileage as aforesaid for each special or extraordinary session lasting one calendar month or more and no other compensation shall be allowed whatever except one hundred and fifty dollars ($150) in postage for each regular biennial session and fifty dollars ($50) for each special or extraordinary session

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—132

Andrews,	Gaffney,	Lovett,	Reese, D. P.,
Baker,	Gallagher,	Lyons,	Reese, R. E.,
Barrett,	Getchey,	Madden,	Regan,
Boies,	Gibson,	Madigan,	Reidenbach,
Bonawitz,	Core,	Matthews,	Reilly,
Boorse,	Grant,	McClester,	Reynolds,
Bower	Green,	McCormack,	Robertson,
Brancato,	Greer,	McKinney,	Root,
Brice,	Guthrie,	McLanahan,	Scanlon,
Brown,	Haberlen,	McNair,	Schuster,
Brunner, C. H.,	Hall,	McNally,	Serrill,
Brunner, P. A.,	Hamilton,	Miller,	Shaffer,
Burns,	Haudenshield,	Mills,	Shoemaker,
Chudoff,	Heatherington,	Mooney,	Sloan,
Cohen,	Helm,	Moore, W. J.,	Smith,
Cook	Hennihan,	Moran,	Snider,
Cooper,	Hering,	Moser,	Snyder,
Corrigan,	Hersch,	Munley,	Stank,
Costa,	Howells,	Murray, M. L.,	Stonier,
Coyle,	Hunter,	Myhan,	Stuart,

Cullen,	Huntley,	O'Brien,	Tahl,
Dalrymple,	Jones,	O'Connor,	Tate,
Dennison,	Kirley,	O'Donnell,	Tittle,
Depuy,	Kline,	O'Neill,	Trachtman,
Dix,	Kolankiewicz,	Owens,	Trent,
Dougherty,	Komorofski,	Pentrack,	Turner,
Duffy,	Lane,	Petrosky,	Varallo,
Dye,	Laughner,	Pettigrew,	Verona,
Erb,	Lee,	Pickens,	Watkins,
Ewing,	Leonard,	Polen,	Wood L. H.,
Finnerty,	Loftus,	Powers,	Wright,
Fleming,	Longo,	Propert,	Fiss,
Fox	Lopez,	Readinger,	Speaker.
Frost,			

NAYS—53

Barton,	Goodling,	McMillen,	Swope,
Baumunk,	Greenwood,	Milliken,	Trout,
Bentzel,	Gyger,	Modell,	Turbett,
Boory,	Hare,	Moore, C. E.,	Wachhaus,
Breisch,	Hoffman,	Murray, P. G.,	Wagner,
Cadwalader,	James,	Nelson,	Waterhouse,
Coleman,	Kurtz,	Polaski,	Weiss,
Coulson,	Leisey,	Reagan,	Welsh,
Dague,	Levy,	Riley,	Wescott,
Elder,	Lichtenwalter,	Royer,	Wood N.,
Elish,	Mahany,	Rudisill,	Worley,
Flack,	McAtee,	Salus,	Yeakel,
Freed,	McDowell,	Stockham	Yester,
Gardner,			

NOT VOTING—16

Bentley,	Fullerton,	Krise,	Skale,
Boney,	Hoggard,	Mikula,	Sollenberger,
Brothers,	Hoopes,	Nagel,	Sorg,
Dillon,	Kennedy,	O'Dare,	White,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 915, entitled:

An Act relating to health and sanitary conditions of leased dwellings in cities of the first and second classes creating a Dwelling Inspection Board in such cities and requiring such cities to establish landlord-tenant codes setting minimum standards for housing facilities relating to health and sanitation requiring occupancy permits to be issued to landlords requiring standard leases to be used in the rental of such dwellings prohibiting landlords and tenants from waiving any provisions of such lease or of existing law and providing penalties

On the question,

Shall the bill pass finally?

BILL RECOMMITTED

Mr. LEE. Mr. Speaker, I move that this bill be recommitted to the Committee on City and County—First Class for the purpose of a public hearing.

The motion was agreed to.

BILL PASSED OVER

There being no objection

Senate Bill No. 52, Printer's No. 307,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 827, as follows:

An Act relating to the liabilities of elected and appointed officers of the various political subdivisions and providing for the forfeiture of their office

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 No elected or appointed official of any political subdivision shall be surcharged for any act error or omission in excess of the actual financial loss sustained by the political subdivision by reason thereof and the surcharge of any such official shall take into consideration as its basis the results of such act error or omission and the results had the procedure been strictly according to law

Section 2 The provisions of this act shall not apply to cases involving fraud or collusion on the part of such officers nor to any penalty enuring to the benefit of or payable to the Commonwealth

Section 3 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 4 The provisions of this act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Andrews,	Fullerton,	Madden,	Reynolds,
Baker,	Gaffney,	Madigan,	Riley,
Barrett,	Gallagher,	Mahany,	Robertson,
Barton,	Gardner,	Matthews,	Root,
Baumunk,	Getchey,	McAtee,	Royer,
Bentley,	Gibson,	McClester,	Rudisill,
Bentzel,	Goodling,	McCormack,	Salus,
Boies,	Gore,	McKinney,	Scanlon,
Bonawitz,	Grant,	McLanahan,	Schuster,
Boney,	Green,	McMillen,	Serrill,
Boorse,	Greenwood,	McNair,	Shoemaker,
Boory,	Greer,	McNally,	Skale,
Bower,	Guthrie,	Mikula,	Sloan,
Brancato,	Gyger,	Miller,	Smith,
Breisch,	Haberlen,	Milliken,	Snider,
Brice,	Hall,	Mills,	Snyder,
Brothers,	Hamilton,	Modell,	Sollenberger,
Brown,	Hare,	Mooney,	Sorg,
Brunner, C. H.,	Haudenshield,	Moore, C. E.,	Stank,
Brunner, P. A.,	Heatherington,	Moore, W. J.,	Stockham,
Burns,	Helm,	Moran,	Stonier,
Cadwalader,	Hennihan,	Moser,	Stuart,
Chudoff,	Hering,	Munley,	Swope,
Cohen,	Hersch,	Murray, M. L.,	Tahl,
Coleman,	Hoffman,	Murray, P. G.,	Tate,
Cook	Hoggard,	Myhun,	Tittle,
Cooper,	Howells,	Nagel,	Trachtman,
Corrigan,	Hunter,	Nelson,	Trent,
Costa,	Huntley,	O'Brien,	Trout,
Coulson,	James,	O'Connor,	Turbett,
Coyle,	Jones,	O'Dare,	Turner,
Dague,	Kennedy,	O'Donnell,	Varallo,
Dalrymple,	Kirley,	O'Neill,	Verona,
Dennison,	Kline,	Owens,	Wachhaus,
Depuy,	Kolankiewicz,	Pentrack,	Wagner,
Dillon,	Komorofski,	Petrosky,	Waterhouse,
Dix,	Kurtz,	Pettigrew,	Watkins,
Dougherty,	Lane,	Pickens,	Weiss
Duffy,	Laughner,	Polaski,	Welsh,
Dye,	Lee,	Polen,	Wescott,
Elder,	Leisey,	Powers,	White,
Elish,	Leonard,	Propert,	Wood L. H.,
Erb,	Levy,	Readinger,	Wood N.,
Ewing,	Lichtenwalter,	Reagan,	Worley,
Finnerty,	Loftus,	Reese, D. P.,	Wright,
Flack,	Longo,	Reese, R. E.,	Yeakel,
Fleming,	Lopez,	Regan,	Yester,
Fox,	Lovett,	Reidenbach,	Fiss,
Freed,	Lyons,	Reilly,	Speaker.
Frost			

NAYS—3

Cullen,	McDowell,	Shaffer,

NOT VOTING—2

Hoopes, Krise,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 717, entitled

An Act further amending and supplementing the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State department boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by adding to Article III Section three hundred two thereof a new subsection to be designated as (sixteen) empowering every business corporation to make contributions out of its income in any taxable year for public and charitable purposes to an amount which does not exceed fifteen per centum (15%) of the net income of such business corporation for such taxable year as returned by it to the Federal Government for income tax purpose

On the question,

Will the House agree to the bill on third reading?

Mr. SORG. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend the title by inserting at the end of the title the following: "and ratifying contributions heretofore made".

Amend Section 1, page 4, by adding at the end of said Section 1 the following paragraph: "All contributions made at any time prior to the passage of this act, by authority of the board of directors of the corporation, for the purposes and within the limitations prescribed by this act, are hereby ratified and confirmed."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection?

Mr. ANDREWS. Mr. Speaker, since I understand that these amendments simply make a bad bill worse and give us more opportunity to oppose it, we have no objection.

The SPEAKER. The Chair hears no objection and consent is granted.

On the question,

Will the House agree to the amendments?

Mr. COHEN. Mr. Speaker, when this bill appeared on second reading a series of questions was raised on this side as to the effect of this bill. I had hoped once the bill reached third reading—the bill floated around on the calendar for the past couple of weeks—that some amendment would be made to make it a better bill. I have always had my doubts whether it could be made a good bill, but I was willing to go along on a better bill, but Mr. Speaker, these amendments not only leave the bill where it was before, permitting the expenditure of stockholder's profits, money that otherwise would be paid out in dividends to stockholder's, but it even puts the blessing upon money heretofor spent in that fashion by boards of directors of corporations, money which otherwise might have to be repaid to the corporations so that it might be paid out to stockholders who have earned their money. Since all we are doing by these amendments is to validate ultra-vires acts of directors of corporations we find that the amendments are not any good. As the gentleman from Cambria said a moment ago, a bad bill is getting a bit worse. For that reason, Mr. Speaker, we oppose the adoption of these amendments.

Mr. SORG. Mr. Speaker, it would seem to me that if the amendments make a bad bill worse, as amended it would be much easier to defeat this measure. However, Mr. Speaker, I just cannot let the record stand on the statement that the bill is bad and that the amendments make it worse. I ask the Members to vote in favor of the amendments and refrain from discussing the merits of the bill until such a time as it is presented to the House for final passage.

Mr. ANDREWS. Mr. Speaker, there is no reason why the House should agree to these atrocious amendments. We went quite a way when we waived objection and permitted the gentleman to present the amendments, and there is no reason why this bill should not be debated on second reading in the happy hope that it might be defeated on second reading.

I hope that the Members on this side of the House and some of the Members on the other side of the House who do not want a bill with amendments, which quite evidently hit some special case where some board of directors has gone overboard and has done something that they should not have done, will vote against these amendments. Even so, Mr. Speaker, this bill is now amended to cover some unknown misdeed. So I hope the Members on this of the House and some on the other side of the House will vote against these amendments. They are so bad and so important in there implication that we ask for a roll call on the amendments.

Mr. SORG. Mr. Speaker, if giving one hundred dollars to the American Red Cross last year is a misdeed then I plead guilty.

Mr. ANDREWS. Mr. Speaker, I desire very briefly to reply to the gentleman from Elk. What this bill proposes to do is to make it possible for a board of directors whose company owes you, your wife, your widow or your children one hundred dollars as a dividend; it makes it possible for that board of directors to take fifteen dollars out of that dividend and give it away. I think the individuals who are stockholders in these companies should have something to say about how their money is distributed. What the gentleman from Elk wants to do is to deny the stockholders the right to make contributions out of their dividends and give it to some board of directors. It is robbing the widows and orphans.

Mr. SORG. Mr. Speaker, I desire to interrogate the gentleman from Cambria, Mr. Andrews.

Mr. SPEAKER. Will the gentleman from Cambria permit himself to be interrogated?

Mr. ANDREWS. I shall, Mr. Speaker.

Mr. SORG. Mr. Speaker, I just want to ask the gentleman whether it is the amount of the profit in this bill to which he objects; whether it is the fifteen percent limitation to which the gentleman objects?

Mr. ANDREWS. Mr. Speaker, that is only part of the objection to this bill. There is no protection to the stockholder as to notice. The stockholder has nothing to say about it. The board of directors disposes of the money that belongs to the stockholders, and the stockholders do not find out about it until after the money has been disposed of, if ever.

Mr. SORG. Mr. Speaker, I merely wanted to ask the gentleman if the objection is to the fifteen percent, for the reason that it might be possible to amend the bill to substitute the amount of five percent, for which exemption is provided by the Internal Revenue Laws of the United States government. I desire to ask whether such an amendment would answer his objection.

Mr. ANDREWS. Mr. Speaker, there should be in this bill notice to stockholders of what the board of directors intends doing with the money.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Mr. Andrews and Mr. Grant were as follows:

YEAS—97

Barton,	Gibson,	Mahany,	Sloan,
Bonawitz,	Goodling,	McClester,	Smith,
Boorse,	Greenwood,	McCormack,	Snyder,
Bower,	Greer,	McDowell,	Sollenberger,
Breisch,	Guthrie,	McKinney,	Sorg,
Brice,	Gyger,	McMillen,	Stockham,
Brunner, C. H.	Hall,	Mikula,	Stonier,
Cadwalader,	Hare,	Miller,	Stuart,
Cook,	Haudenshield,	Milliken,	Tahl,
Cooper,	Helm,	Moore, C. E.,	Tittle,
Costa,	Hoffman,	Moser,	Trout,
Coulson,	Howells,	Murray, P. G.,	Turbett,
Dague,	Huntley,	Nelson,	Turner,
Dalrymple,	James,	Pickens,	Wachhaus,
Dennison,	Kennedy,	Probert,	Wagner,
Depuy,	Kline,	Pearson,	Waterhouse,
Dix,	Kurtz,	Reese, D. P.,	Watkins,
Dye,	Lauchner,	Riley,	Wescott,
Elder,	Lee,	Robertson,	Wood, L. H.,
Ewing,	Leisey,	Root,	Wood, N.,
Flack,	Lichtenwalter,	Royer,	Worley,
Fleming,	Loftus,	Salus,	Yeakel,
Fox,	Lyons,	Serrill,	Fiss,
Frost,	Madigan,	Shoemaker,	Speaker.
Getchey,			

NAYS—91

Andrews,	Gaffney,	McLanahan,	Reese, R. E.,
Baker,	Gallagher,	McNair,	Regan,
Barrett,	Gore,	McNally,	Reidenbach,
Bentzel,	Grant,	Mills,	Reynolds,
Boies,	Green,	Modell,	Rudisill,
Boory,	Haberlen,	Mooney,	Scanlon,
Brancato,	Hamilton,	Moore, W. J.,	Schuster,
Brunner, P. A.,	Heatherington,	Moran,	Shaffer,
Burns,	Hennihan,	Munley,	Skale,
Chudoff,	Hering,	Murray, M. L.,	Snider,
Cohen,	Hersch,	Nagel,	Stank,
Coleman,	Hunter,	O'Brien,	Swope,
Corrigan,	Jones,	O'Connor,	Tate,
Coyle,	Kirley,	O'Donnell,	Trachtman,
Cullen,	Kolankiewicz,	O'Neill,	Trent,
Dillon,	Komorofski,	Owens,	Varallo,
Dougherty,	Lane,	Pentrack,	Verona,
Duffy,	Leonard,	Petrosky,	Weiss,
Elish,	Levy,	Pettigrew,	Welsh,
Erb,	Longo,	Polaski,	White,
Finnerty,	Lopez,	Polen,	Wright,
Freed,	Lovett,	Powers,	Yester,
Fullerton,	Matthews,	Readinger,	

NOT VOTING—13

Baumunk,	Brown,	Krise,	Myhan,
Bentley,	Gardner,	Madden,	O'Dare,
Boney,	Hoggard,	McAtee,	Reilly,
Brothers,	Hoopes,		

So the question was determined in the affirmative and the amendments were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 195, as follows:

An Act relating to suits by shareholders against officers or directors in a corporation domestic or foreign to enforce a secondary right because the corporation refuses to enforce rights which may be asserted by it requiring that plaintiff be a shareholder at the time of the transaction of which he complains or that his shares thereafter devolved upon him by operation of law requiring security for defendant's expenses including attorneys' fees and providing for the assessment and recovery of such expenses including attorneys' fees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In any suit brought to enforce a secondary right on the part of one or more shareholders against any officer or director or former officer or director of a corporation domestic or foreign because such corporation refuses to enforce rights which may properly be asserted by it the plaintiff or plaintiffs must aver and it must be made to appear that the plaintiff or each plaintiff was a stockholder at the time of the transaction of which he complains or that his stock devolved upon him by operation of law from a person who was a stockholder at such time

Section 2 In any such suit instituted or maintained by holder or holders of less than five per centum of the outstanding shares of any class of such corporation's stock or voting trust certificates the corporation in whose right such action is brought shall be entitled at any stage of the proceedings to require the plaintiff or plaintiffs to give security for the reasonable expenses including attorney's fees which may be incurred by it in connection with such suit and by the other parties defendant in connection therewith for which it may become liable pursuant to section three of this act to which security the corporation shall have recourse in such amount as the court having jurisdiction shall determine upon the termination of such action The amount of such security may from time to time be increased in the discretion of the court having jurisdiction of such action upon showing that the security provided has or may become inadequate

Section 3 The reasonable expenses including attorneys' fees of any party defendant incurred in connection with the successful defense of such suit shall be assessed upon the corporation or if any party defendant shall be successful in part only or if such action shall be settled with the approval of the court having jurisdiction thereof the reasonable costs including attorneys' fees of any such party defendant shall be assessed upon the corporation in such amount as the court shall determine and find to be reasonable in the circumstances The amount of all such expenses so assessed shall be awarded as costs of the suit and be recoverable in the same manner as statutory taxable costs

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. GRANT. Mr. Speaker, I desire to interrogate the Minority Floor Leader.

The SPEAKER. Will the gentleman from Cambria permit himself to be interrogated?

Mr. ANDREWS. I shall, Mr. Speaker.

Mr. GRANT. Mr. Speaker, I would like to ask the Minority Floor Leader what action was taken at the minority caucus on this bill.

Mr. MORAN. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Allegheny rise?

POINT OF ORDER

Mr. MORAN. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Allegheny will state it.

Mr. MORAN. Mr. Speaker, in the back row here we are trying to listen to what is going on in the House but we cannot tell what is going on. There seems to be about a half dozen caucuses going on in the back end of the House.

The SPEAKER. The point of order is well taken.

When the Chair requests order from the Members, it certainly also includes the visitors.

Mr. GRANT. I would like to ask Mr. Andrews what action the minority caucus took on this bill.

Mr. ANDREWS. Mr. Speaker, I am not familiar with the rules that apply to caucuses. I have some information about the rules that are supposed to apply to committees, but since it should be no secret to the Members on this side of the House and to the gentleman himself who asked the question I will presume to reply by telling him that as far as I know the caucus took no action on this bill, and if he is inquiring whether he is bound by any caucus action, I would inform him that as far as I know he is not.

Mr. GRANT. Mr. Speaker, I would like to further ask Mr. Andrews as to what action the rural caucus took on this bill.

Mr. ANDREWS. Mr. Speaker, I have been informed that the rural caucus did not like the bill.

Mr. GRANT. Mr. Speaker, my only purpose in asking the Minority Floor Leader these questions was to bring to the attention of the Members on this side of the House that in my opinion this is a very bad bill, and it requires their every consideration when they are casting their votes on this bill. I am not going to speak further because I understand other Members are going to speak on this bill.

Mr. LEVY. Mr. Speaker, I desire to interrogate the Chairman of the Committee from whence this bill came, in view of the fact, Mr. Speaker, that it is originally a Senate measure.

The SPEAKER. Will the gentleman from Bucks, Mr. Yeakel permit himself to be interrogated?

Mr. YEAKEL. I shall, Mr. Speaker.

Mr. LEVY. Mr. Speaker, I would like to inquire of the gentleman from Bucks what is the purpose of Senate Bill 195 and what evil does it intend to correct in the Commonwealth.

Mr. YEAKEL. Mr. Speaker, in answer to the gentleman from Philadelphia, Mr. Levy, I as Chairman of the Corporations Committee, of course, am just an ordinary layman, and due to the fact that I am such, I would prefer to yield to the gentleman from Montgomery, Mr. Wood. Would that be agreeable to the gentleman from Philadelphia?

Mr. LEVY. Yes, Mr. Speaker.

The SPEAKER. Will the gentleman from Montgomery permit himself to be interrogated?

Mr. LLOYD H. WOOD. I shall, Mr. Speaker.

Mr. LEVY. Mr. Speaker, I would like to ask the gentleman from Montgomery what evil this bill is intended to rectify in the Commonwealth.

Mr. LLOYD H. WOOD. Mr. Speaker, in reply to the interrogation of the gentleman from Philadelphia I would say that the least that could be said for the bill is that it is designed to prevent vexatious litigation.

Mr. LEVY. Mr. Speaker, I would like to ask further as to whether the bill does not make it a requirement on the part of the shareholder to have five percent of the stockholders of a corporation satisfied before he can institute a suit or go into court to inquire into the management of the corporation?

Mr. LLOYD H. WOOD. Mr. Speaker, that is a little bit too general for me. The gentleman says that you must have five percent of the shareholders satisfied. I would like to have a definition of satisfaction used in that sense. What does he mean? Satisfied that they have had enough to eat or what?

Mr. LEVY. I desire to know as to whether or not there must be an ownership of at least five percent of the entire stock of the corporation by various stockholders before suit may be brought?

Mr. LLOYD H. WOOD. That is correct, Mr. Speaker.

Mr. LEVY. Would the gentleman, Mr. Speaker, then tell us what five percent of the United States Steel Corporation would be in dollars?

Mr. LLOYD H. WOOD. Well, Mr. Speaker, that is following the argument of whether or not one swallow makes a summer.

Let us take an illustration of a corporation that doesn't have so much stock; maybe we can get a more accurate estimate. I am not familiar with what would be the value of the United States Steel Corporation, but I understand it is substantial.

Mr. LEVY. I would like to inquire of the gentleman, Mr. Speaker, whether or not this bill would also include the United States Steel Corporation and the corporate industries.

Mr. LLOYD H. WOOD. Mr. Speaker, I would change that question to include all corporations, especially those that are operated for profit.

Mr. LEVY. Mr. Speaker, is the gentleman aware of the fact that this bill was passed by the Assembly of New York State and signed by the Governor in the closing days of the Session in New York, this same identical bill?

Mr. LLOYD H. WOOD. I am afraid, Mr. Speaker, that the gentleman is confused. I think the gentleman means to say, if he is referring to the Session of the

Legislature in the State of New York, that there were two bills introduced designed to repeal a law similar to this in New York, which failed to pass.

Mr. LEVY. I asked the gentleman if he was familiar, Mr. Speaker, with the fact that a bill such as this was passed by the General Assembly in New York State at the last Session and was signed by the Governor, and incidentally was declared unconstitutional by authority of the Supreme Court of the State of New York?

Mr. LLOYD H. WOOD. That is correct, Mr. Speaker, but for the information of the House, the Supreme Court of the State of New York is a court of original jurisdiction.

I have citations of two cases decided by the Appellate Division of the Supreme Court of the State of New York in which this legislation or legislation similar to it was upheld. I will give the gentleman a few citations.

Mr. LEVY. Mr. Speaker, while I get ready to listen to the citations I will ask the gentleman to correct his statement. That does not mean the the Superior Court of New York. That is still a lower court. The gentleman knows that.

Mr. LLOYD H. WOOD. Well, at least, Mr. Speaker, it is a court of superior jurisdiction to the Supreme Court of New York.

Mr. LEVY. For the information of the gentleman, Mr. Speaker, the Supreme Court is the lower court in New York.

Mr. LLOYD H. WOOD. That is just what I said, Mr. Speaker.

Mr. LEVY. Mr. Speaker, is the gentleman familiar with the opinion of a noted jurist of New York in reference to a similar bill that was passed by the Assembly of New York?

Mr. LLOYD H. WOOD. Mr. Speaker, that puts us in the same position as to whether or not clubs in Pennsylvania are subject to the quota. We have a decided split of authority on that subject here. I would not know who to follow.

Mr. LEVY. Mr. Speaker, would the gentleman deny to this House that Senate Bill 195 is without a doubt a deprivation of property rights guaranteed under the Constitution of the Commonwealth and also the Constitution of the United States?

Mr. LLOYD H. WOOD. I would certainly say that it is not, Mr. Speaker.

Mr. LEVY. Mr. Speaker, would the gentleman agree then that the bill creates an obstacle in the path of the stockholder of the corporation?

Mr. LLOYD H. WOOD. I would say that it does not, Mr. Speaker, and I want to amplify that answer further a little later on when the gentleman has finished his interrogation.

Mr. LEVY. I have finished, Mr. Speaker.

Mr. Speaker, every Member of the House knows that this bill started out as a very innocent piece of legislation, but let me inform the Members of the House that this bill is not innocent at all. Every minority stockholder has a property right in his stock which this bill definitely takes from him.

Upon that ground, Mr. Speaker, a similar bill passed by the New York Legislature was declared unconstitutional by a Supreme Court Justice within the State of New York and in his opinion he said,

> The Constitution is the bedrock of American democracy. The primary question is whether the statute deprives the plaintiff of property without due process of law or denies him the equal protection of the law in violation of the Federal and State Constitutions. To require security in certain amounts as have already been applied would in practical effect be to deprive a plaintiff of his cause of action. His cause of action is a property right. The denial of the right to be heard unless security therefor is furnished in advance is a deprivation of property without due process, which the fundamental law of the land forbids.

Now, Mr. Speaker, Senate Bill 195 says in effect that an action against a corporation in regard to its management cannot be started in any way until five per cent of the stockholders bring the action. Each and every one of us knows the complex nature of most of the corporations within the Commonwealth of Pennsylvania. They are giant financial concerns, and therefore, it logically follows that five per cent of the ownership of the stock rests in a great many hands, and I would like to inform the gentleman from Montgomery that five per cent of the United States Steel Corporation represents approximately $50,000,000. That is more, gentlemen, than most individuals, banks and financial institutions have in the United States Steel Corporation. So it logically follows to a less degree in many cases that nevertheless five per cent of ownership if stock would entail a great amount of money.

In addition to this, the bill also provides that before the plaintiff could come into court he must agree to pay the costs and also the attorneys' fees of the corporation. I say to you gentlemen of the House that if there ever was a deprivation of private rights this bill is all of that. And let me remind the gentlemen also that we once had a very famous case, in fact it is still in process of settlement in Pennsylvania under the Pennroad Corporation. Most of you men and women are familiar with the Pennroad case in relation to the Pennsylvania Railroad, and I say to you, that had this bill been a law before, that Pennroad suit would have been practically an impossibility. Let me remind you also that the Pennsylvania Railroad tonight already has an offer on the Pennroad suit of fifteen million dollars to stockholders of Pennroad and they would not have been able to collect one penny if a bill of this kind had been on the statute books of Pennsylvania.

Yes, Members, I think we should heed the advice of the gentleman from Berks when he says let us go slow on legislation of this kind. This is definitely an attack upon the property rights of individuals in the Commonwealth, and I would appeal, Mr. Speaker, to every Member of the House to vote "no" on this type of legislation.

Mr. LLOYD H. WOOD. Mr. Speaker, I would like to say at the outset that the gentleman from Philadelphia, Mr. Levy, seems to be laboring under a misapprehension in that this bill does not bar an action nor does it bar a right. Merely says in, I think, very clear, concise understandable English that if an action is started by a stockholder and his suit does not represent five per cent of the total stock of that particular corporation then the plaintiff has the right to petition the court to have the

plaintiff or plaintiffs post security for the payment of costs and counsel fees for both the defense and the plaintiff.

Now, Mr. Speaker, I don't know how familiar the gentleman from Philadelphia might be with past experience so far as vexatious litigation is concerned, but I want to say that it is an open established fact that many stockholders in the past with as much as one share, which has even been in some instances purchased for the express purpose of instituting vexatious litigation have instituted such litigation. All this measure proposes to do is to place a reasonable minimum of representation so far as stock is concerned, and I don't see how the gentleman can sustain his position for the simple reason that it is inconceivable, at least to my mind, that if there is merit in a stockholder's action he certainly ought to be able to induce enough other stockholders to join in the action to make up five percent of the stock.

In discussing this bill with one of my colleagues recently I pointed out the illustration of Paul Revere when he left the shores up there at the time they had the lantern posted in the top of the steeple. There were only two men in on that secret, but history records that he had not traveled very far before he had company, and it is inconceivable to me that one shareholder, no matter how little or how much stock he holds in the corporation could suffer some inconvenience that would not fall equally on some other stockholders of the corporation. So therefore I say, Mr. Speaker, that this is a reasonable bill. I cannot feel that there is anybody being deprived of anything. After all there are two kinds of rights; there are the so called inalienable rights and the acquired rights. I should say that the rights of stockholders in a corporation fall among the latter.

Why should we refuse to pass this bill because the United States Steel Corporation has so much stock that it runs into more millions of dollars than perhaps some of we less informed individuals can actually calculate how much five per cent might total?

This measure in substance has just been enacted in the State of New Jersey and is now before Governor Edge for his approval. In order again to refer to the suggestion of the gentleman from Philadelphia that this measure has been declared unconstitutional in New York, I would remind him that there were two bills introduced in the session of the legislature in New York just adjourned designed to repeal this bill. Why on earth should they go to the trouble of trying to repeal what the court of last resort in the State of New York has already declared unconstitutional?

Mr. CHUDOFF. Mr. Speaker, I desire to interrogate the gentleman from Montgomery, Mr. Wood.

The SPEAKER. Will the gentleman from Montgomery permit himself to be interrogated?

Mr. LLOYD H. WOOD. I shall, Mr. Speaker.

Mr. CHUDOFF. Mr. Speaker, in reading Senate Bill 195 I find that the burden is upon the minority stockholder to deposit with the court, if the court so decides, security for costs and attorney fees. I should like to know whether or not the gentleman from Montgomery feels that the minority stockholder in case he wins the suit should not be entitled to attorney's fees?

Mr. LLOYD H. WOOD. Well, Mr. Speaker, I can't quarrel with that argument. If the gentleman chooses to amend the bill at this late hour, I would remind him that he has had opportunity prior to this time to amend it and I have no objections to its being amended, but I think this is rather a late hour for him to come in with that kind of a suggestion.

Mr. CHUDOFF. I thank the gentleman, Mr. Speaker.

I believe Senate Bill 195 requires considerable study. Sometimes a bill is presented to a legislature of a state intended on its face to do one thing, and we find after it becomes a law that it does exactly the opposite thing to that which the sponsor intended.

The gentleman from Montgomery, Mr. Speaker, says that this is a bill to end vexatious law suits. A Senator said to me in discussing this bill that this bill would put racketeering lawyers out of business. In my opinion, Mr. Speaker, this bill does two things; it puts a lock and key on the courts of Pennsylvania for minority stockholders unless the minority stockholder can go out and shop around and get enough other minority stockholders to get a five per cent interest of the stockholders. And it has been an inalienable right of any stockholder, even if he owns fifty cents in the corporation, to look into the affairs of the corporation, and by this bill he will be barred the right of coming into court unless he can offer a bond to cover security. I believe many lawyers on both sides of the House know it is difficult to get a bond for costs and attorney fees.

Further than that, Mr. Speaker, this bill may do another thing. Instead of preventing vexatious law suits it might help racketeering directors of corporations, knowing full well that a minority stockholder must have five per cent or a bond to inquire into the workings of a corporation. I think that most everyone will agree with me that it takes a lot of money to make up five per cent of the majority of the corporations of this country and this state,—they might know that since the affairs cannot be looked into very easily, that ways and means might be devised whereby stockholders would lose any rights that they might have. I say to you, Mr. Speaker, that we should take this bill with a grain of salt. Instead of its doing the thing that the sponsors want it to do we might find out it does nothing of the kind and that it is protecting the people we do not want to protect.

Mr. SKALE. Mr. Speaker, the gentleman from Montgomery referred to vexatious law suits which this bill would tend to remedy. At least in my experience, and the reports that I have read of cases of vexatious litigation of this kind, they may have occurred in isolated instances, we certainly do not care to legislate for isolated instances. On the other hand the majority, the greatest majority of cases where stockholders brought suit have been bona fide and successful, but by this type of legislation you would close the doors to these suits by stockholders to attempt to inquire into the machinations and illegal operation by directors who take it upon themselves to carry on the business of the corporation in a manner which is not fitting.

So why should we pass this type of legislation? The gentleman from Montgomery says that this is not taking away any privilege guaranteed to the citizens of Pennsylvania of due process of law. Well, Members of the House, the court has said repeatedly that you do not necessarily have to say in express language that your right to due process is hereby taken away from you. The court has said

that where the legislation imposes unsurmountable obstacles it is tantamount to depriving the individual of due process, and I contend and submit to the Members of this House that the provisions of this bill are tantamount to depriving the minority stockholders of due process of law.

I desire to point out to you in section two on page two of this bill where a privilege is given to the corporation counsel from time to time to petition the court for additional counsel fees and expenses. Now, the average minority stockholder certainly does not have the financial resources equal to cope with the financial resources of the corporation sought to be looked into. Can you then not see what effect this type of legislation would have on such suits by minority stockholders? If the minority stockholders would be unable to meet the order of the court for the increased counsel fees and expenses, no matter what rights he may have, no matter how right he may be in his investigation of that corporation or the activities of those directors, his suit would then be discontinued because of his failure to comply with the order of the court. I submit to you that this legislation is bad because it deprives the minority stockholder of his due process, and I urge you to be opposed to this bill.

Mr. BROWN. Mr. Speaker, I desire to interrogate the gentleman from Montgomery, Mr. Wood.

The SPEAKER. Will the gentleman from Montgomery permit himself to be interrogated?

Mr. LLOYD H. WOOD. I shall, Mr. Speaker.

Mr. BROWN. I should like to ask the gentleman from Montgomery, Mr. Speaker, I know he is a lawyer familiar with Article III of the Pennsylvania Constitution which says that the General Assembly shall not pass any local or special law authorizing the creation, extension or impairing of liens, and then goes on with twenty other subjects.

Mr. LLOYD H. WOOD. Mr. Speaker, I couldn't recite them, but I am more or less familiar with the provisions of that Article and section.

Mr. BROWN. Would not the gentleman feel that this is a special privilege to corporations?

Mr. LLOYD H. WOOD. I would not, Mr. Speaker, for this simple reason, to start off with here, we are dealing with a secondary right. It is the right of a shareholder to use the name of the corporation in an equity proceeding. It is not a question of the stockholder exercising the primary right that he might have against the corporation, but he here wishes to use the corporation's name.

Mr. BROWN. Mr. Speaker, does the gentleman feel that simply because a suit is entered by a minority stockholder that he is using the corporation's name?

Mr. LLOYD H. WOOD. Mr. Speaker, I feel that is one reason why it does not violate that provision of the Constitution of the State. I also wish to point out that this bill is designed to protect the rights of the majority and not the minority of the shareholders.

Mr. BROWN. Can the gentleman tell me of any other kind of law suit except in the case of replevin and ejectment whereby the defendant can demand that a bond be posted to cover attorney fees prior to the determination of the suit?

Mr. LLOYD H. WOOD. I cannot say off-hand. It is impossible for me to recall any classification, but I don't think that it necessarily follows that such classifications are not fair and reasonable.

Mr. BROWN. It is not a question of being fair and reasonable, Mr. Speaker. Can the gentleman tell me of any other type of litigation where the plaintiff must post a bond prior to the determination of his suit for the costs of the proceedings and the costs of the attorney fees for the defendant?

Mr. LLOYD H. WOOD. I reiterate, Mr. Speaker, that I cannot recall any other type of litigation that has those provisions, but it certainly is conclusive of the fact that this is not a new adventure in that field.

Mr. BROWN. Would the gentleman feel that Article III, which provides as follows:

> The General Assembly shall not pass any local or special law granting to any corporation, association or individual, any special or exclusive privilege or immunity, or to any corporation, association or individual the right to lay down a railroad track

comes within the purview of this bill?

Mr. LLOYD H. WOOD. Will the gentleman please repeat that question? I did not hear the first part.

Mr. BROWN. Mr. Speaker, I shall only repeat that part which I think is pertinent to this bill.

Article III, Section 7 prohibits the General Assembly from passing any local or special law granting to any corporation, association or individual any special or exclusive privilege, and so forth.

Does not the gentleman feel that this is an immunity in that it is a special privilege that the defendant corporation has?

Mr. LLOYD H. WOOD. I do not, Mr. Speaker.

The gentleman asked me a question a few minutes ago about the various types of litigation in which costs and so forth had to be posted in advance. I will ask the gentleman if he knows, or if he as a member of the bar is familiar with a petition to the court to grant alimony pendente lite? That has never been construed, at least to the moment as being in violation of the provision of the Constitution which the gentleman now is citing.

Mr. BROWN. Does the gentleman know that existed prior to the adoption of the Constitution of 1874?

Mr. LLOYD H. WOOD. I did not get that, Mr. Speaker.

Mr. BROWN. The gentleman knows full well that that existed prior to the adoption of the Constitution of 1874, and there are many cases that we have to post bond in cases that existed prior to 1874, when our Constitution was formed.

I asked the gentleman did he know of any legislation enacted since our Constitution of 1874.

Mr. LLOYD H. WOOD. Mr. Speaker, I am under the impression that we codifieted divorce law in 1929, I think it was.

Mr. BROWN. Would the gentleman care if this bill should go over in its order?

Mr. LLOYD H. WOOD. Well, my reply to that, Mr. Speaker, is that we have given every opportunity to assemble all the information possible, especially to those who are opposed to it. It has been rolled over from one day to another, and I think it has now arrived at a point where we should vote either for or against it.

Mr. BROWN. I thank the gentleman, Mr. Speaker.

CONSTITUTIONAL POINT OF ORDER

Mr. BROWN. Mr. Speaker, I rise to a constitutional point of order:

The SPEAKER. The gentleman will state it.

Mr. BROWN. The point of order it, Mr. Speaker, that Senate Bill 195, Printer's No. 72 is unconstituitonal in that it violates Article III, Section 7 of the Pennsylvania Constitution.

The SPEAKER. The gentleman from Allegheny raises the Constitutional point of order that Senate Bill 195, Printer's No. 72 is unconstitutional in that it violates Article III, Section 7 of the Pennsylvania Constitution.

Mr. BROWN. And the Fourteenth Amendment to the Constitution of the United States, Mr. Speaker.

The SPEAKER. Under Rule 4 the Speaker is required to submit all questions involving the determination of the constitutionality of a bill to the House for decision, which the Chair now does.

On the question,

Will the House sustain the Constitutional point of order?

Mr. BROWN. Mr. Speaker, I think the constitutional point of order has been well covered. It was not because of any involved reasoning that when we adopted our present constitution the framers of that document especially prohibited the General Assembly from passing special legislation, and in Article III of our Pennsylvania Constitution the framers of that document especially inumerated some twenty fields in which the Legislature could not enact laws. One field as stated in Article III of our Constitution prohibits this Legislature from passing any special or local legislation according to any corporation any special privileges or immunities.

The plain language there seems to me to point in the direction that to require a stockholder, whether he represents five percent or whether he represents two percent, to bar his right to come into our courts which are open under other provisions of the constitution would be a special privilege and immunity granted to the corporation, and on that premise, Mr. Speaker, it seems to me that this bill is clearly unconstitutional. Then further there is such a thing, as we all know, as due process of law. Due process of law is nothing new to any of us; it has to do with the right of the people to have there property rights and there persons protected.

Now, to compel a man to go into court with a bond sufficient to cover the cost of proceedings seems to me to offend both provisions. Therefore, I say this act offends both the Constitution of the United States and the Constitution of Pennsylvania and should be voted down on the Constitutional question.

Mr. LLOYD H. WOOD. Mr. Speaker, I wish to say to the Members of this House that in my opinion this is not special legislation. This is certainly a proper classification. We are dealing here with a procedural matter, and I wish to repeat again that the stockholder is not deprived of any right of action. It does not bar his right to bring the action or bar any right that he had as a stockholder; it does not provide that he must first come into court with a bond or surety. That is something subsequent in the form of an affirmative action such as a debtor who chooses to take advantage, for example, of the statute of limitation, and the court may, if it considers it proper under the circumstances, grant the prayer of the plaintiff's petition that ample security for the cost of litigation and the cost of attorney's fees be paid, provided there is not a minimum of five percent of the share holders of the corporation that have joined in the suit. Therefore, I ask the Members of the House to vote against the point of order.

Mr. BROWN. Mr. Speaker, I wish I could read this act as the gentleman from Montgomery has read it, but on page two, Section two of this act it says:

> In any such suit instituted or maintained by holder or holders of less than five per centum of the outstanding shares of any class of such corporation's stock or voting trust certificates the corporation in whose right such action is brought shall be entitled at any stage of the proceedings——

Now, Mr. Speaker, "at any stage of the proceedings" would mean that upon the filing of the suit, before anything else is heard, the plaintiff can be thrown out of court even before he has a preliminary hearing, unless he can post this bond.

Of course, the gentleman from Montgomery knows that no act can be introduced here saying that a man cannot come into court, that is not even put in the act. But it all amounts to the same thing, a man is thrown out of court before he has had his day in court and he is thrown out simply because he cannot post sufficient security to cover the costs of the attorneys of the corporation. That certainly would deny the man due process of law. I cannot see anything else to it. It seems to me that unless some safeguards are placed in this bill we certainly should vote in favor of the constitutional point of order. That does not destroy the bill. If the bill can be amended so that it will protect the man's day in court then I will vote for the bill, but not as the bill now stands.

Mr. LLOYD H. WOOD. Mr. Speaker, let me say that I have no desire to protract this discussion eternally, but when the gentleman says that the stockholders will be thrown out of court before he gets into court, perhaps he possesses some information that has not come to me in my ten years of practice before the bar as to what the judge is going to do before the facts of a particular piece of litigation have been committed to him. I say and I wish to reiterate what I said a moment ago, this gives the right to the officers of a corporation to file a petition with the court. It is not mandatory; it is up to the court to grant it if it so chooses. I cannot place any other interpretation on that language.

On the quetsion recurring,

Will the House sustain the Constitutional point of order?

The yeas and nays were required by Mr. Chudoff and Mr. Levy and were as follows:

YEAS—73

Barrett,	Gaffney,	Matthews,	Polaski,
Bentzel,	Gore,	McKinney,	Powers,
Boles,	Grant,	McLanahan,	Readinger,
Boory,	Green,	McNally,	Reese, R. E.,
Brancato,	Greer,	Mills,	Reynolds,
Brown,	Haberlen,	Modell,	Robertson,
Brunner, P. A.,	Hamilton,	Mooney,	Rudisill,
Burns,	Hennihan,	Moore, W. J.,	Skale,
Chudoff,	Hering,	Moran,	Snider,
Cohen,	Hunter,	Murray, M. L.,	Stank,
Coleman,	Jones,	Myhan,	Stuart,
Cook,	Kolankiewicz,	Nagel,	Swope,
Cooper,	Lane,	O'Connor,	Trachtman,
Dalrymple,	Leonard,	O'Donnell,	Trent,

Dougherty	Levy,	Owens,	Weiss,
Dye,	Longo,	Pentrack,	Welsh,
Elish,	Lopez,	Petrosky,	White,
Freed,	Lovett,	Pettigrew,	Wright,
Frost,	Madden,		

NAYS—107

Andrews,	Gardner,	Mahany,	Scanlon,
Baker,	Getchey,	McAtee,	Serrill,
Barton,	Gibson,	McClester,	Sloan,
Baumunk,	Greenwood,	McCormack,	Smith,
Bonawitz,	Guthrie,	McDowell,	Snyder,
Boorse,	Gyger,	McMillen,	Sollenberger,
Bower,	Hall,	McNair,	Sorg,
Breisch,	Hare,	Mikula,	Stockham,
Brice,	Haudenshield,	Miller,	Stonier,
Brunner, C H	Heatherington,	Milliken,	Tahl,
Cadwalader,	Helm,	Moore, C. E.,	Tate,
Corrigan,	Hersch,	Moser,	Tittle,
Costa,	Hoffman,	Munley,	Trout,
Coulson,	Howells,	Murray, P G.,	Turbett,
Cullen,	Huntley,	Nelson,	Turner,
Depuy,	James,	O'Neill,	Varallo,
Dillon,	Kennedy,	Pickens,	Wachhaus,
Dix,	Kirley,	Polen,	Wagner,
Duffy,	Kline,	Propert,	Waterhouse,
Elder,	Kurtz,	Reagan,	Watkins
Erb,	Laughner,	Reese, D. P.,	Wood, L H.,
Ewing,	Lee,	Regan,	Wood, N.,
Finnerty,	Leisey,	Reidenbach,	Worley,
Flack,	Lichtenwalter,	Reilly,	Yeakel,
Fleming,	Loftus,	Riley,	Yester,
Fox,	Lyons,	Royer,	Fiss,
Gallagher,	Madigan,	Salus,	Speaker.

NOT VOTING—16

Bentley,	Dennison,	Komorofski,	Schuster,
Boney,	Fullerton,	Krise,	Shaffer,
Brothers,	Goodling,	O'Brien,	Shoemaker,
Coyle,	Hoggard,	O'Dare,	Verona,
Dague,	Hoopes,	Root,	Wescott,

So the question was determined in the negative and the constitutional point of order was not sustained.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Messrs. Levy, Lane and Stank asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—114

Andrews,	Frost,	Loftus,	Schuster,
Baker,	Fullerton,	Lyons,	Serrill,
Barton,	Gallagher,	Mahany,	Shaffer,
Baumunk,	Gardner,	McAtee,	Sloan,
Bentzel,	Getchey,	McCormack,	Smith,
Bonawitz,	Gibson,	Mikula,	Snyder,
Boorse,	Goodling,	Miller,	Sollenberger,
Bower,	Green,	Moser,	Sorg,
Breisch,	Greenwood,	Munley,	Stockham,
Brice,	Greer,	Murray, P. G.,	Stonier,
Brunner, C. H.,	Guthrie,	Nelson,	Tahl,
Cadwalader,	Gyger,	O'Brien,	Tate,
Cohen,	Hall,	O'Connor,	Tittle,
Coleman,	Hare,	O'Neill,	Trout,
Cook	Haudenshield,	Pentrack,	Turbett,
Corrigan,	Heatherington,	Pickens,	Turner,
Costa,	Hering,	Polen,	Varallo,
Coulson,	Hersch,	Propert,	Verona,
Coyle,	Hoffman,	Reagan,	Wachhaus,
Cullen,	Howells,	Reese, D P.,	Wagner,
Dalrymple,	Hunter,	Regan,	Waterhouse,
Depuy,	Kennedy,	Reidenbach,	Watkins,
Elder,	Kirley,	Reilly,	Wescott,
Erb,	Kline,	Riley,	Wood, L. H.,
Ewing,	Kurtz,	Royer,	Wood, N.,
Finnerty,	Laughner,	Rudisill,	Worley,
Flack,	Lee,	Salus,	Yeakel,
Fleming,	Leisey,	Scanlon,	Fiss,
Fox,	Lichtenwalter,		Speaker.

NAYS—75

Barrett,	Grant,	McKinney,	Polaski,
Boies,	Haberlen,	McLanahan,	Powers,
Boory,	Hamilton,	McMillen,	Readinger,
Brancato,	Helm,	McNair,	Reese, R. E.,
Brown,	Hennihan,	McNally,	Reynolds,
Brunner,	Huntley,	Milliken,	Robertson,
Burns,	James,	Mills,	Skale,
Chudoff,	Jones,	Modell,	Snider,
Cooper,	Kolankiewicz,	Mooney,	Stank,
Dague,	Komorofski,	Moore, C E.,	Stuart,
Dillon,	Lane,	Moore, W J.,	Swope,
Dix,	Leonard,	Moran,	Trachtman,
Dougherty,	Levy,	Murray, M L.,	Trent,
Duffy,	Longo,	Myhan,	Weiss,
Dye,	Lopez,	Nagel,	Welsh,
Elish,	Lovett,	O'Donnell,	White,
Freed,	Madden,	Owens,	Wright,
Gaffney,	Matthews,	Petrosky,	Yester,
Gore,	McDowell,	Pettigrew,	

NOT VOTING—12

Bentley,	Dennison,	Krise,	O'Dare,
Boney,	Hoggard,	Madigan,	Root,
Brothers,	Hoopes,	McClester,	Shoemaker,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

REASONS FOR VOTE

Mr. FREED filed the following reasons for his vote:

My reason for voting "No" on Senate Bill 195, Printer's No. 72, is on the Constitution of Pennsylvania Article III Section 7.

BILL PASSED OVER

There being no objection

House Bill No. 411, Printer's No. 377,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 969, entitled:

An Act to repeal sections one thousand one hundred ninety to one thousand one hundred ninety-six of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" relating to opening making amending and repairing highways and bridges by contracts with taxpayers

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED

Mr. SORG. Mr. Speaker, at the request of the sponsor I move that this bill be placed on the postponed calendar.

The motion was agreed to.

BILL PASSED OVER

There being no objection

Senate Bill No. 63, Printer's No. 134,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 329, as follows:

An Act to further amend section three hundred one and section three hundred three and to amend section three hundred four of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by further regulating the computation of the reserve liability of life insurance companies deficiency reserve requirements and the acceptance of valuations made by other states

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three hundred one of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" as last amended by the act approved the seventh day of April one thousand nine hundred and forty-three (P. L. 33) is hereby further amended to read as follows

Section 301 Computation of Reserve Liability (a) The Insurance Commissioner shall each year [compute] value or cause to be valued the reserve [liability] liabilities (hereinafter called reserves or net value) as of the thirty-first day of December of the preceding year for all outstanding life insurance policies and annuity and pure endowment contracts of every life insurance ocmpany [authorized to make insurance on lives] doing business in this Commonwealth in accordance with the terms of the policy contract and rules following and may certify the amount of any such reserves specifying the mortality table or tables rate or rates of interest and methods (net level premium method or other) used in the calculation of such reserves In calculating such reserves he may use group methods and approximate averages for fractions of a year or otherwise

(b) This subsection shall apply only to policies and contracts issued prior to the operative date of section four hundred and ten A (the Standard Non-forfeiture Law) of an act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) as amended

[(a)] (1) The net value of all outstanding policies of life insurance issued by the company prior to the first day of January one thousand eight hundred and ninety shall be computed upon the basis of the American experience table of mortality with interest at not less than four and one-half and not more than six per centum per annum

[(b)] (2) The net value of all outstanding policies issued between the first day of January one thousand eight hundred and ninety and the first day of January one thousand nine hundred and three on the combined experience or actuaries' table of mortality with interest at four per centum per annum

[(c)] (3) The net value of all outstanding policies of life insurance issued on and after the first day of January nineteen hundred and three on the American experience table of mortality with interest at three and one-half per centum per annum Provided however That any company may value its group term insurance policies under which premium rates are not guaranteed for a period in excess of five years according to the American men ultimate table of mortality with interest at three and one-half per centum per annum

[(d)] (4) The net value of all policies of life insurance issued on and after January first one thousand nine hundred and twenty-one where the premiums are payable monthly or oftener shall be valued according to the American experience table of mortality with interest at three and one-half per centum per annum But any company may voluntarily value its industrial policies according to the standard industrial mortality table with interest at three and one-half per centum per annum

(5) The net value of a policy at any time shall be taken to be the single net premium which will at that time effect the insurance less the value at that time of the future net premiums called for by the table of mortality and rate of interest designated

(6) The legal minimum standard for valuation of annuities issued after January one one thousand nine hundred and twelve shall be McClintock's table of mortality among annuitants with interest at three and one-half per centum per annum but annuities deferred ten or more years and written in connection with life or term insurance shall be valued upon the same mortality table from which the consideration or premiums were computed with interest not higher than three and one-half per centum per annum

(7) Any such company may however at any time elect under any of its policies of life insurance to reserve on the American experience table of mortality with a lower rate of interest but at a rate not less than two per centum or on the American men ultimate table of mortality (with such modification and extension below age twenty as may be approved by the Insurance Commissioner) with interest at a rate not more than three ane one-half per centum and not less than two per centum and its obligations under such policies shall [thereafter] be valued accordingly

(8) On or after the operative date of section four hundred and ten A (the Standard Non-forfeiture Law) of an act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) as amended reserves for any policies or contracts may be calculated at the option of the company according to any standard which produces greater aggregate reserves for all such policies or contracts than the standard in use by such company immediately prior to the exercise of the option and with the approval of the Insuarnce Commissioner any company which at any time shall have adopted any standard of valuation producing greater aggregate reserves than the minimum reserves above provided may adopt any lower standard of valuation for any policies or contracts but not lower than the minimum reserves above provided nor lower than the standard specified in such policies or contracts or the standard used by such company for the determination of the nonforfeiture values thereof

(c) This subsection shall apply only to policies and contracts issued on or after the operative date of section four hundred and ten A (the Standard Non-Forfeiture Law) of an act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) as amended

(1) The minimum standard for the valuation of all such policies and contracts shall be the Commissioners reserve valuation method defined in paragraph (2) of this subsection (c) three and one-half per cent (3½%) interest and the following tables

(i) For all Ordinary policies of life insurance issued on the standard basis excluding any disability and accidental death benefits in such policies the Commissioners 1941 Standard Ordinary Mortality Table

(ii) For all Industrial life insurance policies issue

on the standard basis excluding any disability and accidental death benefits in such policies the 1941 Standard Industrial Mortality Table

(iii) For Annuity and Pure Endowment contracts excluding any disability and accidental death benefits in such contracts the 1937 Standard Annuity Mortality Table

(iv) For Total and Permanent Disability benefits in or supplementary to Ordinary policies or contracts Class (3) Disability Table (1926) which for active lives shall be combined with a mortality table permitted for calculating the reserves for life insurance policies

(v) For Accidental Death benefits in or supplementary to policies the Inter-Company Double Indemnity Mortality Table combined with a mortality table permmitted for calculating the reserves for life insurance policies

(vi) For Group Life insurance life insurance issued on the substandard basis and other special benefits such tables as may be approved by the Insurance Commission sioner

(2) Reserves according to the Commissioners reserve valuation method for the life insurance and endowment benefits of policies providing for a uniform amount of insurance and requiring the payment of uniform premiums shall be the excess if any of the present value at the date of valuation of such future guaranteed benefits provided for by such policies over the then present value of any future modified net premiums therefor The modified net premiums for any such policy shall be such uniform percentage of the respective contract premiums for such benefits that the present value at the date of issue of the policy of all such modified net premiums shall be equal to the sum of the then present value of such benefits provided for by the policy and the excess of (A) over (B) as follows

(A) A net level annual premium equal to the present value at the date of issue of such benefits provided for after the first policy year divided by the present value at the date of issue of an annuity of one per annum payable on the first and each subsequent anniversary of such policy on which a premium falls due provided however that such net level annual premium shall not exceed the net level annual premium on the nineteen year premium whole life plan for insurance of the same amount at an age one year higher than the age at issue of such policy

(B) A net one year term premium for such benefits provided for in the first policy year

Reserves according to the Commissioners reserve valuation method for (i) life insurance policies providing for a varying amount of insurance or requiring the payment of varying premiums (ii) annuity and pure endowment contracts (iii) disability and accidental death benefits in all policies and contracts and (iv) all other benefits except life insurance and endowment benefits in life insurance policies shall be calculated by a method consistent with the principles of this paragraph (2) of this subsection (c)

(3) In no event shall a company's agreegate reserves for all life insurance policies excluding disability and accidental death benefits be less than the aggregate reserves calculated in accordance with the method set forth in paragraph (2) of this subsection (c) and the mortality table or tables and rate or rates of interest used in calculating non-forfeiture benefits for such policies

(4) Reserves for any category of policies contracts or such category than those calculated according to the minibe calculated at the option of the company according to any standards which produce greater aggregate reserves for mum standard herein provided but the rate or rates of interest used shall not be higher than the corresponding rate or rates of interest used in calculating any nonforfeiture benefits provided for therein Provided however that reserves for participating life insurance policies may with the consent of the Insurance Commissioner be calculated according to a rate of interest lower than the rate of interest used in calculating the non-forfeiture benefits in such policies with the further proviso that if such lower rate differs from the rate used in the calculation of the non-forfeiture benefits by more than one-half per cent (½%) the company issuing such policies shall file with the Insurance Commissioner a plan providing for such equitable increases if any in the cash surrender values and nonforfeiture benefits in such policies as the Insurance Commissioner shall approve

(5) Any such company which at any time shall have adopted any standard of valuation producing greater aggregate reserves than those calculated according to the minimum standard herein provided may with the approval of the Insurance Commissioner adopt any lower standard of valuation but not lower than the minimum herein provided

(d) The aggregate reserves or net value so ascertained of the policies and contracts of any such life insurance company shall be deemed its reserve liability to provide for which it shall hold funds in secure investments of an amount equal to such net value above all its other liabilities The Insurance Commissioner shall after having determined as above the net value of all the policies and contracts in force see that the company has that amount in safe legal securities after all its other debts and claims against it have been provided for

(e) The provisions of this section for the valuation of policies and for premium rates shall not apply to companies or associations transacting business on the mutual assessment plan

Section 2 Section three hundred three of such act as last amended by the act approved the seventh day of April one thousand nine hundred and forty-three (P. L. 33) is hereby further amended to read as follows

Section 303 [Separate Liability] Deficiency Reserve Requirements of Companies Charging Less Than Net Premiums Computed on Mortality Tables [Unlawful to Issue Policies Below Rate Fixed in Mortality Tables When the actual premium charged by any life insurance company doing business in the Commonwealth is less than the tabular net premium for such insurance computed as provided in this section such company shall be charged as a separate liability with the value of an annuity the amount of which shall equal the difference between such premiums and the term of which in years shall equal the number of future annual payments due on such insurance at the date of the valuation] If the gross premium charged by any life insurance company on any policy or contract is less than the net premium for the policy or contract according to the mortality table rate of interest and method used in calculating the reserve thereon there shall be maintained on such policy or contract a deficiency reserve in addition to all other reserves required by law For each such policy or contract the deficiency reserve shall be the present value according to such standard of an annuity of the difference between such net premium and the premium charged for such policy or contract running for the remainder of the premium-paying period [The tabular] At the option of the company the net premium for the purpose of this section for all policies and contracts issued prior to the operative date of section four hundred and ten A (The Standard Nonforfeiture Law) of an act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) as amended shall be computed according to the table of mortality and rate of interest prescribed for such insurance in clauses [(a) (b) (c) or (d)] (1) (2) (3) or (4) of subsection (b) of section three hundred and one of this act except that it shall be computed according to the table of mortality and rate of interest specified in the policy as the basis of the reserve for such insurance if the table so specified is the American men utimate table of mortality

Section 3 Section three hundred four of said act is hereby amended to read as follows

Section 304 Valuations by other States [The Insurance Commissioner shall accept the valuations made by the] [proper officer of the State under whose authority a life insurance company was organized when such valuations are made on a basis that will give values at least equal to the valuation above defined and when the State under which the company was organized accepts the valuation made by the Insurance Commissioner for the companies

organized under the laws of this Commonwealth] in lieu of the valuation of the reserves required in section 301 of this act of any foreign or alien company the Insurance Commissioner may accept any valuation made or caused to be made by the insurance supervisory official of any state or other jurisdiction when such valuation complies with the minimum standard provided in section 301 of this act and if the official of such state or jurisdiction accepts as sufficient and valid for all legal purposes the certificate of valuation of the Insurance Commissioner when such certificate states the valuation to have been made in a specified manner according to which the aggregate reserves would be at least as large as if they had been computed in the manner prescribed by the law of that state or jurisdiction Each [life insurance] such company shall furnish to the Insurance Commissioner on or before the first day of March in each year a certificate from the proper officer of such State or jurisdiction setting forth the value of all the policies and contracts of the company in force on the previous thirty-first day of December Any such company failing to furnish such certificate shall be required to make a full detailed list of policies to the Insurance Commissioner and shall be liable for all charges and expenses resulting from the failure to furnish said certificate

Section 4 All acts and parts of acts inconsistent herewith are hereby repealed

Section 5 This act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. CHUDOFF. Mr. Speaker, I desire to interrogate the gentleman from Schuylkill, Mr. Kline

The SPEAKER. Will the gentleman from Schuylkill permit himself to be interrogated?

Mr. KLINE. Mr. Speaker, I yield to the gentleman from Philadelphia, Mr. Cohen.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. CHUDOFF. Mr. Speaker, before I interrogate the gentleman I would like to have unanimous consent of the House to interrogate Mr. Cohen on House Bills 329 and 330 at the same time. I believe these bills are co-related.

The SPEAKER. If the Chair hears no objection, the gentleman may proceed. The Chair hears none.

Mr. CHUDOFF. Mr. Speaker, I would like to inquire of the gentleman from Philadelphia, Mr. Cohen, whether or not House Bills 329 and 330 will revolutionize life insurance in Pennsylvania?

Mr. COHEN. Mr. Speaker, I do not think they will revolutionize life insurance, but I think they will modernize life insurance in Pennsylvania.

Mr. CHUDOFF. Mr. Speaker, I should like to know further from the gentleman from Philadelphia whether or not the changes in life insurance contracts in Pennsylvania set forth by these bills will materially increase or reduce the premiums to be paid by policy holders.

Mr. COHEN. Mr. Speaker, under the terms of these two bills, when the bills take effect in January, 1948, we would probably find, and "probably" is used only because we are talking about some scientific actuarial formulae, which are practically incomprehensible to the average man, including the average legal mind, and I would say, Mr. Speaker, that the tendency will be in the lower ages of policies to be issued that the premium will be lowered; that in the policies issued in the older ages the premium may tend to be higher. I am thinking about the question of age, Mr. Speaker.

Mr. CHUDOFF. Mr. Speaker, I would like to know from the gentleman from Philadelphia whether he was present at the public hearing on this bill before the Joint Insurance Committees of the Senate and the House

Mr. COHEN. I was, Mr. Speaker.

Mr. CHUDOFF. I should like further to inquire of the gentleman as to whether or not he heard the actuaries of the various insurance companies doing business in Pennsylvania tell the Committee that this bill would not affect the premiums one way or the other?

Mr. COHEN. Mr. Speaker, will the gentleman hold on for a minute? I distinctly recall Mr. Marshall saying that as an actuary he felt the bills would not increase the cost to the public, and he further said that it will not affect the annual cost over the years.

Mr. CHUDOFF. Does that mean, Mr. Speaker, that it will not increase or decrease the premiums to the policy holders?

Mr. COHEN. It does not mean that, Mr. Speaker. As I said before, there will be a tendency to reduce the premiums at the lower issuing age, and a tendency to increase the premiums, although not necessarily so, at the higher premium age. As I said before, these bills will not increase the cost to the public nor will they affect the actual cost over the years.

Mr. CHUDOFF. Mr. Speaker, I should like to inquire of the gentleman from Philadelphia whether or not these bills will reduce the guarantee of return on insurance policies in the contracts issued by companies doing business in Pennsylvania?

Mr. COHEN. Mr. Speaker, I presume that the gentleman is referring to policies issued after January, 1948. If the gentleman is asking whether it would increase the cost to the policy holders I am going to pin him down to the actuarial method of computing for blocks of policy holders, not individuals but for blocks of policy holders, the cost will not be increased.

Mr. CHUDOFF. Mr. Speaker, I do not believe the gentleman understood my question. I believe under the present law there is guarantee of return to the policy holders in every life insurance contract written in Pennsylvania of three and one-half per cent, and I would like to know from the gentleman if these bills should become law this three and one-half per cent guaranteed return will be reduced.

Mr. COHEN. Mr. Speaker, the present guaranteed return, as I recollect in a policy which I just bought about two months ago, was three per cent, and I was told at that time that it was a pretty good policy because they were going to reduce it to two and one-half per cent. Whether under these bills the guarantee return as computed under these bills will be two and one-half per cent, I do not know, and incidentally it will not affect any policies heretofore issued.

There was in Pennsylvania before the turn of the century a six per cent return and by legislation over the year it was finally knocked down to three and one-half per cent and then three per cent, and as I have been told by a high pressure salesman it will be cut down to two and one-half per cent.

Mr. CHUDOFF. Mr. Speaker, it will reduce the guaranteed return to two and a half per cent?

Mr. COHEN. Yes, Mr. Speaker.

Mr. CHUDOFF. Mr. Speaker, I should like to know from the gentleman whether this bill will reduce the reserve required under the present law?

Mr. COHEN. Mr. Speaker, as I understand the bills, there is no reduction in the reserve for all policies issued, and may I explain briefly if the gentleman will permit, a life insurance premium which is paid by the policy holder is made up of several parts, one of which is the first part, the actual life insurance amount. Then there is an amount taken out of the policy which is set aside for reserve, so that the anticipated life of a man is determined by the mortality table which we seek to put into effect, so that in the beginning years there is a reserve set up out of the premium collected to insure that the company is assured that at the end of the road, taking all the policies and all groups into consideration, there will be sufficient reserve to take care of all deaths in a class. At the beginning there is a greater reserve amount out of a policy there is a greater so-called profit out of the premium which goes into the reserve. There is a lot of money, there is a lot of so-called profit,—I am trying to reduce it to every-day language,—which permits a greater reserve to be set aside. As a policy gets older the amount of premium paid by the same policy holder is not profitable, that is, it requires a greater amount of money to be paid against the requirement and a comparatively lesser amount for reserve, so that at the beginning it shows greater so-called profit which permits a greater reserve to take care of the obligation at a later date. Eventually they all work out to a mathematical one hundred per cent where all the money paid goes to the same purpose of setting up a reserve that all persons in the group will pay one hundred per cent and under the bill have a guaranteed return of two and one-half per cent.

Mr. CHUDOFF. Mr. Speaker, I should like to inquire of the gentleman from Philadelphia what effect if any these bills will have on the huge salaries that life insurance executives, life insurance actuaries, life insurance counsel and life insurance boards of directors get at the present time.

Mr. COHEN. Mr. Speaker, I have no way of knowing that. I believe in mutual companies with which many of you are acquainted, including myself, the gentleman from Philadelphia has a right to vote on the salaries, approve or disapprove such salaries, and I presume the stockholders have the same privilege. It may very well be, Mr. Speaker, that the stockholders may be in a very small minority, but it is presumed that there should not be and there might not be, at the same time there might be a big ante.

Mr. CHUDOFF. Mr. Speaker, I should like to know from the gentleman from Philadelphia whether he knows that a life insurance bill comparable to House Bills 329 and 330 were passed by the New York legislature in 1943.

Mr. COHEN. I am informed that that is correct, Mr. Speaker.

Mr. CHUDOFF. Mr. Speaker, I should like to know whether or not on April 20, 1943 Governor Thomas E. Dewey of New York vetoed these bills.

Mr. COHEN. That is correct, Mr. Speaker.

Mr. CHUDOFF. I thank the gentleman, Mr. Speaker. House Bills 329 and 330 which go into effect, if passed, in 1948, will affect millions of life insurance policies in the state of Pennsylvania.

Now, these bills are very complicated, very difficult to understand, and I do not condemn the Chairman of the Insurance Committee nor his co-sponsor, the gentleman from Lackawanna, Mr. O'Neill, for yielding to Mr. Cohen, as far as these bills are concerned, because I think that they after studying them did not know what they were all about. That is the only way to describe it.

These are very complicated bills, you must be an expert in life insurance to understand them. I have read them many, many times. I sat down and tried to figure out what they were driving at, and I might say I really don't know a fraction of what they are trying to provide. I don't believe that many Members of the House are interested in these bills either, because as I look around in front of me and I see about sixteen empty seats on the Democratic side of the House and there are a few vacant seats on the Republican side of the House. However, these are very, very important bills.

I might say, Mr. Speaker, that every Member of this House has many, many policy holders among his or her constituents, and these bills are very important to every policy holder in Pennsylvania.

I have tried to find out why the insurance companies are so anxious to get these bills passed. There was a public hearing before the Joint Insurance Committees of the House and Senate about a month ago. At that time there were approximately twenty life insurance companies in Pennsylvania who presented high paid actuaries and a man by the name of Decker, an attorney who was one of the highest paid insurance lawyers in Pennsylvania, who appeared before that committee. I listened very carefully to everything that was said and not one of the speakers spoke about the bill. Each speaker praised life insurance companies in Pennsylvania, and that is all.

It seems to me that if these bills will not cause premiums to go down, if these bills will not increase the benefits, if these bills will cause a return less than the policy holders get today, I cannot see any reason for them. In my mind I have tried to figure out why these bills should become law. I believe, Mr. Speaker, in my opinion perhaps the life insurance companies are having a great deal of difficulty in meeting the one hundred thousand dollar salaries that some presidents of life insurance companies get. They are unable to meet the return on the investment and they are unable to meet the three and one-half per cent that is needed to pay these huge salaries, and in looking for additional sources, and there is only one source they could find, they say "Let us tap the policy holder."

Mr. Speaker, this bill was introduced in the New York Legislature, it was passed and Governor Dewey studied the bill perhaps more efficiently than I have studied it. His counsel studied it, his Insurance Commissioner studied it, and after studying it, they recommended to the Governor that he veto these bills, and he vetoed the bills not because they were bad bills—I still say they might not be bad bills—but because they were bills that would

affect many people in the State of New York and in the nation.

I would like to read the Governor's veto message that he signed on April 23, 1943:

State of New York, Executive Chamber, Albany, April 23, 1943, Memorandum filed with Senate Bill, Introductory Number 282, Assembly Reprint 2229, entitled:

An Act to amend the insurance law, in relation to the valuation of reserve liabilities for life insurance policies and annuity and pure endowment contracts and in relation to non-forfeiture benefits and cash surrender values under such policies and contracts.

Not Approved: For decades, the insurance policies in this State have been written upon the basis of mortality tables adopted as far back as 1868. This bill would effect changes in the Insurance Law which would permit the use of a more modern mortality tables. At the same time, major changes are made in the basis upon which cash values, surrender charges and other values of insurance policies will be determined. The changes are of the most technical nature. They are vital to millions of policyholders in the State and nation. These changes require much greater study than can be given to them at the present time. Although it is universally recognized that the basis upon which policies of life insurance are issued requires complete modernization, this long delayed task should only be adopted after an exhaustive study.

task should only be adopted after an exhaustive study.

In disapproving this measure, I am not passing upon the merits.

The bill is disapproved.

(Signed) THOMAS E. DEWEY.

Mr. Speaker, this bill not only provides for a setup that will change the reserve and the guaranteed return on the investment to the policy holders but it also tends to modernize the mortality tables upon which every policy of life insurance is based. Under the mortality tables which were set up in the latter part of the 19th century it was found that out of a group of one hundred men at the age of thirty eight of them would die, leaving the ninety-two living. It is true that science has taken a very great stride forward and we have been able to modernize surgery and many discoveries have been made that have caused longevity of life, and under the present setup instead of eight men dying at the age of thirty only four men die at that age. This allows the life insurance companies to make a profit and a good profit.

Now the companies want to modernize these tables, and I submit to you that this is no time for modernization of the mortality tables. We have at the present time in the service of the United States ten million men, and even if these men do not suffer wounds in battle, it is admitted by all medical authorities that the battle will take something out of the men, and I say to you it is dangerous at this time to modernize the mortality tables. I believe they should allow at least ten years to expire after the cessation of this war to determine what effect these tables will have upon the men. It is a most dangerous procedure.

In order to satisfy myself, I introduced in the House Resolution No. 37. In that resolution I asked that House Bills 329 and 330 be studied by a commission, because the contents of them are so important to the policy holers of Pennsylvania. I thought it would take at least until the next session of the legislature to study these bills thoroughly. I asked that a joint commission of the House and Senate be appointed for the purpose of studying both these bills and reporting back to the next session of the legislature. I feel if these bills were passed we might be doing something that we will be sorry for. I think they will require a great amount of study and therefore, Mr. Speaker, I ask the Members on both sides of the House to vote against thees bills.

Mr. ANDREWS. Mr. Speaker, there has been one gratifying development in connection with these two bills. There is evidently a lack of ability to take a bill on the other side and in five minutes tell what is in the bill. I am pleased to see that it is admitted necessary by the majority group to turn over difficult bills to our specially skilled five minute reader.

Mr. Speaker, I would like to interrogate the expert who functions as the insurance adviser for the majority party.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. COHEN. I shall, Mr. Speaker.

Mr. ANDREWS. I would like, Mr. Speaker, to have the gentleman take House Bill 329, and I would like the gentleman to turn to page 9. I would like to have the gentleman turn to line 16 and tell the Members of this House what a "mum standard" is.

Mr. COHEN. Mr. Speaker, it should notice to everybody and perhaps I should not even attempt to discuss line 16, but I desire to thank the gentleman for pointing out a typical error which will be taken care of and attended to when it gets to the Senate. What it probably means is both a minimum and a maximum.

Mr. ANDREWS. Mr. Speaker, will the gentleman tell the House that in this bill when we want to say "minimum" we say "mum"?

Mr. COHEN. That is shorthand, Mr. Speaker.

Mr. ANDREWS. I want to ask the gentleman, Mr. Speaker, whether he thinks the mistakes in this bill should be cleared up in this House or whether there are so many errors in the bill that he wants to railroad it through to the Senate to be relieved of some responsibility in the matter.

Mr. COHEN. I will say this, I have never railroaded a bill in my life, but there is no objection to explaining everything and taking care of the typegraphical errors. They will probably take care of the typegraphical error when it arrives over in the Senate.

Mr. ANDREWS. Mr. Speaker, I would like to have the gentleman turn to page 8, line 9 and read to the House from 9 to line 19 and then explain to the House what that paragraph means.

Mr. COHEN. Mr. Speaker, the lines read:

A net level annual premium equal to the present value at the date of issue of such benefits provided for after the first policy year divided by the present value at the date of issue of an annuity of one per annum payable on the first and each subsequent anniversary of such policy on which a premium falls due provided however that such net level annual premium shall not exceed the net level annual premium on the nineteen year premium whole life plan for insurance of the same amount at an age one year higher than the age at issue of such policy.

Mr. Speaker, I think we could explain what the purpose of this bill is if the gentleman wants that done per-

haps, but I assure you it will take an awful lot of time to dig down that deep.

Mr. ANDREWS. I thank the gentleman from Philadelphia, Mr. Speaker, for his clear explanation.

I would say that since we are passing a bill that affects every insurance company in the State of Pennsylvania and every policyholder in the State of Pennsylvania that it may be fitting to pause and see what the gentleman's explanation of that particular key paragraph in this bill is. I think we should pause long enough and think well to explain that paragraph to the people.

Mr. COHEN. Mr. Speaker, to explain lines 9 to 19 I will have to start on page 5, line 25, because from there on in to the end of line 10 on page 10, we have the various component parts of an actuacrial theme which is comprehensible only to a man who is scientifically skilled in taking a lot of figures and juggling them around, but not comprehensible to the lay mind.

I did not attempt to take in the scientific formulae of the actuary who selected the policy for men, and even if I had I would not presume to tell the Members of the House and the gentleman from Cambria what an actuarial formulae is, but I will tell the gentlemen what I did.

I discussed this bill with a number of people in Philadelphia who asked me not to have their names mentioned, they are not connected with any life insurance companies, but they are in my estimation experts in life insurance. They write independently for all companies and also advise policy holders. They tried also to give me a scientific explanation, which my mind immediately rejected, that in their estimation the formula was a valid, actuarial formula. They passed no opinion as to whether or not the bills are good or bad.

Mr. ANDREWS. We are presented, Members of the House, with a unique situation. We have a majority group which is proposing one of the key bills, one of the most important bills of this session, and there isn't anybody over there that knows what this bill does or why. Then they draft a distinguished Member of the minority group and he doesn't know either. He says he talked to an actualry and the actuary said it was good.

Now, gentlemen of the House, it should be possible for anyone who understands insurance to come before this House with a clear cut case as to what this bill does for the insurance company, and what this bill does for the policyholder. That was the proper duty of the Insurance Department. That Department should not only have been content to talk to the Committee on Insurance, it should have placed in the possession of the Members of this House a reasonable explanation of this bill.

Now, no Chairman of a Committee was any fairer than the Chairman of the Insurance Committee. He has functioned admirably, and if he were to advise me concerning an insurance policy and give me his word that he was advising me correctly, I would follow his advice implicitly, but I am not as a legislator buying an insurance policy. I am asked to pass upon insurance bills which apply to all of our insurance companies and to all of our policyholders, and I would say to the Members of this House that it is unthinkable, it is ridiculous to bring in a bill and say to us, "You cannot understand this, nobody but an actuary knows what is in it. You just take our word for it, it is good legislation." That has been the attitude on this bill from the beginning.

There has been a reserve on the part of those who have urged it, and when they come down to fundamentals they offer the same explanation that the gentleman from Philadelphia offered, "Somebody told him it was a good bill." I say to the Members of this House until somebody in clear cut United States language can tell us what this bill does for the insurance companies, what it does for the policy holders we ought to refuse to act, because as legislators we should not pass legislation affecting all of the state simply upon the say so of some unnamed, unknown actuary.

Mr. COHEN. Mr. Speaker, I should like to answer the statement of the gentleman from Philadelphia, Mr. Chudoff, and offer a statement to the gentleman from Cambria, Mr. Andrews. I will try to take them up one by one and answer them very briefly because there is no fight about this bill.

We have a very distinct difference of opinion. I think my own opinion at the beginning coincides more with that of Mr. Chudoff than it now does. I came to my conclusion on these bills because I actually put my trust in people whom I trusted and I had to take what those people said rather than take my own judgment, because I have confessed and I confess again that I cannot tell you what the actuarial formula is or why it is.

The first argument was, Mr. Speaker, that it would affect the price of the present policies. That cannot be so because the present policies are not affected and no policies can be affected until after January of 1948. Therefore, Mr. Speaker, that argument falls.

Governor Dewey vetoed the bill, and I made inquiry and I found that a man, a lawyer named Dineen advised Governor Dewey not to sign the bill because he felt that the bill should get more study before the Governor approved it, but I understand that Louis Pink, who was the Commissioner of Insurance in the State of New York for some ten or twenty years before that time and was not trying to cast aspersions upon the other Insurance Commissioners of New York, he stands out in my estimation among the greatest insurance experts in America and the greatest insurance commissioner that ever commissioned insurance in America. Louis Pink also gave his whole hearted approval to these bills. I understand Louis Pink after he left the commissionership did not join some company but became connected with the United Relief Organizations. He is a man of unquestioned integrity and a man of outstanding ability in the field and he gave these bills his wholehearted approval. Another man was one of the professors at the University of Pennsylvania, an outstanding authority on insurance in America.

May I say, Mr. Speaker, in answer to another argument whether or not the companies are in bad shape, I do not know. I know that our own Treasury Department through Secretary Morgenthau in the past two or three years did make the statement that in America one of the ways people could lick inflation was to invest their money in insurance companies. I doubt whether Secretary Morgenthau would have made such a statement at that time unless he thought the companies were in excellent shape, and I am quite certain that Secretary

Morgenthau, if he were of the opinion that the insurance companies were in bad shape would be the first one to say so.

I will give you a little bit of the know how and why, why these companies want the bills passed. Thirty other states have passed similar legislation and it is anticipated that this state and other states will fall into line by the year 1948, that is the reason the bill is made effective at that time, three years hence, so that all of the states may fall into line when it is expected there will be uniform policies issued to all policy holders in every state of the union.

Now, Mr. Speaker, getting into the veteran's situation, it does not effect any of the veterans today. I will say this, Mr. Speaker, that in 1948 if it is found that a great number of our veterans have not yet returned, if it is found that a great change must be made because veterans returning might be susceptible to a situation that is not anticipated, it might be possible that it might be the right thing to defer this legislation or defer the effective date of this legislation. Also further, Mr. Speaker, the actuarial figures anticipate not only epidemic but also loss of life due to the war and war causes.

Further, on the technical side, may I say that the reason why the premiums would be reduced for the lower issuing age is this, that the science of medicine has made great forward steps in determining the cause of death in the younger people. They have had no such great success in the prevention of illness in the middle age and over age groups, so that when the premiums are fixed for the lower age groups it is possible for them under the new mortality tables, which affects the experience of 1930 to 1939 instead of 1868, they are able to determine over a period of a great many years how many people of the age of twenty-five will be living twenty-five, fifty or seventy-five years from that time, so that they are able to give us a premium which will allow a reserve to be set aside over the years for that group in order to assure that at the age of eighty-five at the end of the road the money will be there to pay them. The science of medicine has not been able to reduce many of the causes of death in the higher age groups and the premiums for that group will tend to be higher and not lower because at the age of fifty and fifty-five it is impossible to predict with any certainty who at that age will be living over a certain period of time, there will be a longer life in that group of people so that of course the amount of money which will be taken in and set aside for reserves will have to be on a more conservative basis, which would indicate a greater premium for that age.

Now, the accusation is fairly well put that there is nobody to give us a clear cut statement on these bills in plain ordinary American language. I never intended to do it, Mr. Speaker, because I do not feel qualified to do it. I submit these bills to you in behalf of the sponsors who asked me to take up the cudgels for them. I have gone to reputable people, not actuaries, in whom I have the greatest confidence for their opinion and advise, and from most people I have been able to get enough information to pursuade me, my first information on these bills, to say that no great calamity can come about if these bills are passed. I think that is as much as I can honestly say. I will guarantee nothing in these bills because I have not the qualification to guarantee anything, but I have every assurance in my own mind, and I have every feeling of sincerity when I say to you that the bills are all right as they are now.

Mr. DILLON. Mr. Speaker, being in the insurance business, not associated with a life insurance company, I am not in a position to pass judgment on these bills, but I do know this, that at the present time there are eighteen other states that have this law in effect, and at the present time there are also twelve other states where it is necessary for the legislature to pass this bill. But I do have enough faith in my present Insurance Commissioner, one of the best we have ever had in Pennsylvania, who is for this bill. I am going to be for it, and I ask the Members of the House to vote for it.

Mr. SKALE. Mr. Speaker, these bills are based upon the so-called Guertin Plan. I understood at the public hearing it took the gentleman, Mr. Guertin, some seven years to evolve this plan. Now, that is a long time. If it took that esteemed gentleman, who is an expert on actuarials, seven years to come to this conclusion, why should this Legislature be put in a position to pass the legislation in a few minutes when, as it has already been demonstrated on the floor of this House tonight, very few if any one know too much about these bills.

It has already been stated that similar bills in the State of New York have been vetoed. A commission was there appointed to study these bills and this type of legislation. To date to my knowledge no similar legislation has yet been introduced again in the State of New York. We can come to only one obvious conclusion and that is that the bills are not yet ready and clear for the people to understand.

I recall the question that was asked of the proponents of these bills at the public hearing, which was something like this, "Will these bills help the insurance companies or help the policy holders?" The answer was, "No, they would not. They would not help the companies or the policy holders," and then followed the question, "Then why do you want this legislation?" I am still endeavoring to get a clear and direct answer. Any answer that was attempted to be obtained was vague and evasive. It was definitely stated that the reserve would definitely be decreased if these bills were to become law.

I submit to the Members of this House that when the soldiers and sailors return the mortality rate may be increased, and that is natural. There are statistics to bear me out on this from the last World War as a basis that the mortality rate will be increased, and if these reserves are to be reduced to such an extent where the financial structure of the insurance companies is thereby affected, then I don't want to be around to see the calamity that may be visited upon us. I submit to the members of the House that we are not yet ripe for this legislation, about which we know nothing and understand even less, and I submit further that we should not pass this legislation at this time.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—123

Baker,	Gardner,	McDowell,	Serrill,
Barton,	Getchey,	McKinney,	Shoemaker,
Baumunk,	Gibson,	McMillen,	Sloan,
Bonawitz,	Goodling,	Mikula,	Smith,
Boorse,	Greer,	Miller,	Snyder,
Bower,	Guthrie,	Milliken,	Sollenberger,
Breisch,	Gyger,	Moore, C. E.,	Sorg,
Brice,	Hall,	Moser,	Stank,
Brunner, C. H.,	Hare,	Munley,	Stockham,
Brunner, P. A.,	Helm,	Murray, P. G.,	Stonier,
Cadwalader,	Hennihan,	Nelson,	Stuart,
Cohen,	Hoffman,	O'Brien,	Tahl,
Coleman,	Howells,	O'Connor,	Tate,
Cook,	Huntley,	O'Neill,	Tittle,
Cooper,	James,	Owens,	Trout,
Corrigan,	Kennedy,	Pentrack,	Turbett,
Costa,	Kline,	Pickens,	Turner,
Coulson,	Kolankiewicz,	Powers,	Varallo,
Coyle,	Komorofski,	Propert,	Wachhaus,
Dague,	Kurtz,	Readinger,	Wagner,
Dalrymple,	Laughner,	Reagan,	Waterhouse,
Dillon,	Lee,	Reese, D. P.,	Watkins,
Dye,	Leisey,	Regan,	Welsh,
Elder,	Lichtenwalter,	Reidenbach,	Wescott,
Erb,	Loftus,	Reilly,	White,
Ewing,	Lyons,	Reynolds,	Wood, L. H.,
Fleming,	Madigan,	Riley,	Wood, N.,
Fox,	Mahany,	Robertson,	Worley,
Freed,	McAtee,	Royer,	Yeakel,
Frost,	McClester,	Salus,	Fiss,
Fullerton,	McCormack,	Scanlon,	Speaker.

NAYS—56

Andrews,	Gallagher,	Lopez,	Polaski,
Barrett,	Gore,	Lovett,	Polen,
Bentzel,	Green,	Matthews,	Reese, R. E.,
Boory,	Haberlen,	McLanahan,	Rudisill,
Brancato,	Heatherington,	McNair,	Schuster,
Brown,	Hering,	McNally,	Shaffer,
Burns,	Hersch,	Mills,	Skale,
Chudoff,	Hunter,	Mooney,	Snider,
Cullen,	Jones,	Moore, W. J.,	Swope,
Dougherty,	Kirley,	Moran,	Trachtman,
Duffy,	Lane,	Murray, M. L.,	Verona,
Elish,	Leonard,	Nagel,	Weiss,
Finnerty,	Levy,	O'Donnell,	Wright,
Gaffney,	Longo,	Petrosky,	Yester,

NOT VOTING—22

Bentley,	Dix,	Hoggard,	Myhan,
Boies,	Flack,	Hoopes,	O'Dare,
Boney,	Grant,	Krise,	Pettigrew,
Brothers,	Greenwood,	Madden,	Root,
Dennison,	Hamilton,	Modell,	Trent,
Depuy,	Haudenshield,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 330, as follows:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by amending section four hundred ten (410) thereof relating to uniform policy provisions by adding thereto section four hundred ten A (410A) relating to non-forfeiture benefits and cash surrender values required in life insurance policies and by amending section four hundred twenty C (420C) thereof relating to uniform industrial policy provisions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred ten (410) of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" as last amended by the act approved the fourth day of June one thousand nine hundred and thirty-seven (P. L. 1634) is hereby further amended to read as follows

Section 410 Uniform Policy Provisions No policy of life or endowment insurance except policies of industrial insurance where the premiums are payable monthly or oftener shall hereafter be issued or delivered by any stock or mutual life insurance company in this Commonwealth unless it contains in substance the following provisions

(a) A provision that all premiums shall be payable in advance either at the home office of the company or to an agent of the company upon delivery of a receipt signed by one or more of the officers of the company who shall be named in the policy

(b) A provision that the insured is entitled to a grace either of thirty days or one month within which the payment of any premium after the first year may be made subject at the option of the company to an interest charge not in excess of six per centum per annum for the number of days of grace elapsing before the payment of the premium during which period of grace the policy shall continue in full force but in case the policy becomes a claim during the said period of grace before the overdue premium or the deferred premiums of the current policy year if any are paid the amount of such premiums with interest on any overdue premiums may be deducted in any settlement under the policy

(c) A provision that the policy shall be incontestable after it has been in force during the lifetime of the insured two years from its date of issue except for nonpayment of premiums and for engaging in military or naval service in time of war without the consent in writing of an executive officer of the company and that at the option of the company provisions relative to benefits in the event of total and permanent disability and provisions which grant additional insurance specifically against death by accident may also be excepted

(d) A provision that the policy shall constitute the entire contract between the parties but if the company desires to make the application a part of the contract it may do so provided a copy of such application shall be endorsed upon or attached to the policy when issued and in such case the policy shall contain a provision that the policy and the application therefor shall constitute the entire contract between the parties

(e) A provision that if the age of the insured has been misstated the amount payable under the policy shall be such as the premium would have purchased at the correct age

(f) A provision that the policy shall participate in the surplus of the company and that beginning not later than the end of the third policy-year the company will annually determine the portion of the divisible surplus accruing on the policy and that the owner of the policy shall have the right to have the dividend arising from such participation paid in cash or applied to the payment

of premium or the purchase of paid up additions to the policy as the policyholder may elect

In lieu of the foregoing provisions the policy may contain a provision that the policy shall participate in the surplus of the company and that beginning not later than the end of the fifth policy-year the company will determine the portion of the divisible surplus accruing on the policy and that the owner of the policy shall have the right to have the current dividend arising from such participation paid in cash and that at periods of not more than five years thereafter such apportionment and payment at the option of the policyholder shall be had

Renewable term policies of ten years or less may provide that the surplus accruing to such policies shall be determined and apportioned each year after the second policy-year and accumulated during each renewal period and that at the end of any renewal period or renewal of the policy by the insured the company shall apply the accumulated surplus as an annuity for the next succeeding renewal term in the reduction of premiums

(g) A provision specifying the options if any to which the policyholder is entitled in the event of default in a premium payment [after three full annual premiums shall have been paid]

(h) A provision for a loan value at any time while the policy is in force [that] after three full years' premiums have been paid

(1) In the case of any policy issued prior to the operative date of section four hundred and ten A of this act (the Standard Non-forfeiture Law) it shall be provided that the company [at any time while the policy is in force] will advance on proper assignment or pledge of the policy and on the sole security thereof at a specified rate of interest a sum equal to or at the option of the owner of the policy less than the reserve at the end of the current policy year on the policy and on any dividend additions thereto less a sum not more than two and one-half per centum of the amount insured by the policy and of any dividend additions thereto and that the company will deduct from such loan value any existing indebtedness on the policy and any unpaid balance of the premium for the current policy-year and may collect interest in advance on the loan to the end of the current policy-year which provision may further provide that such loan may be deferred for not exceeding six months after the application therefor is made A company may in lieu of the provision hereinabove permitted for the deduction from a loan on the policy of a sum not more than two and one-half per centum of the amount insured by the policy and of any dividend additions thereto insert in the policy a provision that one-fifth of the entire reserve may be deducted in case of a loan under the policy or may provide therein that the deduction may be the said two and one-half per centum or the one-fifth of the said entire reserve at the option of the company

(2) In the case of any policy issued on or after the operative date of section four hundred and ten A of this act (the Standard Non-forfeiture Law) it shall be provided that the company will advance on proper assignment or pledge of the policy and on the sole security thereof at a specified rate of interest a sum equal to or at the option of the owner of the policy less than the cash surrender value at the end of the current policy year as required by section four hundred and ten A of this act and that the company will deduct from such loan value (in addition to any indebtedness deducted in determining such value) any unpaid balance of the premium for the current policy year and may collect interest in advance on the loan to the end of the current policy year The company shall reserve the right to defer such loan except any made to pay premiums for six months after application therefor is made This subsection (h) shall not apply to term insurance

(i) A provision [which] for a non-forfeiture benefit and cash surrender value

(1) In the case of any policy issued prior to the operative date of section four hundred and ten A of this act (the Standard Non-forfeiture Law) a non-forfeiture benefit shall be provided in event of default in premium payments after premiums shall have been paid for three years which shall secure to the owner of the policy a stipulated form of insurance the net value of which shall be at least equal to the reserve at the date of default on the policy and on any dividend additions thereto specifying the mortality table and rate of interest adopted for computing such reserves less a sum not more than two and one-half per centum of the amount insured by the policy and of any existing dividend additions thereto and less any existing indebtedness to the company on the policy Such provision shall stipulate that the policy may be surrendered to the company at its home office within one month from date of default for a specified cash value at least equal to the sum which would otherwise be available for the purchase of insurance as aforesaid and may stipulate that the company may defer payment for not more than six (6) months after the application therefor is made This provision shall not be required in term insurance of twenty years or less

(2) In the case of any policy issued on or after the operative date of section four hundred and ten A of this act (the Standard Non-forfeiture Law) a non-forfeiture benefit and cash surrender value shall be provided in accordance with said section

(j) A table showing in figures the loan value if any and the options if any available under the policy each year upon default in premium payments during at least the first twenty years of the policy and if the proceeds of the policy are payable in installments or as an annuity a table showing the amount of the installment or annuity payment

(k) A provision that the holder of a policy shall be entitled to have the policy reinstated at any time within three years from the date of default in premium payments unless the policy has been duly surrendered or the extension period expired upon the production of evidence of insurability satisfactory to the company and the payment of all overdue premiums and any other indebtedness to the company upon said policy with interest at the rate of not exceeding six per centum per annum

(l) A provision that when a policy shall become a claim by the death of the insured settlement shall be made upon receipt of due proof of death

Any of the foregoing provisions or parts thereof not applicable to single premium or non-participating [or term] policies shall to that extent not be incorporated therein Provided however that the police of an insurance company organized under the laws of any State or foreign government may contain when issued in this Commonwealth any provision which may be prescribed by laws of the State or government under which the company is organized and the policies of a life insurance company organized under the laws of this Commonwealth may when issued in any other State Territory or foreign country contain any provision required by the laws of such State Territory or foreign country to be contained in policies issued therein

Section 2 The said act is hereby amended by adding thereto section four hundred ten A (410A) to read as follows

Section 410A Standard Non-Forfetiure Law (a) In the case of policies issued on or after the operative date of this section as defined in subsection (g) no policy of life insurance except as stated in subsection (f) shall be issued or delivered in this Commonwealth unless it shall contain in substance the following provisions or corresponding provision which in the opinion of the Insurance Commissioner are at least as favorable to the defaulting or surrendering policyholder

(1) That in the event of default in any premium payment the company will grant upon proper request not later than sixty days after the due date of the premium in default a paid-up non-forfeiture benefit on a plan stipulated in the policy effective as of such due date of such value as may be hereinafter specified

(2) That upon surrender of the policy within sixty days after the due date of any premium payment in default after premiums have been paid for at least three full years in the case of Ordinary insurance or five full years in the case of Industrial insurance the company will pay in lieu of any paid-up non-forfeiture benefit a cash surrender value of such amount as may be hereinafter specified

(3) That a specified paid-up non-forfeiture benefit shall become effective as specified in the policy unless the person entitled to make such election elects another available option not later than sixty days after the due date of the premium in default

(4) That if the policy shall have become paid-up by completion of all premium payments or if it is continued under any paid-up non-forfeiture benefit which became effective on or after the third policy anniversary in the case of Ordinary insurance or the fifth policy anniversary in the case of Industrial insurance the company will pay upon surrender of the policy within thirty days after any policy anniversary a cash surrender value of such amount as may be hereinafter specified

(5) A statement of the mortality table and interest rate used in calculating the cash surrender values and the paid-up non-forfeiture benefits available under the policy together with a table showing the cash surrender value if any and paid-up non-forfeiture benefit if any available under the policy on each policy anniversary either during the first twenty policy years or during the term of the policy whichever is shorter such values and benefits to be calculated upon the assumption that there are no dividends or paid-up additions credited to the policy and that there is no indebtedness to the company on the policy

(6) A statement of the method to be used in calculating the cash surrender value and the paid-up non-forfeiture benefit available under the policy on any policy anniversary with an explanation of the manner in which the cash surrender values and the paid-up non-forfeiture benefits are altered by the existence of any paid-up additions credited to the policy or any indebtedness to the company on the policy

Any of the foregoing provisions or portions thereof not applicable by reason of the plan of insurance may to the extent inapplicable be omitted from the policy

The company shall reserve the right to defer the payment of any cash surrender value for a period of six months after demand therefor with surrender of the policy

(b) Any cash surrender value available under the policy in the event of default in a premium payment due on any policy anniversary whether or not required by subsection (a) shall be an amount not less than the excess if any of the present value on such anniversary of the future guaranteed benefits which would have been provided for by the policy including any existing paid-up additions if there had been no default over the sum of (A) the then present value of the adjusted premiums as defined in subsection (d) corresponding to premiums which would have fallen due on and after such anniversary and (B) the amount of any indebtedness to the company on the policy Any cash surrender value available within thirty days after any policy anniversary under any policy paid-up by completion of all premium payments or any policy continued under any paid-up non-forfeiture benefit whether or not required by subsection (a) shall be an amount not less than the present value on such anniversary of the future guaranteed benefits provided for by the policy including any existing paid-up additions decreased by any indebtedness to the company on the policy

(c) Any paid-up non-forfeiture benefit available under the policy in the event of default in a premium payment due on any policy anniversary shall be such that its present value as of such anniversary shall be at least equal to the cash surrender value then provided for by the policy or if none is provided for that cash surrender value which would have been required by this section in the absence of the condition that premiums shall have been paid for at least a specified period

(d) The adjusted premiums for any policy shall be calculated on an annual basis and shall be such uniform percentage of the respective premiums specified in the policy for each policy year that the present value at the date of issue of the policy of all such adjusted premiums shall be equal to the sum of (i) the then present value of the future guaranteed benefits provided for by the policy (ii) two per cent of the amount of insurance if the insurance be uniform in amount or of the equivalent uniform amount as hereinafter defined if the amount of insurance varies with duration of the policy (iii) forty per cent of the adjusted premium for the first policy year (iv) twenty-five per cent of either the adjusted premium for the first policy year or the adjusted premium for a whole life policy of the same uniform or equivalent uniform amount with uniform premiums for the whole of life issued at the same age for the same amount of insurance whichever is less Provided however that in applying the percentages specified in (iii) and (iv) above no adjusted premium shall be deemed to exceed four per cent (4%) of the amount of insurance or level amount equivalent thereto The date of issue of a policy for the purpose of this subsection shall be the date as of which the rated age of the insured is determined

In the case of a policy providing an amount of insurance varying with duration of the policy the equivalent level amount thereof for the purpose of this subsection shall be deemed to be the level amount of insurance provided by an otherwise similar policy containing the same endowment benefit or benefits if any issued at the same age and for the same term the amount of which does not vary with duration and the benefits under which have the same present value at the inception of the insurance as the benefits under the policy

All adjusted premiums and present values referred to in this section shall be calculated on the basis of the Commissioners 1941 Standard Ordinary Mortality Table for Ordinary insurance and the 1941 Standard Industrial Mortality Table for Industrial insurance and the rate of interest not exceeding three and one-half per cent (3½%) per annum specified in the policy for calculating cash surrender values and paid-up non-forfeiture benefits Provided however that in calculating the present value of any paid-up term insurance with accompanying pure endowment if any offered as a non-forfeiture benefit the rates of mortality assumed may be not more than one hundred and thirty per cent (130%) of the rates of mortality according to such applicable table Provided further that for insurance issued on a substandard basis the calculation of any such adjusted premiums and present values may be based on such other table of mortality as may be specified by the company and approved by the Insurance Commissioner

(e) Any cash surrender value and any paid-up non-forfeiture benefit available under the policy in the event of default in a premium payment due at any time other than on the policy anniversary shall be calculated with allowance for the lapse of time and the payment of fractional premiums beyond the last preceding policy anniversary All values referred to in subsections (b) (c) and (d) may be calculated upon the assumption that any death benefit is payable at the end of the policy year of death The net value of any paid-up additions other than paid-up term additions shall be not less than the dividends used to provide such additions Nothwithstanding the provisions of subsection (b) additional benefits payable (i) in the event of death or dismemberment by accident or accidental means (ii) in the event of total and permanent disability (iii) as reversionary annuity or deferred reversionary annuity benefits (iv) as decreasing term insurance benefits provided by a rider or supplemental policy provision to which if issued as a separate policy this section would not apply and (v) as other policy benefits additional to life insurance and endowment benefits and premiums for all such additional benefits shall be disregarded in ascertaining cash

surrender values and non-forfeiture benefits required by this section and no such additional benefits shall be required to be included in any paid-up non-forfeiture benefits

(f) This section shall not apply to any reinsurance group insurance pure endowment annuity or reversionary annuity contract nor to any term policy of uniform amount or renewal thereof of fifteen years or less expiring before age sixty-six for which uniform premiums are payable during the entire term of the policy nor to any term policy of decreasing amount on which each adjusted premium calculated as specified in subsection (d) is less than the adjusted premium so calculated on such fifteen year term policy issued at the same age and for the same initial amount of insurance nor to any policy which shall be delivered outside this Commonwealth through an agent or other representative of the company issuing the policy

(g) After the effective date of this act any company may file with the Insurance Commissioner a written notice of its election to comply with the provisions of this section after a specified date After the filing of such notice then upon such specified date (which shall be the operative date for such company) this section shall become operative with respect to the policies and contracts thereafter issued by such company provided however that the operative date for every life insurance company except a limited life insurance company shall not in any event be later than January first nineteen hundred and forty-eight

(h) This Section shall be known as the Standard Non-forfeiture Law

Section 3 Section four hundred twenty C (420C) of said act which section was added by section one (1) of the act approved the twenty-first day of May one thousand nine hundred and thirty-seven (P. L. 769) is hereby amended to read as follows

Section 420C Uniform Industrial Policy Provisions From and after the first day of January nineteen hundred and thirty-eight no policy of Industrial Insurance shall be issued or delivered to take effect in this Commonwealth or be issued by a life insurance company organized under the laws of this Commonwealth unless the same shall contain in substance the following provisions

(a) A provision that the insured is entitled to a grace of four (4) weeks within which the payment of any premium after the first may be made expect that where premiums are payable monthly the insured shall be entitled to a grace of one month or 30 days During such period of grace the policy shall continue in full force but in case the policy becomes a claim during said grace period before the overdue premiums are paid the amount of overdue premiums may be deducted in any settlement under the policy

(b) A provision that the policy shall constitute the entire contract between the parties but if the company desires to make the application a part of the contract it may do so provided a copy of such application shall be endorsed upon or attached to the policy when issued and in such case the policy shall contain a provision that the policy and the application therefor shall constitute the entire contract between the parties

(c) A provision that the policy shall be incontestable after it has been in force during the life-time of the insured two years from its date of issue except for non-payment of premium and except for violation of the conditions of the policy relating to naval or military service in time of war and except as to provisions and conditions relating to benefits in the event of total and permanent disability and those granting additional insurance specifically against death by accident

(d) A provision that if the age of the insured has been misstated the amount payable under the policy shall be such as the premium would have purchased at the correct age

(e) A provision that the policy shall participate in the surplus of the company and that the company will annually determine the portion of any divisible surplus accruing on the policy and indicating the conditions under which the company shall apportion such dividends to the policyholder

(f) A provision for a non-forfeiture benefit and cash surrender value

(1) In the case of any policy issued prior to the operative date of section four hundred and ten A of this act (the Standard Non-forfeiture Law) a non-forfeiture benefit shall be available [that] in event of default in premium payments after premiums have been paid for three full years [there] and shall be [available] a stipulated form of insurance effective from the due date of the defaulted premium the net value of which stipulated form of insurance shall not be less than the reserve on the policy (exclusive of reserves if any for provisions relating to benefits in the event of specific types of disability or provisions granting additional insurance specifically against death by accident and for provisions granting other benefits in addition to life insurance) at the end of the last completed quarter of the policy year for which premiums have been paid and on any dividend additions thereto if any (the policy to specify the mortality table and rate of interest and also the method of valuation if other than net level premium adopted for computing such reserve) less a specified maximum percentage (not more than two and one-half) of the maximum face amount insured by the policy and of dividend additions thereto if any and less any existing indebtedness to the company on or secured by the policy Provided however That the said percentage or other rule of calculation so stated as to permit determination of the values shall be specified for each year for which required values are not included in the policy And provided a company may in lieu of the provision herein permitted for the deduction from the reserve of a sum not more than two and one-half per centum of the maximum face amount insured by the policy and of any dividend additions thereto insert in the policy a provision that a deduction of one-fifth of said reserve may be made or said two and one-half per centum of the maximum face amount insured or one-fifth of said reserve at the option of the company Provided further That after premiums have been paid for five full years the policy may be surrendered to the company at its home office within four weeks of the due date of the defaulted premium for a specific cash value at least equal to the sum which would otherwise be available for the purchase of insurance as aforesaid And provided further That the company may defer payment of such cash value for not more than six months after application therefor is made In the event that such cash or other non-forfeiture value is not requested within the required period it shall be provided that a stipulated form of insurance shall automatically become effective

(2) In the case of any policy issued on or after the operative date of section four hundred and ten A of this act (the Standard Non-forfeiture Law) a non-forfeiture benefit and cash surrender value shall be provided in accordance with said section

(g) A table showing in figures the non-forfeiture options available under the policy at the end of each year upon default in premium payments during the premium payment period but not to exceed the first twenty (20) years of the policy [such table to begin with the year in which such values become available] and providing that the company will furnish upon request an extension of such table beyond the years shown in the policy

(h) A provision that the policy if not surrendered for its cash value or if the period of extended insurance has not expired may be reinstated within one year from the date of default in payment of premiums upon payment of all overdue premiums and the payment or reinstatement of any other indebtedness to the company upon said policy and at the option of the company interest thereon at a rate not to exceed six per centum per annum and upon the presentation of evidence satisfactory to the company of the insurability of the insured

(i) A provision that when a policy shall become a

claim by the death of the insured settlement shall be made upon receipt of due proof of death

(j) A form number and title on the face of the policy clearly and correctly describing its form

Any such policy may be issued or delivered in this Commonwealth which in the opinion of the Insurance Commissioner contains provisions on any one or more of the several foregoing requirements more favorable to the policy holder than hereinbefore required The policies of an insurance company organized under the laws of any other state or foreign government may contain when issued in this Commonwealth any provision which may be prescribed by the laws of the state or government under which the company is organized not contrary to the provisions heretofore prescribed and the policies of a life insurance company organized under the laws of this Commonwealth when issued in any other state territory or foreign country may contain any provision required by the laws of such state territory or foreign country to be contained in the policies issued therein

Any of the foregoing provisions or parts thereof not applicable to non-participating [or term] policies shall to that extent not be incorporated therein and the provisions of this section shall not apply to policies issued or granted pursuant to the non-forfeiture provisions prescribed in subsection (f) of this section

Section 4 All acts and parts of acts inconsistent herewith are hereby repealed

Section 5 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—119

Baker,	Gardner,	McMillen,	Sloan,
Barton,	Getchey,	Mikula,	Smith,
Baumunk,	Goodling,	Miller,	Snyder,
Bonawitz,	Greenwood,	Milliken,	Sollenberger,
Boorse,	Greer,	Moore, C. E.,	Sorg,
Bower,	Guthrie,	Moser,	Stank,
Brancato,	Hall,	Munley,	Stockham,
Breisch,	Hare,	Murray, P. G.,	Stonier,
Brice,	Haudenshield,	Nelson,	Stuart,
Brunner, C. H.,	Helm,	O'Brien,	Swope,
Brunner, P. A.,	Hennihan,	O'Connor,	Tahl,
Cadwalader,	Hoffman,	O'Neill,	Tate,
Cohen,	Howells,	Owens,	Tittle,
Cook,	Huntley,	Pentrack,	Trout,
Cooper,	James,	Pickens,	Turbett,
Costa,	Kennedy,	Powers,	Turner,
Coulson,	Kline,	Propert,	Varallo,
Dague,	Kolankiewicz,	Readinger,	Wachhaus,
Dalrymple,	Kurtz,	Reagan,	Wagner,
Dix,	Lee,	Reese, D. P.,	Waterhouse,
Dye,	Leisey,	Regan,	Watkins,
Elder,	Lichtenwalter,	Reidenbach,	Welsh,
Erb,	Loftus,	Reilly,	Wescott,
Ewing,	Madigan,	Riley,	White,
Finnerty,	Mahany,	Robertson,	Wood, L. H.,
Fleming,	McAtee,	Royer,	Wood, N.,
Fox,	McClester,	Salus,	Worley,
Freed,	McCormack,	Scanlon,	Yeakel,
Frost,	McDowell,	Serrill,	Fiss,
Gallagher,	McKinney,	Shoemaker,	Speaker.

NAYS—54

Andrews,	Haberlen,	McLanahan,	Polen,
Bentzel,	Heatherington,	McNair,	Reese, R. E.,
Boory,	Hering,	McNally,	Rudisill,
Brown,	Hersch,	Mills,	Schuster,
Burns,	Hunter,	Modell,	Shaffer,
Chudoff,	Jones,	Mooney,	Skale,
Coleman,	Kirley,	Moore, W. J.,	Snider,
Corrigan,	Lane,	Moran,	Trachtman,
Cullen,	Leonard,	Murray, M. L.,	Trent,
Dougherty,	Levy,	Nagel,	Verona,
Duffy,	Longo,	O'Donnell,	Weiss,
Elish,	Lopez,	Petrosky,	Wright,
Gaffney,	Lovett,	Polaski,	Yester,
Gore,	Matthews,		

NOT VOTING—28

Barrett,	Depuy,	Gyger,	Lyons,
Bentley,	Dillon,	Hamilton,	Madden,
Boies,	Flack,	Hoggard,	Myhan,
Boney,	Fullerton,	Hoopes,	O'Dare,
Brothers,	Gibson,	Komorofski,	Pettigrew,
Coyle,	Grant,	Krise,	Reynolds,
Dennison,	Green,	Laughner,	Root,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

COMMITTEE MEETINGS

There will be meetings of the Committees on:

Agriculture on Tuesday, April 10 at 10 a. m. in Room No. 331.

Boroughs on Tuesday, April 10 at 9:45 a. m. in Room No. 522.

Education on Tuesday, April 10 at 10.45 a. m. in Room No. 324.

Elections on Tuesday, April 10 at 11 a. m. in Room No. 329.

Judiciary General on Tuesday, April 10 at 10 a. m. in Room No. 325.

Public Health and Sanitation on Tuesday, April 10 at 11 a. m. in Room No. 522.

There will be a public hearing before the Committee on Fisheries on Senate Bill No. 106 on Tuesday, April 10, at 10:30 a. m. in New House Caucus Room.

Republican Caucus on Tuesday, April 10 at 12:30 p. m. in New House Caucus Room.

ADJOURNMENT

Mr. WATERHOUSE. Mr. Speaker, I move that this House do now adjourn until Tuesday, April 10, 1945, at 1:30 p. m.

The motion was agreed to, and (at 1:07 a. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1945. 136th of the General Assembly.

Vol. 29. HARRISBURG, PA., TUESDAY, APRIL 10, 1945. No. 42.

SENATE

TUESDAY, April 10, 1945.

The Senate met at 3:00 o'clock, p. m., Eastern War Time.

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the Chair.

PRAYER

In the absence of the Chaplain prayer was offered by the gentleman from Butler, Senator CARR.

We acknowledge Thee as our God and as our Creator and as our Father; all that we have is the gift of Thy hand. We ask Thy blessing upon these gifts of ours. Oh God, bless our nation and those allied with her in its great struggle. Bless our state and those in places of authority in it. Bless us as we shall try to do Thy will with the work committed to our hands.

We ask it in Christ's name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HEYBURN and Mr. THOMAS, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. WADE. I am pleased to report Mr. President, all Republican members are present and accounted for.

VISITORS INTRODUCED TO SENATE

Mr. WADE. Mr. President, we are favored today with the presence of some thirty visitors from the ninth and tenth grades of the West Fairview High School, Cumberland County.

The PRESIDENT. The Chair welcomes your future constituents and hopes they will all vote for you. The Chair can not recommend too highly the distinguished Senator from Cumberland.

Boys and girls of the ninth and tenth grades of the West Fairview High School, the Senate welcomes you.

The PRESIDENT. The Chair also welcomes to the Senate some lovely ladies, including Mrs. Guthrie, of the Ogontz Junior College, Montgomery County who, if you will look above, will dazzle you with their loveliness.

FELICITATIONS EXTENDED TO SENATOR HENRY I. WILSON

The PRESIDENT. The Senate also is honored because today is the birthday of a Senator who has the longest service in the House and Senate of any member of Pennsylvania, one of the most conscientious and able Senators we have, and the Chair is sure the Senate would like Senator Henry I. Wilson to stand up and take a bow.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

APPROVED AND SIGNED
SENATE BILL No. 115, PRINTER'S No. 135

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 10, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 115, Printer's No. 135, entitled "An Act to repeal Section forty-five of the Act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447), entitled, as amended, 'An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain

cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents.'"

EDWARD MARTIN.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 329, entitled:

An Act to further amend section three hundred one and section three hundred three and to amend section three hundred four of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 789), entitled as amended "Insurance Department Act of 1921," by further regulating the computation of the reserve liability of life insurance companies deficiency reserve requirements and the acceptance of valuations made by other states.

Which was committed to the Committee on Insurance.

House Bill No. 330, entitled:

An Act to further amend the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "Insurance Company Law of 1921," by amending section four hundred ten (410) thereof relating to uniform policy provisions by adding thereto section four hundred ten A (410A) relating to non-forfeiture benefits and cash surrender values required in life insurance policies and by amending section four hundred twenty C (420C) thereof relating to uniform industrial policy provisions.

Which was committed to the Committee on Insurance.

House Bill No. 685, entitled:

An Act to further amend section one of the act, approved the twenty-fourth day of June, one thousand nine hundred and nineteen (P. L. 579), entitled "An act to fix the salary and mileage of the members of the General Assembly, and to provide for the furnishing of such postage, stationery, and supplies, as may be necessary for the conduct of their offices; and repealing all acts or parts of acts inconsistent therewith," increasing the mileage rate of members of the General Assembly.

Which was committed to the Committee on State Government.

House Bill No. 827, entitled:

An Act relating to the liabilities of elected and appointed officers of the various political subdivisions; providing for the forfeiture of their office; and imposing penalties for certain actions and omissions.

Which was committed to the Committee on State Government.

HOUSE CONCURS IN SENATE BILL No. 195

He also returned to the Senate, Senate Bill No. 195, entitled:

An Act relating to suits by shareholders against officers or directors in a corporation, domestic or foreign, to enforce a secondary right because the corporation refuses to enforce rights which may be asserted by it; requiring that plaintiff be a shareholder at the time of the transaction of which he complains or that his shares thereafter devolved upon him by operation of law; requiring security for defendant's expenses, including attorney's fees; and providing for the assessment and recovery of such expenses, including attorney's fees

with the information that the House has passed the same without amendments.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 719

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, April 9, 1945.

Resolved (if the Senate concurs), That House Bill No. 719, Printer's No. 283, entitled:

An Act to amend section one of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 558), entitled "An act authorizing the Department of Property and Supplies to sell and convey a lot or piece of land in Delaware County," correcting an erroneous measurement

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR, SENATE BILL No. 18

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, April 9, 1945.

Resolved (if the House of Representatives concur), That Senate Bill No. 18, entitled:

An Act to amend sections one and two of the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1303) entitled "An act to regulate the sale of certain hypnotic analgesic and body-weight reduction drugs in the interest of public health" by redefining the meaning of "other hypnotic drugs or analgesic drug or body-weight reducing drug" and adding "inhalers" to the remedies permitted to be sold at retail

be recalled from the Governor for the purpose of amendment.

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR, SENATE BILL No. 230

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, April 9, 1945.

Resolved (if the House of Representatives concur), That Senate Bill No. 230, entitled:

An Act to amend the title and the act approved the thirtieth day of April, one thousand nine hundred and forty-three (P. L. 145), entitled "An act providing for and regulating the accumulation, investment and expenditures by counties, cities, boroughs, incorporated towns and townships of funds for post war projects," extending the provisions of said act to school districts; and defining the term "post war period"

be recalled from the Governor for the purpose of amendment.

He also informed the Senate that the House has concurred in resolution from the Senate as follows:

TIME OF NEXT MEETING

In the Senate, April 9, 1945.

Resolved (if the House of Representatives concur) That when the Senate adjourns this week, it reconvene on Monday, April 16, 1945, at four o'clock p. m., and when the House of Representatives adjourns this week, it reconvene on Monday, April 16, 1945, at nine o'clock p. m.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 191

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 191, entitled:

An Act to further amend the act approved the eleventh day of July, one thousand nine hundred seventeen (P. L. 758), entitled "Narcotic Law," further defining the word "drug," specifying certain information to be disclosed on labels of narcotic prescriptions, requiring that narcotics be kept in the original container, requiring the disclosure of certain information to physician by patient, and providing additional penalties.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 321.

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 321, entitled:

An Act to amend the title and section one of the act approved the eleventh day of May, one thousand eight hundred ninety-nine (P. L. 289), entitled "An act providing for the payment to the county or counties of the moneys or bonus which any foreign railway corporation is required to pay into the State Treasury for the right to pass through said county or counties, and by which payment such foreign railway corporation is relieved from local taxation," by eliminating the reference to relief from local taxation.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 412.

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 412, entitled:

An Act to amend section five of the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1664) entitled "An act to ratify and adopt a compact or agreement negotiated by commissioners designated by the Governor of the Commonwealth of Pennsylvania and commissioners designated by the Governor of the State of Ohio relative to the development use and control of the Pymatuning Lake and the State owned land surrounding said lake for fishing hunting recreational and park purposes" so as to permit the operation thereon of boats equipped with motors of four horsepower or less

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) announced that the Acting Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 191, entitled:

An Act to further amend the act approved the eleventh day of July, one thousand nine hundred seventeen (P. L. 758), entitled "Narcotic Law," further defining the word "drug," specifying certain information to be disclosed on labels of narcotic prescriptions, requiring that narcotics be kept in the original container, requiring the disclosure of certain information to physician by patient, and providing additional penalties.

House Bill No. 199, entitled:

An Act to further amend section one of the act, approved the sixteenth day of May, one thousand nine hundred twenty-three, (P. L. 207), entitled "Municipal Claim and Tax Lien Law," by adding certain claims of Municipal Authorities in the definition of "municipal claim" and further amending the definition of "municipality" to include county institutions, districts, and bodies politic or corporate created as Municipal Authorities.

Senate Bill No. 314, entitled:

An Act relating to officers and employes of the Senate and House of Representatives providing for and fixing the compensation of an additional employe changing the compensation of certain existing employes and making an appropriation therefor and for contingent expenses

House Bill No. 321, entitled :

An Act to amend the title and section one of the act approved the eleventh day of May one thousand eight hundred ninety-nine (P. L. 289) entitled "An act providing for the payment to the county or counties of the moneys or bonus which any foreign railway corporation is required to pay into the State Treasury for the right to pass through said county or counties and by which payment such foreign railway corporation is relieved from local taxation," by eliminating the reference to relief from local taxation.

House Bill No. 338, entitled:

An Act to amend sections two, seventeen, eighteen, twenty, and twenty-six of the act, approved the fourth day of June, one thousand nine hundred and forty-three (P. L. 886), entitled "Municipal Employes Retirement Law," changing certain definitions, clarifying provisions relating to local pension and retirement systems; changing the formulae for the ascertainment of contributions by members and by municipalities; eliminating the provision requiring retirement at age seventy; and reappropriating the unexpended balance of the prior appropriations.

House Bill No. 382, entitled:

An Act to amend section seven hundred two of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law," by authorizing such townships to regulate parking.

House Bill No. 412, entitled:

An Act to amend section five of the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1664) entitled "An act to ratify and adopt a compact or agreement negotiated by commissioners designated by the Governor of the Commonwealth of Pennsylvania and commissioners designated by the Governor of the State of Ohio relative to the development use and control of the Pymatuning Lake and the State owned land surrounding said lake for fishing hunting recreational and park purposes" so as to permit the operation thereon of boats equipped with motors of four horsepower or less

House Bill No. 662, entitled:

An Act to promote interstate cooperation for the conservation and protection of water resources in the Delaware River Basin.

House Bill No. 898, entitled:

An Act conferring the power to administer oaths on clerks in the office of the prothonotary or clerk of quarter sessions of the Peace Oyer and Terminer and General Jail Delivery.

House Bill No. 917, entitled:

An Act to validate certain acknowledgments and to regulate the effect thereof.

Whereupon,

The PRESIDENT (Lieutenant-Governor, John C. Bell, Jr.) in the presence of the Senate signed the same.

REPORTS FROM COMMITTEES

Mr. WILSON, from the Committee on Senatorial Apportionment, reported as committed, Senate Bill No. 478, entitled:

An Act to fix the number of Senators in the General Assembly of the State; to apportion the State into Senatorial districts, as provided by the Constitution; and to regulate the election of, and terms of office of, the present and future elected Senators.

Mr. CRIDER, from the Committee on Judiciary Special, reported as amended, House Bill No. 295, entitled:

An Act to repeal certain obsolete and supplied penal laws.

Mr. BLASS, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 649, entitled:

An Act providing for the disposition of fines, penalties and forfeitures collected in summary proceedings; and imposing penalties.

Mr. MALLERY, from the Committee on Constitutional Changes, reported as amended, Senate Bill No. 132, entitled:

A Joint Resolution proposing an amendment to article fourteen of the Constitution of the Commonwealth of Pennsylvania, abolishing County of Philadelphia as a separate political entity, and providing for administering of county functions by City of Philadelphia.

Mr. MALLERY. Mr. President, I call the attention of the Clerk that the amendment is to the pink bill.

Mr. KEPHART, from the Committee on Judiciary Special, reported as committed, House Bill No. 749, entitled:

An Act to amend section eight hundred ninety-two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" permitting and protecting the sale of American War Mothers' carnations

He also, from the Committee on Judiciary Special, reported as amended, House Bill No. 501, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" by further defining real estate brokers and real estate salesmen and further providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business

Mr. STIEFEL, from the Committee on Public Health, reported as committed, House Bill No. 505, entitled:

An Act relating to the practice of veterinary medicine; defining such practice and providing for the licensing and registration of persons engaged therein and for the revocation and suspension of such licenses and registrations subject to appeal and for their reinstatement; defining the powers and duties of the State Board of Veterinary Medical Examiners and the Department of Public Instruction; providing penalties and repealing existing laws.

Mr. WADE, from the Committee on Welfare, Public Assistance and Pensions, reported as committed, Senate Bill No. 312, entitled:

An Act to amend clause (c) of section nine of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051), entiled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," increasing the pension of a blind person.

BILLS INTRODUCED AND COMMITTED

Messrs. WALKER and GELTZ read in place and presented to the Chair Senate Bill No. 685, entitled:

An Act making an appropriation to the Children's Aid Society of Western Pennsylvania, Pittsburgh, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. BOWERS read in his place and presented to the Chair Senate Bill No. 686, entitled:

An Act authorizing certain persons on active duty with the armed forces of the United States to act as notaries public, requiring certification of their authority in certain circumstances and fixing evidential value of instruments so acknowledged.

Which was committed to the Committee on Judiciary Special.

Mr. KEPHART read in his place and presented to the Chair Senate Bill No. 687, entitled:

An Act to amend sections eleven hundred and five and eleven hundred and fifteen of the act approved the first day of May, one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto" by creating a con-

clusive presumption that roads not used for public travel or maintained and kept in repair by the expenditure of township funds for a period of at least twenty-one years have been vacated and by providing a procedure for the vacation of roads not used for public travel and not maintained or kept in repair for a period of ten years.

Which was committed to the Committee on County Government.

Messrs. COLEMAN and DENT read in place and presented to the Chair Senate Bill No. 688, entitled:

An Act prescribing the qualifications of the Secretary of Mines and the deputy secretaries of mines.

Which was committed to the Committee on Mines and Mining.

Mr. LEADER read in his place and presented to the Chair Senate Bill No. 689, entitled:

An Act to amend subsection (b) of section sixteen of the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 415) entitled "An act relating to the qualification, jurisdiction, powers, and duties of registers of wills, and regulating proceedings before said registers, and the costs thereof, the effects of their acts, and appeals therefrom," further regulating conveyances of real estate one year after the death of testator.

Which was committed to the Committee on Judiciary General.

Mr. STIEFEL read in his place and presented to the Chair Senate Bill No. 690, entitled:

An Act to further amend the first paragraph of section one of the act, approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; defining as a transfer and taxing the right of survivorship in property as to which such right exists; and making it unlawful for any corporation of this Commonwealth, or national banking asssociation located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," exempting from the provisions thereof transfers of property to organizations composed entirely of servicemen or veterans.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 691, entitled:

An Act to further amend the first paragraph of section one of the act, approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521), entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; defining as a transfer and taxing the right of survivorship in property as to which such right exists; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," exempting that part of the estate of a deceased serviceman or veteran that consists of certain pensions or bonuses from the taxes herein imposed.

Which was committed to the Committee on Judiciary General.

Mr. BECKER read in his place and presented to the Chair Senate Bill No. 692, entitled:

An Act to amend sections two and four of the act, approved the sixth day of May, one thousand nine hundred twenty-seven (P. L. 820) entitled "An act regulating the practice of the profession of engineering in all of its branches, including surveying; providing for the registration of certain persons practicing or offering to practice said profession; conferring certain powers and imposing certain duties upon the State registration board for professional engineers upon the court of common pleas of Dauphin County; and providing penalties"; by defining "practice of engineering" and "responsible charge" and changing the form of certificates of registration.

Which was committed to the Committee on Education.

Mr. GELTZ read in his place and presented to the Chair Senate Bill No. 693, entitled:

An Act to further amend subsection (b) of section nine hundred thirteen of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections"; providing for payment of filing fees by cash in certain cases.

Which was committed to the Committee on Elections.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. EALY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. EALY, from the Committee on Executive Nominations reported with a favorable recommendation the following nominations, made by His Excellency, the Governor of the Commonwealth, which were laid over for one day under the rules:

MEMBER OF THE LACKAWANNA COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 3, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James P. Scoblick (Republican), 524 Main Street, Archbald, Lackawanna County, for appointment as a Member of the Lackawanna County Board of Assistance, to serve until December 31, 1947, and until his successor is duly appointed and qualified, vice George Morgan, Scranton, resigned.

EDWARD MARTIN.

JUSTICE OF THE PEACE, HYNDMAN BOROUGH, BEDFORD COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 3, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John D. Margraff, Hyndman, Bedford County, for appointment as Justice of the Peace in and for the Borough of Hyndman, Bedford County, until the first Monday in January, 1946, vice Hiram N. Van Voorhis, deceased.

EDWARD MARTIN.

MEMBER OF THE WESTMORELAND COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 4, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James Deal (Republican), 115 Laird Street, Greensburg, Westmoreland County, for appointment as a Member of the Westmoreland County Board of Assistance, to serve until December 31, 1946, and until his successor is duly appointed and qualified, vice Edward R. Stirling, Greensburg, whose term expired.

EDWARD MARTIN.

JUSTICE OF THE PEACE, LOWER MERION TOWNSHIP, MONTGOMERY COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 4, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph B. Allen, Jr., 577 Barrett Avenue, Haverford, Montgomery County, for appointment as Justice of the Peace in and for the Township of Lower Merion, Montgomery County, until the first Monday in January, 1946, vice C. Howard Meredith, deceased.

EDWARD MARTIN.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. EALY. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on April 10, 1945.

Mr. CHAPMAN. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 10, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Dorothy I. Caruso, Pittsburgh, 400-5 Bakewell Bldg.

Miss L. G. Eickenberg, Crafton.

Miss Elizabeth H. McIntyre, Pittsburgh, 1604 Law and Finance Bldg.

Theodore R. Schmucker, Pittsburgh, 126 Sheridan Square.

Mrs. Elizabeth A. Woollett, Pittsburgh, 1001 Grant Bldg. (19).

CAMBRIA COUNTY

Miss Verna Williams, Ebensburg.

CHESTER COUNTY

Warren C. Garrett, Coatesville.

Miss Rita M. Monaghan, Coatesville.

COLUMBIA COUNTY

Guy Kreischer, Locust Twp., Numidia.

MONTGOMERY COUNTY

Edward M. Moyer, Souderton.

SCHUYLKILL COUNTY

Mrs. Lillian Stabinsky, Shenandoah.

EDWARD MARTIN.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 10, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

ALLEGHENY COUNTY

Jos. J. King, Pittsburgh, 242—5th Ave., April 11, 1945.

ERIE COUNTY

Mrs. Angelene Eagan, Erie, April 11, 1945.

EDWARD MARTIN.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. EALY and Mr. CHAPMAN,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Edmonds,	Leader,	Tallman,
Berger,	Farrell,	Letzler,	Taylor,
Blass,	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	Margie,	Troutman,
Carr,	Haluska,	McCreesh,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	James,	Scarlett,	Wilson,
Crowe,	Jaspan,	Snowden,	Woodring.
Dent,	Jones.	Stevenson,	Woodward,
DiSilvestro,	Kephart,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

CALENDAR

BILL ON FINAL PASSAGE

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 238, on final passage, entitled:

An Act to amend section nine hundred ten and subsection (e) of section nine hundred fifty-one of the act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" changing the requirements for affidavits of candidates for judge of a court of record who are in the armed forces of the United States and whose whereabouts is unknown or who is out of the country

be recommitted to the Committee on Elections.

Mr. SCARLETT. Mr. President, I second the motion.

The motion was agreed to.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 548, as follows:

An Act providing that when the contract of a fiduciary is made by him or approved by court inadequacy of price or an offer to deal on other terms shall not relieve the fiduciary of his obligation or constitute ground for any court to set aside the contract or to refuse to enforce it

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 When a fiduciary shall hereafter make a contract not requiring approval of court or when the court shall hereafter approve a contract of a fiduciary requiring approval of court neither inadequacy of consideration nor the receipt of an offer to deal on other terms shall except as otherwise agreed by the parties relieve the fiduciary of the obligation to perform his contract or shall constitute ground for any court to set aside the contract or to refuse to enforce it by specific performance or otherwise Provided that this act shall not affect or change the inherent right of a court to set aside a contract for fraud accident or mistake or for gross inadeuacy of price

Section 2 Nothing in this act shall affect the liability of a fiduciary for surcharge on the ground of negligence or bad faith in making a contract

Section 3 This act shall become effective immediately on final enactment

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Ealy,	Klein,	Stiefel,
Becker,	Edmonds,	Leader,	Tallman,
Berger,	Farrell,	Letzler,	Taylor,
Blass,	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	Margle,	Troutman,
Carr,	Haluska,	McCreesh,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	James,	Scarlett,	Wilson,
Crowe,	Jaspan,	Snowden,	Woodring,
Dent,	Jones,	Stevenson,	Woodward,
DiSilvestro,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 696, on final passage, entitled:

An Act to further amend sections one, two, three, and four of the act approved the twenty-first day of May, one thousand nine hundred thirty-seven (P. L. 787), entitled, as amended, "An act authorizing, subject to approval of the court of common pleas, the compromise or reduction of tax and municipal claims on real property purchased by any county, city, borough, town, school district or poor district at any sale for the nonpayment of taxes or municipal claims; and the reconveyance or private sale of such property," requiring such reconveyance and private sale to have the approval of a majority of municipalities having an interest therein

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1, as follows:

An Act to amend the title and certain sections and to add certain new sections to the act approved the twenty-second day of June one thousand nine hundred thirty-seven (P. L. 1987) entitled "An act to preserve and improve the purity of the waters of the Commonwealth for the protection of public health animal and aquatic life and for industrial consumption and recreation empowering and directing the creation of indebtedness or the issuing of non-debt revenue bonds by political subdivisions to provide works to abate pollution providing protection of water supply providing for the jurisdiction of courts magistrates aldermen and justices of the peace in the enforcement thereof and providing additional remedies for abating pollution of waters imposing certain penalties and repealing certain acts" by changing the definitions of "establishment" and "industrial waste" by changing penalties for violations and requiring prosecutions to be instituted or approved by the Attorney General by prohibiting the discharge of silt into any waters of the Commonwealth and regulating the discharge of acid mine drainage into waters thereof authorizing the Sanitary Water Board to establish standards of purity and to determine

the time for compliance with the provisions of the act in certain cases and requiring the Board's approval of plans for opening reopening or extending coal mines by authorizing the acquisition by purchase or condemnation or otherwise by the Sanitary Water Board of easements or right of ways and the acquisition or construction of pipes conduits drains or tunnels and pumps and pumping equipment and providing for the payment of the costs thereof by the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the twenty-second day of June one thousand nine hundred thirty-seven (P. L. 1987) entitled "An act to preserve and improve the purity of the waters of the Commonwealth for the protection of public health animal and aquatic life and for industrial consumption and recreation empowering and directing the creation of indebtedness or the issuing of non-debt revenue bonds by political subdivisions to provide works to abate pollution providing protection of water supply providing for the jurisdiction of courts, magistrates aldermen and justices of the peace in the enforcement thereof and providing additional remedies for abating pollution of waters imposing certain penalties and repealing certain acts" is hereby amended to read as follows

An Act to preserve and improve the purity of the waters of the Commonwealth for the protection of public health animal and aquatic life and for industrial consumption and recreation empowering and directing the creation of indebtedness or the issuing of non-debt revenue bonds by political subdivisions to provide works to abate pollution providing protection of water supply providing for the jurisdiction of courts magistrates aldermen and justices of the peace in the enforcement thereof requiring the approval of the Attorney General for prosecutions thereunder [and] providing additional remedies for abating pollution of waters imposing certain penalties and repealing certain acts authorizing the acquisition by purchase or condemnation or otherwise of easements and right of ways the acquisition or construction of pipes conduits drains or tunnels by the Sanitary Water Board and providing for payment of part of the costs thereof by the Commonwealth authorizing the Sanitary Water Board to establish standards of purity and to determine the time for compliance with certain provisions of the act in certain cases and making it unlawful to open reopen or extend any coal mine without prior approval by the Sanitary Water Board

Section 2 Section one of said act is hereby amended as follows

Section 1 Definitions Be it enacted etc That the following words or phrases unless the context clearly indicates otherwise shall have the meanings ascribed to them in this section

"Board" shall be construed to mean the Sanitary Water Board in the Department of Health or its duly constituted successor

"Establishment" shall be construed to include any industrial establishment mill factory tannery paper or pulp mill garage oil refinery oil well boat vessel mine coal mine coal colliery breaker or coal processing operations not including dredging operations within the limits of a stream quarry and each and every other industry or plant or works in the operation of which industrial wastes are produced

"Industrial waste" shall be construed to mean any liquid gaseous or solid substance not sewage resulting from any manufacturing or industry or from any establishment as herein defined which causes pollution as hereinafter defined and silt coal mine solids rock debris dirt and clay from coal mines coal collieries breakers or other coal processing operations

"Institution" shall include healing preventive mental health educational correctional and penal institutions almshouses and county and city homes operated by the State or any political subdivision thereof and whose sewage is not admitted to a public sewer system

"Municipality" or "municipal" shall be construed to include any county county authority municipal authority city borough town township school district and institution as above defined

"Person" shall be construed to include any person copartnership association or private corporation

"Pollution" shall be construed to mean noxious and deleterious substances rendering unclean the waters of the Commonwealth to the extent of being harmful or inimical to the public health or to animal or aquatic life or to the use of such waters for domestic water supply or industrial purposes or for recreation The Sanitary Water Board shall determine when the discharge of any industrial waste or the effluent therefrom after treatment or sedimentation constitutes pollution as herein defined and shall establish standards whereby and wherefrom so far as reasonably practicable and possible it can be ascertained and determined whether any such discharge does or does not constitute pollution as herein defined

"Sewage" shall be construed to include any substance that contains any of the waste products or excrementitious or other discharge from the bodies of human beings or animals

"Waters of the Commonwealth" shall be construed to include any and all rivers streams creeks rivulets lakes dammed water ponds springs and all other bodies of surface and underground water or parts thereof whether natural or artificial within or on the boundaries of this Commonwealth

Section 3 Section three hundred two of said act is hereby amended to read as follows

Section 302 Existing Industrial Waste Discharges All persons who at the time of the passage of this act are discharging industrial waste into any of the waters of the Commonwealth shall discontinue the discharge of such industrial waste into said waters [or into any municipal sewer system] on notice from the board when after due investigation the board shall declare the discharge of such industrial waste is or may become inimical or [injuries] injurious to the public health or to animal or aquatic life or prevent the use of waters for domestic industrial or recreational purposes Provided That any discharge that is inimical and injurious to the public health or to animal or aquatic life or to the use of the water for domestic or industrial consumption or recreational purposes shall nevertheless be deemed unlawful and a nuisance whether the board shall so declare or not

Whenever the Sanitary Water Board shall determine upon cause shown that certain existing industrial waste discharges cannot be eliminated due to inability to procure necessary labor materials or equipment arising out of exigencies created by the present war in which the United States is engaged such industrial waste discharges shall not become unlawful until such time as the Sanitary Water Board shall set after the Board determines that such labor materials or equipment are available but the time so set shall in no event be more than one year after the board determines such labor materials or equipment are available

In all other cases existing industrial waste discharges shall become unlawful sixty days from the date this act becomes effective except that for cause shown the Sanitary Water Board may extend the time for compliance with the provisions of this act for a period to be determined by the Board which period of time shall in no event exceed one year from the effective date of this act

Section 4 Section three hundred seven of said act is hereby amended to read as follows

Section 307 Regulation of Establishments Erected or Opened or Reopened in the Future No person shall hereafter erect construct or open or reopen or operate any establishment which in its operation results in the discharge of industrial wastes which would flow or be discharged into any of the waters of the Commonwealth and thereby cause a pollution of the same unless such

person shall first provide proper and adequate treatment works for the treatment of such industrial wastes approved by the board so that if and when flowing or discharged into the waters of the Commonwealth the effluent thereof shall not be inimical or injurious to the public health or to animal or aquatic life or prevent the use of water for domestic industrial or recreational purposes except when in the opinion of the board such industrial waste is not inimical or injurious to the public health or to animal or aquatic life or to the use of the water for domestic industrial or recreational purposes and shall grant a permit for the discharge of such industrial waste into the waters of the Commonwealth But no permit shall ever be issued by the board authorizing the discharge of untreated industrial waste into the clean waters of the State as above defined Public notice of every application for a permit under this section shall be given by notice published in a newspaper of general circulation published in the county where the permit is applied for once a week for four weeks But any such permit shall be revocable or subject to modification and change by the board at any time thereafter upon reasonable notice served personally or by registered mail addressed to the last known post-office address of the holder of the permit and the owner or operator of such establishment may be required to install treatment works approved by the board for the treatment of such industrial waste or for the deposition of solids in such industrial waste in the manner and to the extent as the board may require The discharge of industrial waste into any of the waters of the Commonwealth from any such establishment contrary to the provisions of this section or without a permit or after the time fixed in the notice of the board when a permit is revoked or in violation of any modification thereof is hereby declared to be a nuisance and to be punishable and abatable as herein provided [The provisions of this section shall not apply to establishments existing at the date of the approval of this act which may hereafter be temporarily closed for a period not exceeding six months]

Section 5 Section three hundred nine of said act is hereby amended to read as follows

Section 309 Penalties [Any person who shall discharge any industrial wastes into the waters of the Commonwealth after the board shall have given notice to discontinue the same as provided in section three hundred two shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of not less than one hundred dollars nor more than five hundred dollars and a further fine of ten dollars per day for each day the offense is continued and in default of the payment of such fine and costs the person or if such person be an association or copartnership then the members thereof or if such person be a corporation then the officers thereof may be imprisoned in the county jail for a period not exceeding sixty days]

Any person who shall [continue to] discharge any industrial waste into any of the waters of the Commonwealth contrary to the provisions of this act [after conviction in a summary proceeding as above provided] shall be guilty of a misdemeanor and upon conviction thereof in the court of quarter sessions shall be sentenced to pay a fine of not less than [five] one hundred dollars nor more than [one] five thousand dollars and the person or if such person be an association or copartnership then the members thereof or if such person be a corporation then the officers agents servants and employes thereof may be imprisoned in the county jail for a period of not more than one year All prosecutions under the penal provisions herein set forth shall be instituted and prosecuted by the Attorney General or by and with his written consent

Section 6 Section three hundred ten of said act is hereby amended to read as follows

Section 310 Acid Mine Drainage [and Silt] The provisions of this article shall not apply to acid mine drainage [and silt] from coal mines until such time as in the opinion of the Sanitary Water Board [practice] practical means for the removal of the polluting properties of such drainage shall become known [.] Provided however That the exception and exemption herein contained shall in no way be construed to permit the discharge of acid mine drainage into "clean waters" of the Commonwealth until the Commonwealth after the Sanitary Water Board has approved plans of drainage pursuant to section three hundred thirteen hereof and has set a reasonable time not to exceed one year within which such pipes conduits drains or tunnels as may be necessary to receive such acid mine drainage at the point or points where such acid mine drainage is delivered as provided in section three hundred twelve hereof shall be constructed and put into operation by the Commonwealth and the Commonwealth has failed to construct and put into operation the same within such time

Section 7 Said act is hereby amended by adding after section three hundred ten thereof three new sections to be known as sections three hundred eleven three hundred twelve and three hundred thirteen to read as follows

Section 311 Authorizing the Sanitary Water Board to Acquire Easements and Right of Ways by Purchase or Condemnation or otherwise Whenever in the opinion of the Sanitary Water Board the pollution of acid mine drainage of waters which were "clean waters" on or subsequent to the first day of January one thousand nine hundred forty-four can be prevented by diverting the discharge of acid mine drainage into polluted or unclean waters the Sanitary Water Board with the approval of the Governor and the Attorney General is hereby authorized and empowered in the public interest to acquire by purchase or eminent domain or otherwise easements or right of ways over under or through lands to be used for the transportation and diversion of the discharge of acid mine drainage into such polluted or unclean waters In such cases the Commonwealth shall pay the cost of the acquisition of such easements and right of ways and of such pipes conduits drains or tunnels and such pumps and pumping equipment as may be necessary or proper to transport and divert such acid mine drainage after it has been delivered to the pipes conduits drains or tunnels aforesaid and of the operation and maintenance thereof including such pumping of the drainage as may be necessary

Section 312 Condemnation Proceedings The Sanitary Water Board is hereby empowered to acquire by purchase or condemnation easements and right of ways for the purposes hereinbefore set forth

Whenever a reasonable price cannot be agreed upon or whenever the owner is legally incapacitated or is absent or is unable to convey valid title or is unknown the Sanitary Water Board in accordance with the provisions of this act is hereby authorized and empowered to acquire by condemnation easements and right of ways deemed necessary or convenient to dispose of acid mine drainage so as to prevent the same from entering any clean waters of the Commonwealth in the manner hereinafter provided In such event application shall be made by the Sanitary Water Board acting through the Department of Justice or by the owner or owners to the court of common pleas of the county in which the property is located or in the case of property on the boundary line between two or more counties then in any such counties for the appointment of viewers Whereupon said court or any law judge thereof shall appoint three disinterested freeholders to view such property and estimate the value thereof None of the freeholders shall be a resident of the county wherein such application shall be made The court shall fix a time not less than twenty nor more than thirty days thereafter when the viewers shall meet upon the property and view the same The viewers shall cause at least ten days' personal notice of the time and place of such meeting to be given to the Attorney General or to the owner or owners if resident within said county If the owner is a corporation such notice shall be given to the president secretary or treas-

urer thereof if such officer resides within said county If neither owner nor any of such officers reside within the county or cannot be found therein or is unknown notice of such first meeting shall be given as the court may direct The viewers having been duly sworn or affirmed faithfully and impartially to perform the duties required of them under the provisions of this act shall at the time fixed for the first meeting proceed to ascertain as accurately as may be the value of such easements or right of ways and to that end may require the attendance of any person whose testimony may be pertinent thereto and production of any such books or papers as the viewers may deem necessary If any person shall refuse to appear and testify before such viewers or refuse to produce such books and papers when they are required then the court or any judge thereof shall on application of the viewers or a quorum thereof make such order therein as may be necessary Whenever the viewers shall have ascertained the value of the easements or right of ways they shall prepare a full report of their labors Upon the completion of the report the viewers shall fix a time when they shall meet and exhibit same Ten days' written notice of the time and place of such meeting together with a copy of said report shall be given to the chairman of the board to the Attorney General and to the owner or owners of the property condemned At the time and place mentioned in such notice the viewers shall meet and publicly exhibit the report and hear all exceptions thereto After making any changes in such report as they may deem necessary the same shall be filed in the court Within thirty days after the filing of the report in the court the board acting through the Department of Justice or any person interested may file exceptions thereto Whereupon the court may confirm the report absolutely or modify it or refer it back to the same or to any viewers with like powers and duties of the former viewers Within thirty days after final action on the report by the court the board acting through the Department of Justice or any person interested may demand a trial by jury From the action of the court on exceptions or from any judgment after a jury trial an appeal may be taken by any party to the Supreme or Superior Court Each of the viewers shall receive a sum not exceeding ten dollars ($10.00) for each day actually and necessarily employed in the performance of the duties herein prescribed and all necessary expenses actually incurred in the performance of his duties Title to any property condemned by the board shall be taken in the name of the Commonwealth

In addition to the foregoing powers the board and its authorized agents and employes may enter upon any lands waters and premises in the State for the purpose of making surveys soundings drillings and examinations as it may deem necessary or convenient for the purpose of this act and such entry shall not be deemed a treaspass

Whenever the board decides to acquire any such easements or right of ways by condemnation as hereinbefore provided the board shall have the right to immediate possession of the property which is the subject matter of the condemnation proceedings and may enter thereon If the owner lessee or occupier of any of said premises shall refuse to remove his personal property therefrom or give up possession thereof the board may proceed to obtain possession in the manner now provided by law Whenever the Commonwealth shall provide pipes conduits drains or tunnels to transport and divert acid mine drainage such acid mine drainage shall be delivered to such pipes conduits drains or tunnels at the place or location designated by the Sanitary Water Board after consultation with the Department of Mines and the person or persons operating the mine

Section 313 Approval of Plans of Drainage Before any existing or new coal mine may be opened or reopened and before any existing coal mine may be continued in operation of plan of the proposed drainage and disposal of industrial wastes and acid mine drainage of such mine shall be submitted to the Sanitary Water Board and it shall be unlawful to open or reopen any such mine or to continue the operation of any mine or to change or alter any already approved plan of drainage and disposal of industrial wastes and acid mine drainage from such mine unless and until the Board after consultation with the Department of Mines has approved such plan or change of plan Provided however that this section shall not apply to the continuation of the operation of an existing mine until sixty (60) days after the effective date of this act

Section 8 This act shall take effect immediately upon final enactment

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill on third reading?

Mr. JASPAN. Mr. President and members of the Senate, I think I made my position very clear yesterday on this bill. I have studied this bill very carefully and have come to one conclusion. I do not lay claim to any prophetic wisdom but I predict, when and if this bill in its present form becomes law, it will come back to haunt us. I might properly term this bill as a stream pollution bill instead of a stream clearance bill, and hence I shall vote "no".

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	DiSilvestro,	Jones,	Stevenson,
Becker,	Ealy,	Kephart,	Stiefel,
Berger,	Edmonds,	Klein,	Tallman,
Blass,	Farrell,	Leader,	Taylor,
Bowers,	Geltz,	Letzler,	Thomas,
Carr,	Gourley,	Mallery,	Troutman,
Chapman,	Haluska,	McGinnis,	Tyler,
Cox,	Heyburn,	Rosenfeld,	Wade,
Crider,	Holland,	Ruth,	Walker,
Crowe,	Homsher,	Scarlett,	Wilson,
Dent,	James,	Snowden,	Woodward,

NAYS—5

Coleman,	Margie,	Wagner,	Woodring,
Jaspan,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 223, as follows:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the

possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" and known as The Fiscal Code by authorizing the Commonwealth of Pennsylvania to petition for a resettlement of claims against the Commonwealth by the Auditor General and State Treasurer and to petition for a review of settlements by the Board of Finance and Revenue and to appeal from the decisions of the Board of Finance and Revenue to the court of common pleas of Dauphin County

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand four of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" is hereby further amended to read as follows

Section 1004 Set-offs in Settlement of Claims Against the Commonwealth It shall be the duty of the Auditor General and State Treasurer in the settlement of accounts of persons having claims against the Commonwealth to ascertain from the Department of Revenue whether such persons are indebted to the Commonwealth and if so to secure the amount so due or as much thereof as the claim of the Commonwealth may amount to as shown by the settlement made by the Department of Revenue Any person feeling himself aggrieved by the settlement made by the Auditor General and State Treasurer or by the settlement made by the Department of Revenue and deducted from his claim may proceed as in other cases to file a petition for resettlement a petition for review and an appeal but if he feels aggrieved both by the action of the Auditor General and State Treasurer and of the Department of Revenue his petition for review filed with the Board of Finance and Revenue and his appeal to the courts shall consolidate all questions which he desires to raise

In the event of the failure to deduct such indebtedness or any part thereof the Commonwealth of Pennsylvania may file a petition for resettlement a petition for review of such settlement or resettlement by the Board of Finance and Revenue and an appeal from the decision of the Board of Finance and Revenue to the court of common pleas of Dauphin County

Section 2 Section one thousand one hundred two of said act as last amended by the act approved the seventh day of May one thousand nine hundred forty-three (P. L. 229) is hereby further amended to read as follows

Section 1102 Petition for Resettlement within ninety (90) days after the date upon which the copy of any settlement was mailed to the party with whom or with which the settlement was made such party or the Commonwealth of Pennsylvania may file with the department which made it a petition for resettlement

Every petition for resettlement shall fully state the reasons which the petitioner believes entitle him or it to such resettlement

It shall be the duty of the department with which the petition was filed within six (6) months after the date of any settlement to dispose of any petition for resettlement

In the case of petitions for resettlement filed with the Department of Revenue the disposition of the petition shall be subject to the approval of the Department of the Auditor General as in the case of original settlements and if the two departments shall be unable to agree the case shall be submitted to the Board of Finance and Revenue by the Department of Revenue The Board of Finance and Revenue shall decide every such case within three (3) months from the date of the submission thereof and in case of its failure to reach a decision within such period the disposition of the Department of Revenue shall automatically become valid and the Board of Finance and Revenue shall immediately return to the Department of Revenue all of the papers appertaining to the case

In the case of petitions for resettlement filed with the Department of the Auditor General the petition shall be disposed of by the joint action of that department and of the Treasury Department as in the case of original settlements

Notice of the action taken upon any petition for a resettlement shall be given to the petitioner promptly after the date of resettlement by the department with which the petition was filed

Section 3 Section one thousand one hundred three of said act as last amended by the act approved the seventh day of May one thousand nine hundred forty-three (P. L. 229 is further amended to read as follows

Section 1103 Petition to Board of Finance and Revenue for Review Within sixty days after the date of mailing of notice by the Department of Revenue or of the Auditor General of the action taken on any petition for a resettlement filed with it the party with whom the settlement was made or the Commonwealth of Pennsylvania may by petition request the Board of Finance and Revenue to review such action

Every petition for review filed hereunder shall state specifically the reasons upon which the petitioner relies The petition shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true If the petitioner be a corporation joint-stock association or limited partnership the affidavit must be made by one of the principal officers thereof

The Board of Finance and Revenue shall dispose of such petitions filed with it within ninety (90) days after they have been received and in the event of the failure of the Board of Finance and Revenue to dispose of any such petition within ninety (90) days the action taken upon the petition for resettlement shall be deemed sustained

The Board of Finance and Revenue may sustain the action taken on the petition for resettlement or it may resettle the account upon such basis as is shall deem according to law and equity

Notice of the action of the Board of Finance and Revenue shall be given by mail or otherwise to all departments involved and to the petitioner

Section 4 Section one thousand one hundred four of said act as last amended by the act approved the seventh day of May one thousand nine hundred forty-three (P. L. 229) is hereby further amended to read as follows

Section 1104 Appeal to Courts Any person association corporation public officer or other debtor or the Commonwealth of Pennsylvania aggrieved by the decision of the Board of Finance and Revenue or by the board's failure to act upon his or its petition for review within ninety (90) days may within sixty (60) days appeal to the court of common pleas of Dauphin County from the decision of the Board of Finance and Revenue or from the decision of the Department of Revenue or of the Department of the Auditor General as the case may be The said sixty (60) day period shall begin to run (a) From the end of the ninety (90) day period where the board fails to act or (b) from the date of mailing of notice of the refusal of the petition for review or (c) from the date of mailing by the Department of Revenue of the certification of a resettlement where the board has made a resettlement Such appeal shall be in such form as shall be prescribed by the rules of the court of common pleas of Dauphin County All such appeals shall be lodged with the prothonotary of the court of common pleas of Dauphin County and a conformed copy thereof indicating the date on which it was filed shall be forwarded immediately to the Department of Justice

Every such appeal shall be accompanied with a specification of objections to the settlement resettlement or other decision as the case may be and the party appealing other than the Commonwealth shall enter sufficient security before one of the judges of the court of common pleas of Dauphin County within sixty (60) days next after the filing of the appeal with the clerk to prosecute the appeal with effect to pay all costs and charges which the court shall award and any sum of money which shall appear by the judgment of the court to be due by such party to the Commonwealth

The party appealing shall file with every such appeal an affidavit containing the specification of objections and stating that the appeal is not taken for delay but because appellant believes injustice has been done by the settlement or resettlement or other decision appealed from and that the facts set forth therein are true to the best of affiant's knowledge and belief If a corporation limited partnership or joint-stock association is the party appellant such affidavit shall be taken by one of its chief officers

Appeals taken hereunder shall be hearings de novo but no facts shall be admitted in evidence that were not brought to the attention of the department making the settlement or in the application for resettlement or petition for review prior to the appeal and set forth in the specification of objections contained in the affidavit accompanying the appeal unless the court shall be satisfied that the appellant was unable by the exercise of reasonable diligence to have laid such evidence before the department making the settlement and the Board of Finance and Revenue and no questions shall be raised which are not included in the specification of objections filed as hereinbefore provided

From the judgment of the court of common pleas of Dauphin County an appeal may be taken by either party as in other cases

Section 5 This act shall become effective immediately upon its final enactment and shall apply to all proceedings pending at the time of its final enactment as well as to proceedings begun thereafter

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Kephart,	Stiefel,
Becker,	Edmonds,	Klein,	Tallman,
Berger,	Farrell,	Leader,	Taylor,
Blass,	Geltz,	Letzler,	Thomas,
Bowers,	Gourley,	Mallery,	Troutman,
Carr,	Haluska,	Margle,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	James,	Scarlett,	Wilson,
Crowe,	Jaspan,	Snowden,	Woodring,
Dent,	Jones,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 387, as follows:

An Act to further amend section fourteen of the act approved the nineteenth day of March one thousand nine hundred nine (P. L. 46) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathis Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" by further regulating grounds for refusal revocation or suspension of the right to practice as osteopaths in the State of Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section fourteen of the act approved the nineteenth day of March one thousand nine hundred nine (P. L. 46) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" as last amended by the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1649) is hereby further amended to read as follows

Section 14 On and after the approval of this act the State Board of Osteopathic Examiners shall refuse to grant a license to an applicant to practice osteopathy in this State and is empowered to revoke a license conferring on a person the right to practice osteopathy upon the presentation to said State Board of Osteopathic Examiners of a court record showing the conviction in due course of law of said person for procuring aiding or abetting in producing a criminal abortion or miscarriage by any means whatsoever The State Board of Osteopathic Examiners upon such evidence and proof shall cause the name of said convicted licentiate to be removed from the record in the office of any prothonotary in the State The State Board of Osteopathic Examiners may refuse revoke or suspend the right to practice osteopathy in this State upon any or all of the following reasons to wit The conviction of a crime involving moral turpitude habitual intemperance in the use of ardent spirits or stimulants narcotics or any other substance which impairs intellection and judgment to such an extent as to incapacitate the performance of professional duties the violation of the practice of the principles of the system of osteopathy as defined in this act misrepresentation unethical conduct or misleading [or] fraudulent or un-

ethical advertising [in the practice as determined by the board] including any form of pretense which might induce citizens to become a prey to professional exploitation Provided however That the foregoing shall not prevent the use of signs containing the name of any licensee and the words "Osteopathic Physician" or any abbreviation thereof Any person who is a licentiate under this act or who is an applicant for examination for licensure to practice osteopathy in this state against whom any of the foregoing charges are preferred for causing the revocation or suspension of license or for causing the refusal of the right to be examined for licensure shall be furnished by the State Board of Osteopathic Examiners with a copy of the complaint and shall have a hearing before said board in person or by attorney and witnesses may be examined by said board respecting the guilt or innocence of said accused The suspension of license of any licentiate under this act shall be removed when said narcotic or vicious habit hereinbefore specified shall have been adjudged by the proper authorities to be cured or overcome and said suspended licentiate deemed again capable of practicing the healing art

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	DiSilvestro,	Jones,	Stevenson,
Becker,	Ealy,	Klein,	Tallman,
Berger,	Edmonds,	Leader,	Taylor,
Blass,	Farrell,	Letzler,	Thomas,
Bowers,	Geltz,	Mallery,	Troutman,
Carr,	Gourley,	Margie,	Tyler,
Chapman,	Haluska,	McGinnis,	Wade,
Coleman,	Heyburn,	Rosenfeld,	Wagner,
Cox,	Holland,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Wilson,
Crowe,	James,	Snowden,	Woodward,
Dent,			

NAYS—4

Jaspan,	Kephart,	Stiefel,	Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 475, as follows:

An Act requiring cities boroughs towns and townships to notify adjacent political subdivisions of proposed streets roads and highways leading into them

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 When any city borough town or township has regularly approved and adopted any map or plan that shows any street road or highway intended to lead into any adjacent city borough town or township such city borough town or township shall send to the adjacent political subdivision notice of the proposed street road or highway accompanied by an exact copy of the maps or plans showing the location of the proposed route

The adjacent political subdivision shall likewise be notified of any proposed changes of location of existing streets roads or highways leading into them

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Kephart,	Stiefel,
Becker,	Edmonds,	Klein,	Tallman,
Berger,	Farrell,	Leader,	Taylor,
Blass,	Geltz,	Letzler,	Thomas,
Bowers,	Gourley,	Mallery,	Troutman,
Carr,	Haluska,	Margie,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	James,	Scarlett,	Wilson,
Crowe,	Jaspan,	Snowden,	Woodring,
Dent	Jones,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 479, as follows:

An Act to enable domestic stock and mutual insurance companies to comply with the taxing statutes and to relieve officers directors and trustees of domestic stock and mutual insurance companies of personal liability by reason of the payment or determination not to contest payment of any license excise privilege premium occupation or other fee or tax imposed by any State or political subdivision thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The provisions of this act shall apply to domestic stock and mutual insurance companies and to the officers directors and trustees of domestic stock or mutual insurance companies

Section 2 Every domestic stock and mutual insurer shall have power to comply with any statute ordinance or other law of any State territory or political subdivision thereof (including the District of Columbia) imposing any license excise privilege premium occupation or other fee or tax and to pay such fee or tax unless prior to such payment such statute ordinance or other law shall have been expressly held invalid by the State court having final appellate jurisdiction in the premises or by the Supreme Court of the United States

Section 3 No officer director or trustee of any domestic stock or mutual insurance company shall be subject to any personal liability by reason of any payment or determination not to contest payment of any license excise privilege premium occupation or other fee or tax to any State territory or political subdivision thereof (including the District of Columbia) deemed by the officers directors or trustees to be in the corporate interests of such insurer unless prior to such payment the statute ordinance or other law imposing such fee or tax shall have been expressly held invalid by the State court having final appellate jurisdiction in the premises or by the Supreme Court of the United States

Section 4 This act shall be applicable to acts done and payments made subsequent to the fifth day of June one thousand nine hundred forty-four Provided how-

ever That nothing contained herein shall be construed as directly or indirectly limiting minimizing or interpreting the rights and powers of insurers and their officers directors and trustees heretofore existing

Section 5 All acts and parts of acts inconsistent herewith are hereby repealed

Section 6 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. WOODRING. Mr. President, will the sponsor of Senate Bill No. 479 permit himself to be interrogated?

The PRESIDENT. Will the gentleman from Northumberland permit himself to be interrogated?

Mr. TROUTMAN. I will, Mr. President.

Mr. WOODRING. Mr. President, in the fourth section of the bill the date June 5, 1944 appears, and I ask the gentleman from Northumberland how that date was determined?

Mr. TROUTMAN. Mr. President, that date, I believe, has been fixed due to the date upon which the tax is payable.

Mr. WOODRING. I further desire to interrogate the gentleman from Northumberland.

The PRESIDENT. Will the gentleman from Northumberland permit himself to be further interrogated?

Mr. TROUTMAN. I will, Mr. President.

Mr. WOODRING. Will the gentleman from Northumberland tell us whether he thinks that is the date on which it was payable or does the gentleman know that?

Mr. TROUTMAN. I can not say that with certainty, Mr. President. The bill is so framed that it provides no personal liability for an officer or director of a domestic insurance company who agrees to pay a state tax. This is brought about, of course, through the Southeastern Underwriters case before the United States Supreme Court, which held insurance to be interstate commerce. The Congress of the United States passed a bill by which they have permitted the states to continue to regulate the subject of insurance.

There are some companies that are wondering about the constitutionality of that bill. The purpose of the bill is to permit the state to collect this money from the insurance companies. It will mean a whole lot to the state of Pennsylvania. The date as fixed, of course, provides for business that will end on the fifth day of June, 1945.

Mr. WOODRING. Mr. President, does the gentleman mean 1945 or 1944?

Mr. TROUTMAN. Mr. President, the tax is payable in 1945, as I understand.

Mr. WOODRING. The date in the bill is 1944.

Mr. TROUTMAN. It is subsequent to June 1944.

Mr. WOODRING. Mr. President and members of the Senate, I have nothing against this bill. By the nature of its language I am confident that it is a white-wash bill to permit some boards of directors or officers of insurance companies to be freed from liability. We have passed such bills before.

We realize in the Senate that we must temper our lawmaking with a certain degree of justice and mercy and if some insurance companies and their boards of directors are in difficulty, I am perfectly willing to vote for this bill, but I think in those cases we ought to know the facts concerning the history of the framing of the bill.

Mr. TROUTMAN. The decision of the Supreme Court, as I understand it, is dated June 5, 1944, and it is tax subsequent to that date, and that is the reason for that date in this bill. There is no intention of whitewashing, but it is the intention of the bill to see that the state is paid its tax, and if we do not pass some legislation, many of the insurance companies will not pay this tax.

Mr. WADE. Mr. President, I think the gentleman from Northampton is somewhat confused in his interpretation of this bill.

As most of you already know the Federal Government moved in on the Southeastern Underwriters about two years ago and brought up the matter of whether or not insurance as a business was interstate commerce. On June 5, 1944, the Supreme Court of the United States ruled that it was, and subsequent to that time the federal government passed an act which said that it was not. However, that is not at issue at the moment.

The question is now affecting the sum of $16,525,356 of anticipated state revenue, which comes from the premium tax for foreign life insurance companies and foreign fire insurance companies and foreign casualty companies, and a few other insurance companies which are not domiciled within the state; this question has been brought up by these taxpayers who are foreign corporations. They refuse to pay the tax if the Supreme Court decision is to hold, and it is now a matter for state determination and they have said in substance to the state of Pennsylvania that unless the state of Pennsylvania will pass a law exempting them from surcharge they will not continue to pay this tax to the state of Pennsylvania, and that is the reason for this bill that we are now considering.

Mr. WOODRING. Mr. President, I think that the gentleman from Cumberland was correct in his first statement, when he said the gentleman from Northampton was confused. I am not satisfied with the statement of either of the gentlemen on the other side, that this will permit or even assist the Commonwealth of Pennsylvania in receiving any taxes.

Our tax laws are one thing, and if the companies, be they local or foreign, refuse to pay the tax, we have proper procedure on our statute books whereby this tax will be collected. This bill has nothing to do with the payment of taxes. What this bill does is to say that the officers and directors of insurance companies which pay the tax will be freed from surcharge. That one statement of the gentleman from Cumberland, Mr. Wade, I agree with. That is what this bill does. It frees the individual from surcharge, and instead of drawing the bill in the ordinary manner and saying it shall be effective from the date of enactment, it says it shall be effective from June 5, 1944, D-Day minus one.

But there is some reason for it, and I still think it is a whitewash bill and we are cleaning somebody's skirts. I am willing to vote for it and help clean those skirts, but I think we ought to know the true facts in the case.

Mr. WADE. Mr. President, I for one, and I think that would apply to every other member on the Republican

side of this Senate, do not want to vote for this bill under the stigma cast by the gentleman from Northampton. Therefore, Mr. President, I should like to interrogate the gentleman from Northampton.

The PRESIDENT. Will the gentleman from Northampton consent to be interrogated?

Mr. WOODRING. I will.

Mr. WADE. I would like to ask the gentleman from Northampton if he is familiar with the Supreme Court's decision saying that insurance is interstate commerce?

Mr. WOODRING. I am, and with the visit of the gentleman from Cumberland to Washington concerning that decision.

Mr. WADE. I would like to ask another question, Mr. President. Is the gentleman from Northampton aware of the fact that if insurance is interstate commerce, the state of Pennsylvania would not have authority to levy a tax against these foreign insurance companies?

Mr. WOODRING. I am.

Mr. WADE. Therefore, if these insurance companies continue to pay this tax, are not the officers and directors of the insurance companies liable for paying an obligation which the United States Supreme Court has said is not a rightful obligation for them to pay, even though it has been their customary practice to pay it. Is that correct?

Mr. WOODRING. I am prompted to say yes and no. I understand the Supreme Court has changed that decision and that it is not now considered as interstate commerce.

Mr. WADE. I beg to differ, Mr. President.

Mr. WOODRING. I should say, act of Congress.

Mr. WADE. I think this confusion is being created, first, because the action has been brought by the Attorney General of the United States against the Southeastern Underwriters, and in determining that case the United States Superem Court said that insurance is interstate commerce, but the act passed by the Federal Congress has nothing whatever to do with our discussion today, even though that was subsequent to this same problem we are now discussing.

We are at the moment in this position; these companies are being taxed under our present existing laws in the state of Pennsylvania, but they say, since this decision by the court, they have no right to further pay that tax and therefore will not pay it, if there is a possibility that they, as officers and directors of an insurance company, will be surcharged later for the payment of that tax to the state of Pennsylvania.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Kephart,	Stiefel,
Becker,	Edmonds,	Klein,	Tallman,
Berger,	Farrell,	Leader,	Taylor,
Blass,	Geltz,	Letzler,	Thomas,
Bowers,	Gourley,	Mallery,	Troutman,
Carr,	Haluska,	Margie,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	James,	Scarlett,	Wilson,
Crowe,	Jaspan,	Snowden,	Woodring,
Dent,	Jones,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 489, as follows:

An Act to amend Sections one and two and to repeal Section three of the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 606) entitled "An act relating to the sale transfer assignment and pledge of accounts receivable" making further provision for the sale assignment transfer or pledge of certain obligations due and to become due and the notation in certain cases of such sale assignment transfer or pledge

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 606) entitled "An act relating to the sale transfer assignment and pledge of accounts receivable" is hereby amended to read as follows

Section 1 Whenever any person who sells assigns transfers or pdeges [accounts receivable] his right to moneys representing indebtedness due under a contract or to become due and not evidenced by a judgment or a written instrument makes or suffers or causes to be made [concurrently with such sales assignments transfers or pledges] within ten days from the time of delivery of the instrument effecting such sales assignments transfers or pledges a record thereof upon the books of account or other records maintained by him evidencing or showing such indebtedness the name of the person to whom such [accounts] moneys receivable have been sold assigned transferred or pledged in such manner as will disclose upon an inspection of such books of account or other records the fact and the date of such sales assignments transfers or pledges and whenever any person who sells assigns transfers or pledges his right to moneys due and to become due under a contract which is represented by (a) a non-negotiable instrument for the payment of money (b) a bailment lease (c) a conditional sale agreement or (d) an instrument required to be surrendered when payment of the indebtedness thereby represented is made delivers to the person to whom said last mentioned right to moneys have been sold assigned transferred or pledged a written assignment accompanied by the instrument or instruments representing said last mentioned right to moneys then such sales assignments transfers or pledges shall be valid in law [as] from the time of delivery of the instrument effecting such sales assignments transfers or pledges and shall be enforceable against all subsequent purchasers assignees transferees pledgees execution attaching or other creditors notwithstanding the fact that notice of such sales assignments transfers or pledges has not been given to the person or persons indebted or obligated to pay the said accounts receivable Provided That where a principal debtor without notice or knowledge of any other outstanding sale assignment transfer or pledge constituting prior legal claim upon him makes full or partial payment of his debt in good faith to either his creditor or any vendee assignee transferee or pledgee of his creditor then his debt and his obligation shall be extinguished or reduced as the case may be

Section 2 Section two of said act is amended to read as follows

Section 2 Notification to the principal debtor of the

fact that [an account] the right to receive moneys under either of the classifications described in Section one of this act [owing by such principal debtor] has been sold assigned transferred or pledged shall [be sufficient to] make such sale assignment transfer or pledge valid in law as and enforceable against all subsequent purchasers assignees transferees pledgees execution attaching or other creditors notwithstanding the fact that neither a record of such sale assignment transfer or pledge of such right to receive money representing indebtedness due or to become due and not evidenced by a judgment or written instrument is [not] made upon the books of account or other records of the seller assignor transferor or pledgor nor delivery is made of the written instrument evidencing the right to receive moneys represented by (a) a non-negotiable instrument for the payment of money (b) a bailment lease (c) a conditional sale agreement or (d) an instrument required to be surrendered when payment of the indebtedness thereby represented is made

Section 3 Section three of said act is hereby repealed

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Kephart,	Stiefel,
Becker,	Edmonds,	Klein,	Tallman,
Berger,	Farrell,	Leader,	Taylor,
Blass,	Geltz,	Letzler,	Thomas,
Bowers,	Gourley,	Mallery,	Troutman,
Carr,	Haluska,	Margie,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	James,	Scarlett,	Wilson,
Crowe,	Jaspan,	Snowden,	Woodring.
Dent,	Jones,	Stevenson,	Woodward.
DiSilvestro.			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 591, as follows:

An Act to amend the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contributions requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" by authorizing the bringing of suits against domestic fraternal benefit societies in counties in which they maintain subordinate lodges and where claimant resides and providing for the service of process on the Insurance Commissioner as attorney therefore

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 To amend the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" by adding immediately after section seventeen the following new sections

Section 17.1 In addition to any existing law Any fraternal benefit society organized or incorporated under the laws of this Commonwealth may be sued at law or in equity or in any other legal action or proceeding in any county where any claimant resides and where said fraternal benefit society has or maintains one or more subordinate lodges or branches and in any suit or action or any other legal proceedings so instituted service of process may be made upon the Insurance Commissioner

Section 17.2 Every such domestic fraternal society shall by a duly executed instrument filed in the office of the Insurance Commissioner constitute and appoint the Insurance Commissioner or his successor its true and lawful attorney upon whom all lawful processes may be served and therein shall agree that any lawful process against it which may be served upon him as its said attorney shall be of the same force and validity as if served on the society and that the authority shall continue in force irrevocable so long as any liability of the society remains outstanding in this Commonwealth

Section 17.3 The service of such process shall be made by registered mail or leaving copies of the same in duplicate in the hands or office of the commissioner at Harrisburg One copy of such instrument certified by the commissioner or his deputy as having been served upon him shall be deemed valid service upon the society

Section 17.4 When legal process is served upon the commissioner as attorney for a domestic fraternal benefit society he shall forthwith forward one of the duplicate copies of process served on him to its secretary or corresponding officer or to such other person as may have been previously designated by the society by written notice filed in the office of the commissioner As a condition of valid and effective service and of the duty of the commissioner in the premises the plaintiff in each such process shall pay to the commissioner at the time of service thereof the sum of two dollars which the said plaintiff shall recover as taxable costs if he prevails in the suit The commissioner shall keep a record of all such processes which shall show the day and hour of service

Section 2 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34

ecker,	Dent,	Kephart,	Ruth,
erger,	Ealy,	Klein,	Scarlett,
lass,	Edmonds,	Leader,	Snowden,
arr,	Farrell,	Letzler,	Troutman,
hapman,	Geltz,	Mallery,	Wade,
oleman,	Gourley,	Margle,	Wagner,
ox,	Homsher,	McGinnis,	Woodring,
rider,	Jaspan,	Rosenfeld,	Woodward,
rowe,	Jones,		

NAYS—13

owers,	Holland,	Stiefel,	Thomas,
DiSilvestro,	James,	Tallman,	Walker,
aluska,	Stevenson,	Taylor,	Wilson,
eyburn,			

A majority of all the Senators having voted "aye" the uestion was determined in the affirmative.

Ordered, That the Clerk present said bill to the House f Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 621, as follows:

n Act to further amend paragraph (d) and to amend paragraph (f) of section one thousand two hundred five of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and he method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further regulating the employment dismissal suspension demotion and retirement of professional employes

The General Assembly of the Commonwealth of Pennylvania hereby enacts as follows

Section 1 Paragraph (d) of section one thousand two undred five of the act approved the eighteenth day of lay one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the ommonwealth of Pennsylvania together with the proisions by which it shall be administered and prescribng penalties for the violaion thereof providing revenue o establish and maintain the same and the method of ollecting such revenue and repealing all laws general pecial or local or any parts thereof that are or may be nconsistent herewith" as last amended by the act approved the twentieth day of June one thousand nine hundred thirty-nine (P. L. 482) is hereby further amended o read as follows

(d) [Before any professional employe having attained status of permanent tenure is dismissed or refused reelection by the board of school directors (or board of public education) the secretary of the school district shall urnish such professional employe with a detailed written tatement of the charges upon which his or her dismissal r refusal of reelection is based together with a written otice signed by the president and attested by the secretary of the board of school directors of a time and place when and where such professional employe will be given n opportunity to be heard either in person or by counel or both before the board of school directors (or board f public education)] Before any professional employe having attained a status of permanent tenure is dismissed by the board of school directors (or board of public education) such board of school directors (or board of public education) shall furnish such professional employe with a detailed written statement of the charges upon which his or her proposed dismissal is based and shall conduct a hearing A written notice signed by he president and attested by the secretary of the board of school directors shall be forwarded by registered mail to the professional employe setting forth the time and place when and where such professional employe will be given an opportunity to be heard either in person or by counsel or both before the board of school directors and setting forth a detailed statement of the charges as hereinbefore provided Such hearing shall not be sooner than tten (10) days nor later than fifteen (15) days after such written notice At such hearing all testimony offered including that of complainants and their witnesses as well as that of the accused professional employe and his or her witnesses shall be recorded by a competent disinterested public stenographer whose services shall be furnished by the school district at its expense Any such hearing may be postponed continued or adjourned by agreement by the persons charged and the board of school directors (or board of public education)

Section 2 Paragraph (f) of section one thousand two hundred five of said act is hereby amended to read as follows

(f) After fully hearing the charges or complaints and hearing all witnesses produced by the board and the person against whom the charges are pending and after full impartial and unbiased consideration thereof the board of school directors (or board of public education) shall by a two-thirds vote of all the members thereof to be recorded by roll call determine whether or not such charges or complaints have been sustained and whether the evidence substantiates such charges and complaints and in accordance with such determination shall discharge [demote or refuse to reelect] such professional employe or shall retain such professional employe [or] and dismiss the complaint

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Kephart,	Stiefel,
Becker,	Edmonds,	Klein,	Tallman,
Berger,	Farrell,	Leader,	Taylor,
Blass,	Geltz,	Letzler,	Thomas,
Bowers,	Gourley,	Mallery,	Troutman,
Carr,	Haluska,	Margle,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	James,	Scarlett,	Wilson,
Crowe,	Jaspan,	Snowden,	Woodring,
Dent,	Jones,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 625, as follows:

An Act to amend section ten of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 242) entitled "An act to promote the public

health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties" by further regulating the number of apprentices in beauty shops

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section ten of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 242) entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties" is hereby amended to read as follows

Section 10 Apprentices in Beauty Shops Any cosmetologist hairdresser or cosmetician who is a beauty shop owner and who is a holder of a teacher's certificate may instruct apprentices provided that there shall be no less than [four] two licensed operators for each apprentice in any shop and there shall be no more than two apprentices in any shop and provided such shop is not held out as a school of beauty culture Such apprentices may apply for examination at the end of their apprenticeship at the next regular examination held by the department if successful therein shall be registered as operators Registered apprentices upon completion of their required term of apprenticeship may apply for and receive from the department a temporary permit to practice as an operator until the next regular examination

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

MOTION THAT BILL BE RECOMMITTED

Mr. COLEMAN. Mr. President, I move that Senate Bill No. 625, the bill just read, be recommitted to the Committee on Education, for the purpose of further study.

Mr. MARGIE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

(A voice vote having been taken the question was determined in the negative.)

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Becker,	Farrell,	Klein,	Tallman,
Berger,	Geltz,	Leader,	Taylor,
Blass,	Gourley,	Letzler,	Thomas,
Carr,	Haluska,	Mallery,	Troutman,
Chapman,	Heyburn,	McGinnis,	Tyler,
Cox,	Holland,	Rosenfeld,	Wade,
Crider,	Homsher,	Ruth,	Wagner,
Crowe,	James,	Scarlett,	Walker,
Dent,	Jaspan,	Snowden,	Wilson,
DiSilvestro,	Jones,	Stevenson,	Woodring,
Ealy,	Kephart,	Stiefel,	Woodward,
Edmonds,			

NAYS—2

Coleman,	Margie,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 631, as follows:

An Act to further amend section one thousand eleven of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 565) entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession of and conducting or liquidating the business and property of corporations associations and persons receiving deposits or otherwise transacting a banking business corporations acting as fiduciaries and building and loan associations providing for the payment of the expenses of the Department of Banking by supervised corporations associations or persons and appropriating the Banking Department Fund authorizing the Department of Banking under certain circumstances to examine corporations associations or persons affiliated or having business transactions with supervised corporations associations or persons authorizing appeals to the Supreme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries registers of wills recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services rendered under this act providing penalties and repealing certain acts and parts of acts" by providing that hereafter any claim for the amount of any deficiency in the funds property or investments of an estate of which the institution was fiduciary or any surcharge with respect to such estate shall have the same rank and priority upon liquidation by the secretary as receiver as is given to deposits and other claims enumerated in the third category set forth in said section

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand eleven of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 565) entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession of and conducting or liquidating the business and property of corporations associations and persons receiving deposits or otherwise transacting a banking business corporations acting as fiduciaries and building and loan asosciations providing for the payment of the expenses of the Department of Banking by supervised corporations associations or persons and appropriating the Banking Department Fund authorizing the Department of Banking under certain circumstances to examine corporations associations or persons affiliated or having business transactions with supervised corporations associations or persons authorizing appeals to the Supreme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries registers of wills recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services rendered under this act providing penalties and repealing certain acts and parts of acts" as last amended by the act approved the twenty-second day of April one thousand nine hundred thirty-seven (P. L. 337) is hereby further amended to read as follows

Section 1011 Order of Preference in Distribution Hereafter the following shall be the order followed by the secretary in the distribution pursuant to the provisions of this act of the assets of any institution with the exception of a building and loan association which he as receiver is liquidating

First Any expenditure made by the secretary as receiver which under the provisions of this act is to be paid out of the assets of the institution

Second Any fee or other debt owing to the department for examinations or other services rendered or penalties incurred prior to the taking of possession by the secretary as receiver any deposit or other claim of the Commonwealth of Pennsylvania and any other claim which is given a preference by law

Third Any deposit and any interest due thereon which has been or according to the by-laws or rules and regulations of the institution should have been credited to such deposit prior to the date of the taking of possession of the institution by the secretary as receiver whether subject to withdrawal by check or by any other method not requiring notice or to withdrawal only after notice or after the expiration of a fixed period whether or not such notice has been given or such period has expired at the date of distribution any holder of a certified check drawn on the institution the claim of any holder of a certificate of deposit of the institution which evidences an actual deposit of moneys in such institution and any interest which may be due thereon whether such certificate of deposit is payable upon demand or is payable only after notice or after the expiration of a fixed period whether or not such notice has been given or such period has expired at the date of distribution the claim of any holder of a check or draft of the institution which has been given in exchange for or in payment of a check or draft drawn upon such institution by a depositor therein or which has otherwise been charged to the account of a depositor therein provided that the amount of such check or draft does not exceed the balance to the credit of such depositor or which has been given in exchange for cash or for any check or draft the proceeds of which have been received by the institution excepting claims which are preferred by the Bank Collection Act of one thousand nine hundred and thirty-one its amendments and supplements any claim for cash or for any check or draft the proceeds of which have been received by the institution which was delivered to the commercial department of such institution as fiduciary either for transmission or for any purpose other than as a deposit irrespective of whether all or part of such cash or the funds realized from such check or draft has been mingled with the assets of such institution any claim for the amount of any deficiency in the funds property or investments of an estate of which the institution was fiduciary or any surcharge with respect to such estate which is found to be due by the court in which the account for such estate is filed

Fourth Any [claim for the amount of any deficiency in the funds property or investments of an estate of which the institution was fiduciary or any surcharge with respect to such estate which is found to be due by the court in which the account for such estate is filed and any] claim of a creditor of the institution not listed under any other catagory in this section

Fifth Any part of the amounts paid by shareholders after an assessment upon them by the secretary pursuant to the provisions of this act which has proved unnecessary to pay in full all depositors or other creditors of the institution such payments are to be made pro rata up to the respective amounts paid by each shareholder This clause shall not be construed to refer to payments made by shareholders on account of unpaid subscriptions to shares

Sixth Any moneys of the institution which still remain in the hands of the secretary shall be paid to shareholders in proportion to the number of shares held by them respectively minus any amounts still owing by them on the assessment made by the secretary pursuant to the provisions of this act or on unpaid subscriptions to shares Provided however If the articles of incorporation or any amendments thereto prefer any class of shareholders over another class then distribution shall be made in conformity with the articles of incorporation and any amendments thereto

Seventh Any unliquidated assets to trustees for shareholders appointed pursuant to the provisions of this act

B The following shall be the order and preference followed by the secretary in the distribution pursuant to the provisions of this act of the assets of any building and loan association the affairs of which he as receiver is liquidating

First Any expenditure made by the secretary as receiver which under the provisions of this act is to be paid out of the assets of the institution

Second Any fee or other debt owing to the department for examinations or other services rendered or penalties incurred prior to the taking of possession by the secretary as receiver any other claim of the Commonwealth of Pennsylvania and any other claim which is given a preference by law

Third Any claim of a creditor of the association other than the claim of a shareholder arising from his ownership of shares

Fourth Any claim of a shareholder whether or not reduced to a judgment arising from his ownership of shares whether such shares be installment optional payment full-paid prepaid matured or any other type and whether or not notice or withdrawal of such shares has been given to the association The amount of the claim arising from each shares shall be the amount actually paid in on account of such share less any amount lawfully deductible therefrom by the association except in the case of a lawfully and property matured share in which case the amount of the claim shall be the actual par value of the share less any payment received on account thereof from the asosciation and less any other amount lawfully deductible therefrom by the association

C Every claim enumerated above shall have the same rank and priority as every other claim in the same numbered paragraph regardless of the order in which such claims are enumerated

D All claims provided for in this section shall be construed to refer only to claims presented to the secretary and approved by the court in accordance with the provisions of this act

Section 2 It is hereby declared to be the legislative intent that this amendment shall be effective prospectively only and not to apply to any institution which at the effective date of this act is in possesion of the Secretary of Banking as Receiver

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barr,	Ealy,	Klein,	Tallman,
Becker,	Edmonds,	Leader,	Taylor,
Berger,	Farrell,	Letzler,	Thomas,
Blass,	Geltz,	Mallery,	Troutman,
Bowers,	Gourley,	Margie,	Tyler,
Carr,	Haluska,	McGinnis,	Wade,
Chapman,	Heyburn,	Rosenfeld,	Wagner,
Coleman,	Holland,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Wilson,
Crowe,	James,	Snowden,	Woodring,
Dent,	Jones,	Stevenson,	Woodward,
DiSilvestro,	Kephart,	Stiefel,	

NAYS—2

Cox,	Jaspan,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 695, entitled:

An Act to amend section eight hundred one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for special meetings of school directors under jurisdiction of county superintendents

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eight hundred one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" is hereby amended to read as follows

Section 801 The school directors in every county in this Commonwealth having a county superintendent of public schools shall annually be called together at the countyseat or some other suitable place within said county by the county superintendent of public schools The purpose of such annual conventions shall be the consideration and the discussion by the school directors and others of questions and subjects pertaining to the welfare and promotion of the public schools in their respective counties and such other business as may property come before such conventions In addition hereto the county superintendent of public schools is hereby authorized and empowered to and may call together the school directors within said county at the county-seat or some other suitable place within said county designated by the county superintendent of public schools when any emergency may exist or when in the opinion of the county superintendent of public schools a special meeting should be called for the consideration and discussion by the school directors and others of questions and subjects pertaining to the welfare and promotion of the public schools or their interests in their respective districts or counties and such other business as may properly come before said meeting Said meeting shall be called by the county superintendent of public schools in the manner provided in section eight hundred two and the compensation and expenses thereof shall be paid as provided in section eight hundred three

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Kephart,	Stiefel,
Becker,	Edmonds,	Klein,	Tallman,
Berger,	Farrell,	Leader,	Taylor,
Blass,	Geltz,	Letzler,	Thomas,
Bowers,	Gourley,	Mallery,	Troutman,
Carr,	Haluska,	Margie,	Tyler,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	James,	Scarlett,	Wilson,
Crowe,	Jubelirer,	Snowden,	Woodring,
Dent,	Jones,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 805, entitled:

An Act to amend Article VIII of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it unlawful to injure tap or make unauthorized connections with telegraph and telephone facilities to receive or send communications by means of such unauthorized connections or to induce such actions by another and providing penalties.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. FARRELL. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Page 2, Line 13, by inserting after the word "person" and before the word "taps" the following "or without a subpoena issued by a court of competent jurisdiction or a demand by duly constituted legal authority."

On the question,

Will the Senate agree to the amendment?

POINT OF INFORMATION

Mr. WALKER. Mr. President, I rise on a point of information.

The PRESIDENT. The gentleman from Allegheny will proceed.

Mr. WALKER. Mr. President, what is the question now before the Senate?

The PRESIDENT. As the gentleman from Allegheny knows, it is customary for the Senate to pass bills without a voice vote which are amended. This amendment apparently is objected to by one or more Senators and therefore you have a right to vote first on the amendment, if you so desire, and then, if it is passed, on the section as amended, and then on the question of passage of the bill on third reading.

Mr. WALKER. Mr. President, do I understand that the bill will appear on tomorrow's final passage Calendar?

The PRESIDENT. That is right, if it passes today.

And the question recurring,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing on final passage.

BILLS ON SECOND READING CALENDAR

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 40, on second reading, entitled:

An Act to amend or further amend the title and sections one five seven nine and ten of the act approved the eighth day of June one thousand nine hundred seven (P. L. 496) entitled "An act to establish a Board of Commissioners of Navigation for the river Delaware and its navigable tributaries regulating their jurisdiction over ships vessels and boats and wharves piers bulkheads docks slips and basins and exempting cities of the first class from certain of its provisions and making an appropriation therefor" changing the membership of the Navigation Commission for the Delaware River and its navigable tributaries and excepting the Port of Chester from certain provisions of said act

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 239, on second reading, entitled:

An Act to promote the public welfare and to protect mental defectives by prescribing circumstances under which selective sterilization of certain types of individuals may be performed without civil or criminal liability; and providing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 278, entitled:

An Act making it a felony for any person to bribe a participant in any athletic contest

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 296, on second reading, entitled:

An Act providing that taxes levied by political subdivisions of the Commonwealth on real estate of service persons shall not bear interest or be subject to penalties; and providing for abatement of certain accrued interest and penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 420, entitled:

An Act to amend section six hundred seven of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by prohibiting pool-selling and bookmaking in connection with any sporting event or athletic contest and providing penalties

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 423, entitled:

An Act to amend section two thousand three hundred eleven of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing temporarily for payment of State Appropriations where schools are closed on account of impassable roads heavy snow or floods

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. GOURLEY offered the following amendments:

Amend sec. 1, page 2, lines 1 and 2, by striking out the words "Section two thousand three hundred eleven of the" and inserting in lieu thereof The; Amend sec. 1, page 2, line 11, by inserting after the word "amended" the following: by adding after section two thousand three hundred eleven, a new section; Amend sec. 1 (sec. 2311) page 2, lines 12 to 20, both inclusive, by striking out all of said lines, and inserting in lieu thereof

Section 2311.1. When any board of school directors is compelled to close any schools on account of impassable roads, heavy snows, or floods, and therefore is unable to keep such school open for the minimum term required by this act, the Superintendent of Public Instruction may pay to such school district any or all of its share of the annual State appropriation as he deems proper.

They were agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. GOURLEY offered the following amendments:

Amend title, page 1, line 1 of title, by striking out the word "amend" and inserting in lieu thereof "add"; Amend title, page 1, line 1 of title, by inserting after the word "eleven" the following: "point one".

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 426 on second reading, entitled:

An Act to further amend subsection (b) of section four hundred fifteen of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by increasing the amount of group life insurance covering certain borrowers and purchasers

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 461, entitled:

An Act concerning devices, bequests or gifts in trust for the care and maintenance of cemeteries, cemetery lots, in perpetuity; trustees and substituted trustees thereof; sureties of said trustees; excess income from said funds; and the investment of such trust funds; accounts of said trustees; approving actions and proceedings prior to this act and repealing conflicting laws.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. BLASS offered the following amendment:

Amend Sec. 1, page 1, lines 3 and 4, by striking out the words "under the non-profit corporation law of 1933 Pamphlet Laws 289 as amended."

It was agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. BLASS offered the following amendment:

Amend Sec. 3, page 2, line 28, by inserting after the word "shall" "with the approval of the court".

It was agreed to.

The section was agreed to as amended.

The fourth, fifth, sixth and seventh sections and title were read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 474, on second reading, entitled:

An Act providing for the granting of certificates of licensure to practice professions, or work at any trade or occupation in this Commonwealth for which licenses are issued by any State board or other State agency to certain persons who served in the military or naval forces of the United States

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 547, entitled:

An Act to further amend the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciaries powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and duties and limitations upon powers of corporations or persons authorized to engage in a banking or fiduciary business or both

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. WALKER. Mr. President, with the permission of the sponsor, I move that Senate Bill No. 548 on second reading, entitled:

An Act relating to chattel mortgages on any chattel or chattels of any kind or description including but not limited to livestock poultry farm machinery farm equipment and crops grown growing or to be grown designating the operation and effect of the lien of such mortgages providing for the filing indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states regulating the assignment release satisfaction and extension of the lien of such mortgages prescribing methods of foreclosure defining defaults and violations and fixing penalties

be recommitted to the Committee on Judiciary General, for the purpose of further amendments.

Mr. THOMAS. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 590, entitled:

An Act to further amend section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 685) entitled "An act designating certain life insurance companies as limited life insurance companies and further describing the powers thereof" by further describing the powers of limited life insurance companies under certain conditions

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that House Bill No. 611, on second reading, entitled:

An Act to further amend the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2603) entitled "An act relating to vocational education creating vocational school districts for the purpose of conducting systems of vocational schools departments or classes providing for their government prescribing their powers and duties conferring powers and imposing duties on School districts and on the State Board for Vocational Education and providing for referendum in certain cases" limiting the taxing power of vocational school districts and providing for determining the question of establishing vocational schools, departments or classes by the directors of the school district or the several school districts constituting the vocational school district

be recommitted to the Committee on Education.

Mr. SNOWDEN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. COLEMAN. Mr. President, I desire to interrogate the Majority Floor Leader.

The PRESIDENT. Will the gentleman from Delaware permit himself to be interrogated?

Mr. HEYBURN. I will, Mr. President.

Mr. COLEMAN. Mr. President, I desire to ask the gentleman from Delaware the reason for the motion to recommit House Bill No. 611.

Mr. HEYBURN. Mr. President, the reason is for the purpose of further amendments, and we thought the best place to amend the bill would be in committee.

And the question recurring?

Will the Senate agree to the motion?

The motion was agreed to.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 613, on second reading, entitled:

An Act to amend the act approved the eighth day of April one thousand nine hundred thirty-seven (P. L. 262) entitled "An act relating to consumer credit in amount of one thousand dollars ($1,000) or less requiring licenses from the Secretary of Banking restricting licenses to domestic business corporations fixing minimum capital requirements conferring certain powers on the Secretary of Banking limiting interest and other charges providing certain exemptions and imposing penalties" by changing the short title of the act redefining the term "charges" changing the form of the application restricting the conduct of business by a licensee enlarging the authority of the Secretary of Banking altering the powers of licensees altering the requirements and limitations applicable to licensees and altering the form of certain statements

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 641, on second reading, entitled:

An Act to amend the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" as amended by further modifying the terms qualifications and other conditions under which the investment of trust funds may be made by fiduciaries

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 665, on second reading, entitled:

An Act to further amend pragraphs (a) and (d) of section five hundred of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officers of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees

or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by further regulating the designation of State depositories and limiting the deposit of State moneys therein

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 789, on second reading, entitled:

An Act validating county treasurers' sales of unseated lands heretofore made where such sales were held under laws not at that time applicable to such lands

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 791, entitled:

An Act to further amend section two of the act approved the ninth day of March one thousand eight hundred forty-seven (P. L. 278) entitled "An act in relation to the sales of unseated lands in the several counties of this Commonwealth" by providing that the cost of advertising such sales shall be paid out of the proceeds of the sale

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 850, entitled:

An Act to further amend sections five hundred twenty-two and five hundred twenty-four and to repeal section five hundred twenty-three of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund; providing penalties and repealing existing laws" by providing regulations relating to standard fire insurance policies

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING

Mr. HEYBURN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. TROUTMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. DENT. Mr. President, I ask that Senate Bill No. 478 not be read for the first time.

Mr. HEYBURN. Very well, Mr. President.

And the question recurring,

Will the Senate agree to the motion?

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 132, entitled:

A Joint Resolution proposing an amendment to article fourteen of the Constitution of the Commonwealth of Pennsylvania abolishing County of Philadelphia as a separate political entity and providing for administering of county functions by City of Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 295, entitled:

An Act to repeal certain obsolete and supplied penal laws.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 312, entitled:

An Act to amend clause (c) of section nine of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," increasing the pension of a blind person.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 501, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1216), entitled "An act to define real estate brokers and real estate salesmen; and providing for the licensing, regulation, and supervision of resident and nonresident real estate brokers and real estate salesmen and their business." by further defining real estate brokers and real estate salesmen; and providing for the licensing, regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 505, entitled:

An Act relating to the practice of veterinary medicine defining such practice and providing for the licensing and registration of persons engaged therein and for the revocation and suspension of such licenses and registrations subject to appeal and for their reinstatement defining the powers and duties of the State Board of Veterinary Medical Examiners and the Department of Public Instruction providing penalties and repealing existing laws.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 649, entitled:

An Act providing for the disposition of fines, penalties and forfeitures collected in summary proceedings; and imposing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 749, entitled:

An Act to amend section eight hundred ninety-two of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," permitting and protecting the sale of American War Mother's carnations.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL INTRODUCED AND COMMITTED

Mr. HEYBURN. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN on behalf of Mr. KEPHART read in place and presented to the Chair Senate Bill No. 694, entitled:

An Act providing that any adjudication or decree of any orphans court which shall have become confirmed absolutely or shall have become final pursuant to the rules of such court shall be deemed to be final and definitive for all purposes.

Which was committed to the Committee on Judiciary Special.

ADJOURNMENT

Mr. HEYBURN. Mr. President, I move that the Senate do now adjourn until Wednesday, April 11, 1945, at 3:00 o'clock p. m., Eastern War Time.

Mr. WOODWARD. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 4:54 o'clock p. m., Eastern War Time until Wednesday, April 11, 1945, at 3:00 o'clock, p. m., Eastern War Time.

HOUSE OF REPRESENTATIVES

TUESDAY, April 10, 1945.

The House met at 1:30 p. m.

The SPEAKER (Ira T. Fiss) in the Chair.

PRAYER

Rev. W. D. Krick, Pastor, Grace Evangelical Congregational Church, Steelton, Pa., a guest of the Chaplain, offered the following prayer:

Heavenly Father, rest our hearts and minds in Thee, the only true and loving God.

Save us from the selfish motives and the bitterness which is the result of selfishness.

Give us an ever present realization of hope which can only be found in Thy great presence.

May the time speedily come when we can find joy in service to Thee and our fellowmen.

Teach us brotherly love for all peoples, race, color and creed; help us to find satisfaction in living a life of helpfulness to others.

Bless all who are seeking to please Thee, in the living of the golden rule.

Bless the Governor, the members of the House, with their families.

Bless every man and woman in the armed forces, give them strength, and may peace soon come.

In Jesus' name we ask. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Monday, April 9, 1945.

The Clerk proceeded to read the Journal of Monday, April 9, 1945, when, on motion of Mr. GAFFNEY unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. WATERHOUSE. HOUSE BILL No. 1276.

An Act to further amend section nineteen of the act, approved the fifth day of December, one thousand nine hundred thirty-three (1933-34 P. L. 38) entitled "An act imposing State taxes, payable by those herein defined as manufacturers and importers, on the privilege of manufacturing, selling, or using in this Commonwealth alcohol usable for beverage purposes and certain spirituous and vinous liquors; providing for the collection of the taxes, and the manner of making payment thereof; conferring powers and imposing duties on certain State officers and departments, and upon manufacturers, importers and upon those using or engaging in the sale of such alcohol and such spirituous and vinous liquors; authorizing refunds or exemptions in certain cases, and making an appropriation therefor; and providing penalties," exempting certain distilled spirits and wines from the tax.

Referred to the Committee on Ways and Means.

By Mr. O'CONNOR. HOUSE BILL No. 1277.

An Act to further amend section five hundred twenty-four of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish

and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by authorizing an increase in the school tax millage in school districts of the first class.

Referred to the Committee on Ways and Means.

By Mr. NORMAN WOOD. HOUSE BILL No. 1278.

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals.

Referred to the Committee on Appropriations.

SENATE MESSAGES

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 157.

An Act authorizing cities of the third class with the approval of the court of common pleas to accept less than the full amount of certain municipal claims filed as a lien against real estate in compromise settlements thereof

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 208.

An Act to further amend Section one of the act approved the fifteenth day of July, one thousand eight hundred ninety-seven (P. L. 292), entitled "An act to provide revenue by taxation," by modifying the procedure for the collection and payment of the tax.

Referred to the Committee on Ways and Means.

SENATE BILL No. 209.

An Act to further amend section one of the act, approved the thirteenth day of June, one thousand nine hundred seven (P. L. 640), entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved April twenty-ninth, one thousand eight hundred and seventy-four, and the supplements thereto; for the insurance of owners of real estate, mortgages, and others interested in real estate, from loss by reason of defective titles, liens, and encumbrances; and of companies entitled to the benefits of, and of companies having any of the powers of, companies entitled to the benefits of an act, entitled 'An act conferring upon certain fidelity, insurance, safety deposit, trust, and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act, entitled "An act to provide for the incorporation and regulation of certain corporations," approved April twenty-ninth, Anno Domini one thousand eight hundred and seventy-four, and of the supplements thereto,' approved June twenty-seventh, one thousand eight hundred and ninety-five, commonly known as title insurance or trust companies," by reducing the rate of said tax and modifying the procedure for the collection and payment of said tax.

Referred to the Committee on Ways and Means.

SENATE BILL No. 248.

An Act to authorize certain persons to take affidavits and acknowledgments in connection with the administration of the affairs of veterans and their dependents making certain offenses punishable as perjury and imposing penalties

Referred to the Committee on Military Affairs.

SENATE BILL No. 413.

An Act to amend section one of the act approved the twenty-sixth day of May, one thousand nine hundred forty-three (P. L. 607), entitled "An act authorizing administrative boards within the Department of Public Instruction, for the duration of the present War, to admit to examination and grant licenses or registration to certain applicants who are less than twenty-one, but not less than twenty years of age," by reducing temporarily the age limit of persons who may take Pennsylvania State pharmacy examinations.

Referred to the Committee on Professional Licensure.

SENATE BILL No. 499.

An Act to further amend the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," by revising and changing the provisions of said act relating to the times of registering electors, their enrolment as members of political parties, change of party enrollment, removal notices, and comparing and correcting the general and district registers.

Referred to the Committee on Elections.

SENATE BILL No. 500.

An Act to further amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849), entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts judges, prothonotaries. sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legislation", by revising and changing the provisions of said act relating to the times of registering electors, their enrollment as members of political parties, change of party enrollment, removal notices, and comparing and correcting the general and district registers.

Referred to the Committee on Elections.

SENATE BILL No. 501.

An Act to further amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 814), entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," by revising and changing the provisions of said act relating to the times of registering electors, their enrollment as members of political parties, change of party enrollment, removal notices, comparing and correcting general and district registers, preparing preliminary street lists and street lists

Referred to the Committee on Elections.

SENATE BILL No. 502.

An Act to further amend the act, approved the thirtieth day of March, one thousand nine hundred thirty-seven (P. L. 115), entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents, certain public service companies, persons, firms, and corporations operating vehicles for moving furniture and household goods, and boards of school directors; and imposing penalties", by revising and changing the provisions of said act relating to the times of registering electors, and comparing and correcting the general and district registers

Referred to the Committee on Elections.

SENATE BILL No. 503.

An Act to further amend the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1132), entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties", by revising and changing the provisions of said act relating to the times of registering electors, their enrollment as members of political parties, change of party enrollment, removal notices, comparing and correcting general and district registers, preparing preliminary street lists and street lists

Referred to the Committee on Elections.

SENATE BILL No. 563.

An Act prohibiting the sale of surplus property as defined in the Federal Surplus Property Act of 1944 by or to certain persons using words or names indicating an official relationship with the United States government; making exceptions in certain cases and imposing penalties.

Referred to the Committee on Judiciary Special.

SENATE BILL No. 604.

An Act providing for and regulating the contractural powers of school districts during the period of the present wars in which the United States is engaged and until six months after proclamation by the President of the United States that hostilities in such wars have ceased.

Referred to the Committee on Education.

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 9, 1945.

Resolved (if the House of Representatives concur) That when the Senate adjourns this week, it reconvene on Monday, April 16, 1945, at four o'clock p. m., and when the House of Representatives adjourns this week, it reconvene on Monday, April 16, 1945, at nine o'clock p. m.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 314.

An Act relating to officers and employes of the Senate and House of Representatives providing for and fixing the compensation of an additional employe changing the compensation of certain existing employes and making an appropriation therefor and for contingent expenses

DEMOCRATIC CAUCUS

The SPEAKER. The Democratic Members of the House from Allegheny County desire to hold a caucus immediately in the Minority Floor Leader's Room. Is there objection? The Chair hears none and permission is granted.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned

bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 199.

An Act to further amend section one of the act, approved the sixteenth day of May, one thousand nine hundred twenty-three (P. L. 207), entitled "An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances, and for water rents or rates, sewer rates, and lighting rates; for the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; the distribution of the proceeds of such sales, and the redemption of the property therefrom; for the lien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed, within six months before the passage of this act; and for the procedure on tax and municipal claims filed under other and prior acts of Assembly," by adding certain claims of Municipal Authorities in the definition of "municipal claim" and further amending the definition of "municipality" to include county institutions districts, and bodies politic or corporate created as Municipal Authorities.

HOUSE BILL No. 382.

An Act to amend section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by authorizing such townships to regulate parking

HOUSE BILL No. 662.

An Act to promote interstate cooperation for the conservation and protection of water resources in the Delaware River Basin

HOUSE BILL No. 898.

An Act conferring the power to administer oaths on minute clerks in the Court of Common Pleas or the Courts of Quarter Sessions of the Peace Oyer and Terminer and General Jail Delivery in counties of the second class.

HOUSE BILL No. 917.

An Act to validate certain acknowledgments and to regulate the effect thereof

With the information that the Senate has passed the same without amendment.

LEAVE OF ABSENCE

By consent of the House leave of absence was granted as follows:

Mr. Dague for Mr. KRISE for the remainder of the week.

COMMITTEE REPORTS

Mr. FLEMING from the Committee on Education reported as Committed House Bill No. 509, entitled:

An Act to further amend section five hundred forty-two of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provision by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," making husbands liable for payment of per capita taxes levied against their wives; and authorizing collection thereof from such husbands.

Mr. CHUDOFF from the Committee on Judiciary General reported as committed House Bill No. 670, entitled:

An Act to amend section one of the act approved the eighth day of June, one thousand eight hundred ninety-three (P. L. 344), entitled "An act relating to husband and wife, enlarging her capacity to acquire and dispose of property, to sue and be sued, and to make a last will, and enabling them to sue and to testify against each other in certain cases," prescribing how husband may join in a wife's mortgage or conveyance.

Mr. STUART from the Committee on Boroughs reported as committed House Bill No. 755, entitled:

An Act to add section eight hundred eighteen to the act approved the fourth day of May, one thousand nine hundred twenty-seven, (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," further providing for the election of councilmen when the terms of all encumbrants expire in the same year.

Mr. MOSER from the Committee on Judiciary General reported as committed House Bill No. 1024, entitled:

An Act relating to judgments; providing for the lien thereof, and the duration and revival of such liens; prescribing the circumstances under which executions to enforce payment of judgments may be levied on real property; and imposing duties on prothonotaries, sheriffs, and other court and county officers.

Mr. BENTZEL from the Committee on Education reported as committed House Bill No. 1088, entitled:

An Act to amend section six hundred two point one, of article six of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by further regulating the sale of land or any interest therein.

Mr. BREISCH from the Committee on Agriculture reported as committed House Bill No. 1104, entitled:

An Act relating to soil conservation and soil erosion and land use practices contributing to soil wastage and soil erosion; providing for the organization of the various counties into soil conservation districts, the appointment of their officers and employes, and prescribing their powers and duties; creating the State Soil Conservation Commission in the Department of Agriculture and fixing its powers and duties relative to the enforcement of this act; providing financial assistance to such soil conservation districts and authorizing county commissioners to make appropriations thereto; providing for disposition and operation of existing districts; and repealing existing laws.

Mr. MIKULA from the Committee on Public Health and Sanitation reported as committed House Bill No. 1250, entitled:

An Act providing a uniform method of taking samples of food or processed food for the purpose of analysis or examination by duly authorized representatives of any city, county, township, borough or other political subdivision, or governmental agency of the Commonwealth.

Mr. O'BRIEN from the Committee on Education reported as committed Senate Bill No. 210, entitled:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by eliminating the requirements of a periodic enumeration of adults who are not citizens and of persons ten years of age or over who are unable to read write or speak English

Mr. TAHL from the Committee on Judiciary General reported as committed Senate Bill No. 224, entitled:

An Act to extend the lien of taxes and municipal claims and the period for the redemption of real property where the commencement of proceedings or actions for the collection of taxes or municipal claims or sales for the collection thereof are stayed by a court pursuant to the Soldiers' and Sailors' Civil Relief Act of 1940 or the period for the redemption of real property expires before the end of six months after termination of the military service of a person having the right to redeem such real property.

Mr. LEVY from the Committee on Education reported as committed Senate Bill No. 482, entitled:

An Act to add section two thousand two point two to the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing for cooperation of State Teachers' Colleges with other agencies in vocational rehabilitation education of veterans and defense workers.

Mr. KOLANKIEWICZ from the Committee on Public Health and Sanitation reported as committed Senate Bill No. 544, entitled:

An Act to regulate the sale and possession of penicillium (penicillin) and its derivatives, preparations and compounds in the interest of public health.

Mr. HOFFMAN from the Committee on Public Health and Sanitation reported as amended House Bill No. 127, entitled:

An Act to further amend section two of the act, approved the thirteenth day of June, one thousand eight hundred eighty-three (P. L. 119), entitled "An act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose and to prevent unauthorized uses and traffic in human bodies," by changing and clarifying the provisions of said act relating to the burial of unclaimed bodies unfit for anatomical purposes.

Mr. HELM from the Committee on Education reported as amended House Bill No. 568, entitled:

An Act to add section 1209.1 to and to repeal subsections 1, 2, 3, 4, 5, 6, 7, 7A, 8, 9, 10 and 11 and paragraph (a) of subsection 19 of section 1210 and to further amend section 1436 of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof, providing revenue to establish and maintain the same and the method of collecting such revenue, and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith" by further providing for the minimum of compensation and increments of members of the teaching and supervisory staffs of school districts, county superintendents, assistant county superintendents, and district superintendents, and providing for reimbursement by the Commonwealth.

Mr. ELDER from the Committee on Boroughs reported as amended House Bill No. 839, entitled:

An Act to further amend the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," by further regulating the affairs of boroughs and revising, amending and changing the law relating thereto.

Mr. MADIGAN from the Committee on Education reported as amended House Bill No. 888, entitled:

An Act to add section one thousand four hundred forty-four to the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," establishing maximum and minimum term contracts for transportation of pupils; and requiring a bond for the faithful performance of such contracts.

Mr. McMILLEN from the Committee on Education reported as amended House Bill No. 908, entitled:

An Act to amend and further amend certain sections of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith," by changing the name of the Commissioner of Health to the Secretary of Health; further regulating the duties of medical inspectors and sanitary officers; and the employment of school nurses and dental hygienists; requiring school employes and pupils to undergo examinations; authorizing advisory health councils; and repealing certain acts.

Mr. HALL from the Committee on Education reported as amended House Bill No. 995, entitled:

An Act to amend section four hundred five of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts

thereof, that are or may be inconsistent therewith," requiring accounts to be kept and a faculty treasurer appointed for school organizations handling money.

Mr. HELM from the Committee on Education reported as amended Senate Bill No. 279, entitled:

An Act defining and providing for the licensing and regulation of private trade schools and classes; conferring powers and imposing duties on the State Board for Vocational Education; and prescribing penalties.

Mr. CHARLES H. BRUNNER, Jr. from the Committee on Elections re-reported as amended, Senate Bill No. 44, entitled:

An Act to further amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 814), entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties", by further regulating and changing the provisions of the act relating to suspension of registration upon the failure to vote within two years and providing for the reinstatement of electors' registration after failing to vote during two calendar years.

Mr. CHARLES H. BRUNNER, Jr. from the Committee on Elections re-reported as amended, Senate Bill No. 45, entitled:

An Act to further amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849), entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legislation." by further regulating and changing the provisions of the act relating to suspension of registration upon the failure to vote within two years and providing for the reinstatement of electors' registration after failing to vote during two calendar years.

Mr. CHARLES H. BRUNNER, Jr. from the Committee on Elections re-reported as amended, Senate Bill No. 46, entitled:

An Act to further amend the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487), entitled "An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties", by further regulating and changing the provisions of the act relating to suspension of registration upon failure to vote within two years and providing for the reinstatement of electors' registrations after failure to vote during two calendar years.

Mr. CHARLES H. BRUNNER, Jr. from the Committee on Elections re-reported as amended, Senate Bill No. 48, entitled:

An Act to further amend the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1132), entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," by further regulating and changing the provisions of the act relating to suspension of registration upon the failure to vote within two years and providing for the reinstatement of electors' registrations after failure to vote during two calendar years.

SENATE MESSAGES

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 191.

An Act to further amend the act approved the eleventh day of July one thousand nine hundred seventeen (P. L. 758) entitled "An act for the protection of the public health by regulating the possession control dealing in giving away delivery dispensing administering prescribing and use of certain drugs and keeping records thereof by regulating the use of drugs in the treatment of the drug habit by providing for the revocation and suspension of licenses of physicians dentists

veterinarians pharmacists druggists and registered nurses for certain causes and by providing for the enforcement of this act and penalties" further defining the word "drug" specifying certain information to be disclosed on labels of narcotic prescriptions requiring that narcotics be kept in the original container requiring the disclosure of certain information to physician by patient and providing additional penalties.

With the information that the Senate has passed the the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, line 1, by striking out after the word "To" the words "further amend" and inserting in lieu thereof the words: "amend sections three seven and fifteen and further to amend sections one and eight of"; also in line 13, by striking out after the word "the" the word "word" and inserting in lieu thereof the words "words "physician" and"; also on page 2, line 2, by inserting after the word "patient" the words "conferring certain authority upon professional licensing boards".

Amend bill on page 3, by inserting after the word "derivaties" in line 12, the following new section:

"Section 2 Section three of said act is hereby amended to read as follows

Section 3 The word "person" as used in this act shall be construed to include an individual a copartnership a corporation or an association Masculine words include the feminine or neuter The singular includes the plural The word "prescription" shall be construed to designate a written order by a duly licensed physician dentist or veterinarian calling for a drug or for any substance or preparation containing a drug The word "physician" as used in this act shall be construed to include physician surgeon osteopathic physician and osteopathic surgeon".

Amend Section 2, page 3, line 13, by striking out after the word "Section" the figure "2" and inserting in lieu thereof the figure "3".

Amend Section 3, page 5, line 22, by striking out after the word "Section" the figure "3" and inserting in lieu thereof the figure "4".

Amend Section 4, page 8, line 13, by striking out after the word "Section" the figure "4" and inserting in lieu thereof the figure "5": also on page 9, line 7, by striking out after the word "The" the word "various" and inserting in lieu thereof the word "appropriate": also in same line by striking out after the word "boards" the words "of this Commonwealth" and inserting in lieu thereof the words "in the Department of Public Instruction."

Amend Section 5, page 9, line 24, by striking out after the word "Section" the figure "5" and inserting in lieu thereof the figure "6".

Amend Section 6, page 9, line 26, by striking out after the word "Section" the figure "6" and inserting in lieu thereof the figure "7".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Andrews,	Frost,	Lyons,	Reilly,
Baker,	Fullerton,	Madden,	Reynolds,
Barrett,	Gaffney,	Madigan,	Riley,
Barton,	Gallagher,	Mahany,	Robertson,
Baumunk,	Gardner,	Matthews,	Root,
Bentley,	Getchey,	McAtee,	Royer,
Bentzel,	Gibson,	McClester,	Rudisill,
Boies,	Goodling,	McCormack,	Salus,
Bonawitz,	Gore,	McDowell,	Scanlon,
Boney,	Grant,	McKinney,	Schuster,
Boorse,	Green,	McLanahan,	Serrill,
Boory,	Greenwood,	McMillen,	Shaffer,
Bower,	Greer,	McNair,	Shoemaker,
Brancato,	Guthrie,	McNally,	Skale,
Breisch,	Gyger,	Mikula,	Sloan,
Brice,	Haberlen,	Miller,	Smith,
Brothers,	Hall,	Milliken,	Snider,
Brown,	Hamilton,	Mills,	Snyder,
Brunner, C.	Hare,	Modell,	Sollenberger,
Brunner, I.	Haudenshield	Mooney,	Sorg,
Burns,	Heatherington	Moore, C. E.,	Stank,
Cadwalader	Helm,	Moore, W. J.,	Stockham,
Chudoff,	Hennihan,	Moran,	Stonier,
Cohen,	Hering,	Moser,	Stuart,
Coleman	Hersch,	Munley,	Swope,
Cook,	Hewitt,	Murray, M. L.,	Tahl,
Cooper,	Hoffman,	Murray, P. G.,	Tate,
Corrigan,	Hoggard,	Myhan,	Tittle,
Costa,	Howells,	Nagel,	Trachtman,
Coulson,	Hunter,	Nelson,	Trent,
Coyle,	Huntley,	O'Brien,	Trout,
Cullen,	James,	O'Connor,	Turbett,
Dague,	Jones,	O'Dare,	Turner,
Dalrymple	Kennedy,	O'Donnell,	Varallo,
Dennison,	Kirley,	O'Neill,	Verona,
Depuy,	Kline,	Owens,	Wachhaus,
Dillon,	Kolankiewicz,	Pentrack,	Wagner,
Dix,	Komorofski,	Petrosky,	Waterhouse,
Dougherty,	Kurtz,	Pettigrew,	Watkins,
Duffy,	Lane,	Pickens,	Weiss,
Dye,	Laughner,	Polaski,	Welsh,
Elder,	Lee,	Polen,	Wescott,
Elish,	Leisey,	Powers,	White,
Erb,	Leonard,	Propert,	Wood, L. H.,
Ewing,	Levy,	Readinger,	Wood, N.,
Finnerty,	Lichtenwalter,	Reagan,	Worley,
Flack,	Loftus,	Reese, D. P.,	Wright,
Fleming,	Longo,	Reese, R. E.,	Yeakel,
Foor,	Lopez,	Regan,	Yester,
Fox,	Lovett,	Reidenbach,	Fiss, Speaker.
Freed,			

NAYS—0

NOT VOTING—4

Herman,	Hoopes,	Mihm,	Rose,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 321.

An Act to amend the title and section one of the act approved the eleventh day of May, one thousand eight hundred ninety-nine (P. L. 289) entitled "An act providing for the payment to the county or counties of the moneys or bonus which any foreign railway corporation is required to pay into the State Treasury for the right to pass through said county or counties, and by which payment such foreign railway corporation is relieved from local taxation" by providing for payments to counties irrespective of whether relief from payment of local taxes results from payment of the bonus

With the information that the Senate has passed the the same with an amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendment.

The Clerk read the amendment as follows:

Amend Section 1, page 3, line 4, by striking out after the word "taxation" the following: "and of the appropriation of otherwise taxable realty by the said foreign railway corporation".

On the question,

Will the House concur in the amendment made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Andrews,	Frost,	Lyons,	Reilly,
Baker,	Fullerton,	Madden,	Reynolds,
Barrett,	Gaffney,	Madigan,	Riley,
Barton,	Gallagher,	Mahany,	Robertson,
Baumunk,	Gardner,	Matthews,	Root,
Bentley,	Getchey,	McAtee,	Royer,
Bentzel,	Gibson,	McClester,	Rudisill,
Boies,	Goodling,	McCormack,	Salus,
Bonawitz,	Gore,	McDowell,	Scanlon,
Boney,	Grant,	McKinney,	Schuster,
Boorse,	Green,	McLanahan,	Serrill,
Boory,	Greenwood,	McMillen,	Shaffer,
Bower,	Greer,	McNair,	Shoemaker,
Brancato,	Guthrie,	McNally,	Skale,
Breisch,	Gyger,	Mikula,	Sloan,
Brice,	Haberlen,	Miller,	Smith,
Brothers,	Hall,	Milliken,	Snider,
Brown,	Hamilton,	Mills,	Snyder,
Brunner, C. H.,	Hare,	Modell,	Sollenberger,
Brunner, P. A.,	Haudenshield,	Mooney,	Sorg,
Burns,	Heatherington,	Moore, C. E.,	Stank,
Cadwalader,	Helm,	Moore, W. J.,	Stockham,
Chudoff,	Hennihan,	Moran,	Stonier,
Cohen,	Hering,	Moser,	Stuart,
Coleman,	Hersch,	Munley,	Swope,
Cook,	Hewitt,	Murray, M. L.,	Tahl,
Cooper,	Hoffman,	Murray, P. G.,	Tate,
Corrigan,	Hoggard,	Myhan,	Tittle,
Costa,	Howells,	Nagel,	Trachtman,
Coulson,	Hunter,	Nelson,	Trent,
Coyle,	Huntley,	O'Brien,	Trout,
Cullen,	James,	O'Connor,	Turbett,
Dague,	Jones,	O'Dare,	Turner,
Dalrymple,	Kennedy,	O'Donnell,	Varallo,
Dennison,	Kirley,	O'Neill,	Verona,
Depuy,	Kline,	Owens,	Wachhaus,
Dillon,	Kolankiewicz,	Pentrack,	Wagner,
Dix,	Komorofski,	Petrosky,	Waterhouse,
Dougherty,	Kurtz,	Pettigrew,	Watkins,
Duffy,	Lane,	Pickens,	Weiss,
Dye,	Laughner,	Polaski,	Welsh,
Elder,	Lee,	Polen,	Wescott,
Elish,	Leisey,	Powers,	White,
Erb,	Leonard,	Propert,	Wood, L. H.,
Ewing,	Levy,	Readinger,	Wood, N.,
Finnerty,	Lichtenwalter,	Reagan,	Worley,
Flack,	Loftus,	Reese, D. P.,	Wright,
Fleming,	Longo,	Reese, R. E.,	Yeakel,
Foor,	Lopez,	Regan,	Yester,
Fox,	Lovett,	Reidenbach,	Fiss,
Freed,			Speaker.

NAYS—0

NOT VOTING—4

Herman,	Hoopes,	Mihm,	Rose,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendment was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 412.

An Act to amend subdivision five of the Compact contained in the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1664) entitled "An act to ratify and adopt a compact or agreement negotiated by commissioners designated by the Governor of the Commonwealth of Pennsylvania and commissioners designated by the Governor of the State of Ohio relative to the development use and control of the Pymatuning Lake and the State owned land surrounding said lake for fishing hunting recreational and park purposes" so as to permit the operation on portions thereon of boats equipped with motors of six horsepower or less

With the information that the Senate has passed the the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, line 12, by striking out after the word "permit" the following: "the operation or portions thereon" and inserting in lieu thereof the words "on portions of said lake the operation".

Amend Section 1, page 2, line 24, by inserting after the word "adopt" the following: "provided nevertheless that the use of any type of boats euipped with a motor not in excess of six horse power as defined above is expressly limited and restricted to that portion of the lake extending from the main dam near Jamestown northwardly to the causeway at or near Espyville".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Andrews,	Frost,	Lyons,	Reilly,
Baker,	Fullerton,	Madden,	Reynolds,
Barrett,	Gaffney,	Madigan,	Riley,
Barton,	Gallagher,	Mahany,	Robertson,
Baumunk,	Gardner,	Matthews,	Root,
Bentley,	Getchey,	McAtee,	Royer,
Bentzel,	Gibson,	McClester,	Rudisill,
Boies,	Goodling,	McCormack,	Salus,
Bonawitz,	Gore,	McDowell,	Scanlon,
Boney,	Grant,	McKinney,	Schuster,
Boorse,	Green,	McLanahan,	Serrill,
Boory,	Greenwood,	McMillen,	Shaffer,
Bower,	Greer,	McNair,	Shoemaker,
Brancato,	Guthrie,	McNally,	Skale,
Breisch,	Gyger,	Mikula,	Sloan,
Brice,	Haberlen,	Miller,	Smith,
Brothers,	Hall,	Milliken,	Snider,
Brown,	Hamilton,	Mills,	Snyder,
Brunner, C. H.,	Hare,	Modell,	Sollenberger,
Brunner, P. A.,	Haudenshield,	Mooney,	Sorg,
Burns,	Heatherington,	Moore, C. E.,	Stank,
Cadwalader,	Helm,	Moore, W. J.,	Stockham,
Chudoff,	Hennihan,	Moran,	Stonier,
Cohen,	Hering,	Moser,	Stuart,
Coleman,	Hersch,	Munley,	Swope,
Cook,	Hewitt,	Murray, P. G.,	Tahl,
Cooper,	Hoffman,	Murray, M. L.,	Tate,
Corrigan,	Hoggard,	Myhan,	Tittle,
Costa,	Howells,	Nagel,	Trachtman,
Coulson,	Hunter,	Nelson,	Trent,
Coyle,	Huntley,	O'Brien,	Trout,
Cullen,	James,	O'Connor,	Turbett,
Dague,	Jones,	O'Dare,	Turner,
Dalrymple,	Kennedy,	O'Donnell,	Varallo,
Dennison,	Kirley,	O'Neill,	Verona,
Depuy,	Kline,	Owens,	Wachhaus,
Dillon,	Kolankiewicz,	Pentrack,	Wagner,
Dix,	Komorofski,	Petrosky,	Waterhouse,
Dougherty,	Kurtz,	Pettigrew,	Watkins,
Duffy,	Lane,	Pickens,	Weiss,
Dye,	Laughner,	Polaski,	Welsh,
Elder,	Lee,	Polen,	Wescott,
Elish,	Leisey,	Powers,	White,
Erb,	Leonard,	Propert,	Wood, L. H.,
Ewing,	Levy,	Readinger,	Wood, N.,
Finnerty,	Lichtenwalter,	Reagan,	Worley,
Flack,	Loftus,	Reese, D. P.,	Wright,
Fleming,	Longo,	Reese, R. E.,	Yeakel,
Foor,	Lopez,	Regan,	Yester,
Fox,	Lovett,	Reidenbach,	Fiss,
Freed,			Speaker

NAYS—0

NOT VOTING—4

Herman,	Hoopes,	Mihm,	Rose,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 527.

An Act to amend section four thousand three hundred one of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by further regulating the administration of the police pension fund

With the information that the Senate has passed the the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 6, by inserting after the word "shall" the words "at all times";; also after the word "direction" the words "and control"; also in line 7, by striking out after the syllable "cil" the word "or" and inserting in lieu thereof the words "but may be"; also in same line by striking out after the word "the" the word "direction" and inserting in lieu thereof the word "custody"; also in line 16, by inserting after the word "scale" the following: "Any compensation paid to a corporate custodian of the Police Pension Fund shall be paid from the General Fund of the City"

On the question,

Will the House concur in the amendments made by the Senate?

Mr. READINGER. Mr. Speaker, I move that the House do nonconcur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

STUDENTS WELCOMED

The SPEAKER. The Chair welcomes to the House this afternoon members of the Freshman and Sophomore classes of the West Fairview Junior High School accompanied by their teachers Mrs. Ruth Fretwell and Miss Alma Bossick, who are the guests of the gentleman from Cumberland, Mr. Coulson.

The Chair welcomes the twenty-four members of the graduating class of the Ogontz College for girls at Ridel, Montgomery County, who are the guests of the Montgomery County delegation, and who are being escorted by Mrs. Gutherie, a member of the faculty and Honorable Harold C. Pike, a former member of the House.

The Chair welcomes to the House the fifth and sixth grade students of the Webster School of Harrisburg.

The Chair is indeed happy to welcome these High School classes today. We hope you will be back with us again.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 191.

An Act to amend sections three seven and fifteen and further to amend sections one and eight of the act approved the eleventh day of July one thousand nine hundred seventeen (P. L. 758) entitled "An act for the protection of the public health by regulating the possession control dealing in giving away delivery dispensing administering prescribing and use of certain drugs and keeping records thereof by regulating the use of drugs in the treatment of the drug habit by providing for the revocation and suspension of licenses of physicians dentists veterinarians pharmacists druggests and registered nurses for certain causes and by providing for the enforcement of this act and penalties" further defining the words "physician" and "drug" specifying certain information to be disclosed on labels of narcotic prescriptions requiring that narcotics be kept in the original container requiring the disclosure of certain nformation to physician by patient conferring certain authority upon professional licensing boards and providing additional penalties

HOUSE BILL No. 199.

An Act to further amend section one of the act approved the sixteenth day of May one thousand nine hundred twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" by adding certain claims of Municipal Authorities in the definition of "municipal claim" and further amending the definition of "municipality" to include county institution districts and bodies politic or corporate created as Municipal Authorities

HOUSE BILL No. 321.

An Act to amend the title and section one of the act approved the eleventh day of May one thousand eight hundred ninety-nine (P. L. 289) entitled "An act providing for the payment to the county or counties of the moneys or bonus which any foreign railway corporation is required to pay into the State Treasury for the right to pass through the said county or counties and by which payment such foreign railway corporation is relieved from local taxation" by providing for paymentts to counties irrespective of whether relief from payment of local taxes results from payment of the bonus

HOUSE BILL No. 338.

An Act to amend sections two, seventeen, eighteen, twenty and twenty-six of the act, approved the fourth day of June, one thousand nine hundred and forty-three (P. L. 886), entitled "An act creating a Municipal Employes' Retirement System for the payment of retirement allowances to officers and employes of political subdivisions and institutions supported and maintained by them, and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor; imposing certain duties on the State Employes' Retirement Board and the actuary thereof; providing the procedure whereby political subdivisions may join such system, and imposing certain liabilities and obligations on such political subdivisions in connection therewith, and as to certain existing retirement and pension systems, and upon officers and em-

ployes of such political subdivisions and institutions supported and maintained by them; providing certain exemptions from taxation, execution, attachment, levy and sale; and making an appropriation," changing certain definitions, clarifying provisions relating to local pension and retirement systems; changing the formulae for the ascertainment of contributions by members and by municipalities; eliminating the provision requiring retirement at age seventy; and reappropriating the unexpended balance of the prior appropriation.

HOUSE BILL No. 382.

An Act to amend section seven hundred two of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled, "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by authorizing such townships to regulate parking

HOUSE BILL No. 412.

An Act to amend subdivision five of the Compact contained in the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1664) entitled "An act to ratify and adopt a compact or agreement negotiated by commissioners designated by the Governor of the Commonwealth of Pennsylvania and commissioners designated by the Governor of the State of Ohio relative to the development use and control of the Pymatuning Lake and the State owned land surrounding said lake for fishing hunting recreational and park purposes" so as to permit on portions of said lake the operation of boats equipped with motors of six horsepower or less

HOUSE BILL No. 662.

An Act to promote interstate cooperation for the conservation and protection of water resources in the Delaware River Basin

HOUSE BILL No. 898.

An Act conferring the power to administer oaths on minute clerks in the Court of Common Pleas or the Courts of Quarter Sessions of the Peace Oyer and Terminer and General Jail Delivery in counties of the second class

HOUSE BILL No. 917.

An Act to validate certain acknowledgments and to regulate the effect thereof

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 391, entitled:

An Act making voidable releases of claims for personal injuries or death, given within thirty days and providing for the avoidance of the same.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 62, entitled:

An Act to further amend sections four and ten of the act approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149), entitled "An act imposing a State tax payable, by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds imposing penalties and making an appropriation" at last amended by imposing an additional tax on liquid fuels providing for the payment thereof into the liquid fuels tax fund making appropriations and providing for the distribution to certain political subdivisions of this Commonwealth with certain conditions

The first section was read.

On the question,

Will the House agree to the section?

Mr. McKINNEY offered the following amendments:

Amend Sec. 1 (Sec. 10), page 6, lines 13 to 29, both inclusive, by striking out the words "eight million five hundred thousand" in line 13, and all of lines 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28 and 29.

Amend Sec. 1 (Sec. 10), page 7, by striking out all of lines 1, 2, 3, and the words "the year in which an allocation is made" in line 4.

Amend Sec. 1 (Sec. 10), page 7, line 4, by inserting after the word "made]" "One cent per gallon of the tax collected under the provisions of this act shall be paid into the Motor License Fund of the State Treasury and such moneys paid into said fund are hereby specifically appropriated to the cities boroughs towns and townships of the Commonwealth for the purposes hereinafter set forth.

"Fifty per cent of the money shall be allocated on the basis of population and the other fifty per cent shall be allocated on the basis of road and street mileage Each city borough town and township shall receive its proportionate share of the moneys allocated on a population basis as their population bears to the total population of all the political subdivisions of the Commonwealth and each city borough town and township will receive an allocation based upon the number of miles of local roads and streets under its jurisdiction in relation to the total number of miles of roads and streets in all of the cities boroughs towns and townships of the Commonwealth.

"The calculation of mileages shall be determined annually by the Department of Highways of the Commonwealth from reports submitted annually by the cities boroughs towns and townships and the populations shall be those shown in the latest United States Decennial Census."

Amend page 6, lines 10 and 11 by striking out the following language "[liquid fuels tax fund of the State Treasury]", and inserting in lieu thereof the following "Motor License Fund".

Amend page 7, line 8, by striking out the following language "[Liquid Fuels Tax Funds]", and inserting in lieu thereof the following "Motor License Fund".

They were agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. McKINNEY offered the following amendments:

Amend the title, page 2, lines 4 and 5 by striking out the following language: "[liquid fuels tax fund]", and

inserting in place thereof the following "Motor License Fund".

Amend title, page 2, line 5 of title, by striking out the words "making appropriations".

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 763, entitled:

And Act to amend section one of the act approved the twentieth day of May one thousand nine hundred twenty-one (P. L. 936) entitled "An act authorizing receivers of taxes in and for cities of the first class to furnish certificates of taxes and claims which are liens on real estate and fixing the fees for such services" by relieving the receiver of taxes of the liability for the accuracy of said certificate

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 861, entitled:

An Act to further amend section seven hundred seven subsection (e) of section nine hundred three and to repeal section seven hundred eight and subsection (f) of section nine hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways, and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" changing the provisions of said act relative to the registration of motor vehicles used for the transportation of passengers

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 871, entitled:

An Act to further amend section twenty-seven of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" further limiting the application of the section and making such further limitation retroactive

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1209, entitled:

An Act relating to and regulating the business of the use and disposition of the bodies of dead animals providing for the licensing of such business and the cancellation of such licenses authorizing the Department of Agriculture to promulgate rules and regulations there for and imposing certain duties upon said department and providing penalties

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 421, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 78, entitled:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred and thirty-five (P. L. 414) as renumbered and amended first extraordinary session of one thousand nine hundred and thirty-six by the act approved the seventeenth day of July one thousand nine hundred and thirty-six (P. L. 51) as reenacted and amended by the act approved the eighteenth day of May one thousand nine hundred and thirty-seven (P. L. 633) and as last reenacted and amended by the act approved the eleventh day of July one thousand nine hundred and forty-one (P. L. 361) entitled "An act to reenact and amend the title and the act approved the twenty-second day of June one thousand nine hundred thirty-five (P. L. 414) entitled 'An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills recorders of deeds prothonotaries and court clerks and on persons copartnerships associations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation" by excepting and excluding therefrom the obligations of municipal corporations by exempting scrip bonds certificates and evidences of indebtedness held in certain employee pension trusts and held under certain circumstances for the benefit of nonresidents of this Commonwealth and by making further provision for the assessment collection and the making of payment of and report concerning the tax imposed by the act

The first section was read.

On the question,

Will the House agree to the section?

Mr. McClester offered the following amendment:

Amend sec. 1 (sec. 18), page 9, line 22, by inserting a light-face bracket before the word "and" and after the word "Municipalities"

It was agreed to.

The section was agreed to as amended.

The second section and title was separately read and agreed to.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 122, entitled:

An Act to further amend section one of the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" by exempting and excluding therefrom all public loans and obligations of any county city borough town township school district and incorporated district of this Commonwealth and the bonds and obligations of bodies corporate and politic of this Commonwealth known as municipal authorities by exempting personal property held in certain employee pension trusts and personal property held under certain circumstances for the benefit of non-residents of this Commonwealth and by exempting annuities and shares of stock of corporations liable to a gross premiums tax and shares of stock of corporations relieved of the capital stock tax

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 671, entitled:

An Act to amend section six hundred eight of the act approved the twenty-eighth day of April one thousand nine hundred thirty-seven (P. L. 417) entitled "An act relating to milk and the products thereof creating a Milk Control Commission establishing its jurisdiction powers and duties regulating the production transportation manufacturing processing storage distribution delivery and sale of milk and certain products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers authorizing the holding of hearings and the issuance of subpoenas by the commission conferirng jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules regulations and orders of the commission authorizing the commission to adopt rules regulations and orders and to enter into interstate and Federal compacts requiring persons who weigh measure sample of test milk to procure permits or certificates to take examinations to pay fees therefor to furnish certain notices records and statements and to use certain methods of weighing measuring sampling and testing authorizing the commission to examine the business papers and premises of milk dealers and producers requiring the keeping of records and the filing of reports by milk dealers and permitting with limitations the use of information obtained thereby authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor and conferirng certain powers upon the Governor with respect thereto providing for appeals to the courts from decisions of the commission and for the burden of proof upon such appeals prescribing penalties fines and imprisonment for violations of this act and rules regulations and orders of the commission defining perjury defining remedies repealing legislation supplied and superseded by this act and saving rights duties and proceedings thereunder and making appropriations" by requiring milk dealers to give daily reports of milk delivered by milk producers

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 715, entitled:

An Act to further amend the title and the act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death defining as a transfer and taxing the right of survivorship in property as to which such right exists and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" by adding a new section by changing the provisions imposing inheritance taxes on personal property accounts in trust and transfers intended to take effect in possession or enjoyment at or after death imposing additional duties on banks safe deposit companies trust companies corporations institutions or depositories surviving parties of joint accounts or accounts in trust persons registers of wills and the Department of Revenue and providing penalties changing the provisions for rate of tax debts and deductions the computation of tax on life estates or estates for years the assessment of tax on future estates the lien of taxes and commissions to be retained by registers of wills

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 806, entitled:

An Act to further amend sections twenty and twenty-one of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred seventy-nine" by clarifying the provisions for the appraisal and valuation of the capital stock of corporations subject to capital stock and franchise taxes and by changing the gross receipts fraction applicable to foreign corporations doing business in this Commonwealth

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 807, entitled:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances for the State Government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" as amended by further regulating the procedure and the jurisdiction of the Board of Finance and Revenue relative to certain claims for refund changing and restricting the right of the Commonwealth to impose interest on certain unpaid taxes and bonus when such taxes and bonus are not settled within a prescribed period of time further providing for the report settlement and resettlement of taxes bonus and other accounts due the Commonwealth and for the furnishing of receipts for transfer inheritance and estate taxes eliminating provisions for an Attorney General's commission and further regulating the procedure for filing petitions for resettlement petitions for review appeals to court

The first, second and third sections were separately read and agreed to.

The fourth section was read.

On the question,

Will the House agree to the section?

Mr. DAVID P. REESE, Jr. offered the following amendment:

Amend Section 4, page 11, line 26 by striking out with dark faced brackets the following word: "[therewith]", and inserting in lieu thereof the following "thereof".

It was agreed to.

The section was agreed to as amended.

The fifth section was read.

On the question,

Will the House agree to the section?

Mr. DAVID P. REESE, Jr. offered the following amendment:

Amend Section 5, page 13, line 13, by striking out with dark faced brackets the following word "[cast]", and inserting therefor the following "case".

It was agreed to.

The section was agreed to as amended.

The sixth, seventh, eighth, ninth, tenth and eleventh sections and title were separately read and agreed to.

And said bill having been read at length the second time, and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 872, entitled:

An Act to provide revenue for State purposes by imposing an excise tax on the net income of co-operative agricultural associations having capital stock in lieu of all other taxes except tax on real estate providing for the assessment collection settlement and resettlement of tax and reviews and appeal therefrom conferring powers and imposing duties on certain persons cooperative agricultural associations having capital stock State and County officers boards and departments and providing penalties

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 102, entitled:

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and other expenses of the State government during the two fiscal years beginning the first day of June one thousand nine hundred forty-five evidenced by tax anticipation notes secured by and payable from current revenues levied assessed collectible and accruing during such two fiscal years defining the powers and duties of the Governor and Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the repayment of such loans and making an appropriation.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

BILL RECOMMITTED

Mr. SORG. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study.

The motion was agreed to.

BILL PASSED OVER

There being no objection

Senate Bill No. 423, Printer's No. 317,

was passed over at the request of the SPEAKER.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 52, as follows:

An Act relating to the practice procedure regulations and adjudications of departments departmental administrative boards and commissions independent administrative boards and commissions officers and other administrative agencies of this Commonwealth and judicial review thereof and preserving equitable jurisdiction in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Short Title and Definitions

Section 1 Short Title This act shall be known and may be cited as the "Administrative Agency Law"

Section 2 Definitions The following words and terms shall have the following meanings unless the context clearly indicates otherwise

(a) "Adjudication" means any final order decree deci-

sion determination or ruling by an agency affecting personal or property rights privileges immunities or obligations of any or all of the parties to the proceeding in which the adjudication is made but shall not mean any final order decree decision determination or ruling based upon a proceeding before a court or which involves the seizure or forfeiture of property or which involves paroles or pardons

(b) "Agency" means any department departmental administrative board or commission independent administrative board or commission officer or other agency of this Commonwealth now in existence or hereafter created having statewide jurisdiction empowered to determine or affect private rights privileges immunities or obligations by regulation or adjudication but shall not include a court of record nor a magistrate alderman or justice of the peace

(c) "Party" means any person who appears in a proceeding before an agency who has a direct interest in the subject matter of such proceeding

(d) "Person" means any individual or organized group of any character including partnerships corporations and other forms of association as well as federal state or local instrumentalities political subdivisions or officers thereof

(e) "Regulation" means any rule regulation or order in the nature of a rule or regulation generally applicable to the public promulgated by an agency authorized by statute so to do but shall not be construed to include the name or facts of any adjudication giving rise to such regulation

Representation and Discipline

Section 11 Representation Any party may be represented before an agency by an attorney at law

Section 12 Discipline Any agency may upon hearing and good cause shown preclude any attorney from practice before it subject to the same right of appeal as hereinafter provided from adjudications

Regulation Procedure

Section 21 Promulgation of Regulations Every agency having authority to promulgate amend or repeal regulations may do so only after notice published in the Pennsylvania Register and such other notice as the agency may deem appropriate provided however that prior publication in the Pennsylvania Register shall not be required for regulations promulgated within one hundred fifty days after the effective date of this act

Section 22 Publication of Existing Regulations All regulations of any agency which are in effect on the effective date of this act or which shall be promulgated within ninety days thereafter shall expire one hundred days after the effective date of this act unless codified indexed and filed within said period of one hundred days for publication in the Pennsylvania Register Regulations promulgated after ninety days and within one hundred fifty days after the effective date of this act shall expire one hundred sixty days after the effective date of this act unless filed for publication in the Pennsylvania Register within said period of one hundred sixty days

Section 23 Publication of Future Regulations Revisions and Amendments No regulation or revision amendment or repeal of an existing regulation promulgated after one hundred fifty days following the effective date of this act shall be valid unless published in the Pennsylvania Register within forty-five days after its adoption

Section 24 Emergency or Extraordinary Regulations The provisions of this act requiring publication may be dispensed with in cases in which the Department of Justice shall certify that because of an emergency or other compelling extraordinary circumstances the public interest requires that the regulation become effective without the delay required for the prior notice or publication of the regulation In such cases the regulation together with a copy of the certification of the Department of Justice shall be published in the earliest available issue of the Pennsylvania Register

Adjudication Procedure

Section 31 Hearing and Record No adjudication shall be valid as to any party unless he shall have been afforded reasonable notice of a hearing and an opportunity to be heard All testimony shall be stenographically recorded and a full and complete record shall be kept of the proceedings

Section 32 Evidence Cross-examination Agencies shall not be bound by technical rules of evidence at agency hearings and all relevant evidence of reasonable probative value may be received Reasonable examination and cross-examination shall be permitted

Section 33 Briefs Oral Argument All parties shall be afforded opportunity to submit briefs prior to adjudication Oral argument upon substantial issues may be heard by the agency

Section 34 Adjudications Service All adjudications shall be in writing shall contain findings and the reasons for the adjudication and shall be served upon all parties or their counsel personally or by mail If service is made by mail the date of mailing shall be the date of service

Section 35 Procedural Regulations Agencies shall have the power to promulgate regulations prescribing their practice with respect to adjudication procedure not inconsistent with the terms of this act The adoption of such regulations shall be subject to the provisions of sections twenty-one to twenty-four inclusive hereof

Judicial Review

Section 41 Appeals Within thirty days after the service of an adjudication (or if a petition for rehearing or reconsideration is filed pursuant to statutory authority then within thirty days after service of the order of the agency refusing such petition or of the order following rehearing or reconsideration) any person aggrieved thereby who has a direct interest in such adjudication shall have the right to appeal therefrom Such appeal shall be taken to the Court of Common Pleas of Dauphin County Parties interested jointly severally or otherwise in the same adjudication may join in an appeal therefrom even though all of the interested parties do not join therein

Section 42 Procedure on Appeal The procedure appliable to appeals from adjudications shall be in accordance with the rules of civil procedure promulgated from time to time by the Supreme Court of Pennsylvania A party who proceeded before an agency under the terms of a particular statute shall not be precluded from questioning the validity of said statute in the appeal but such party may not raise upon appeal any other question not raised before the agency

The remedy at law provided by this section shall not in any manner impair the right to equitable relief heretofore existing and such right to equitable relief is hereby continued notwithstanding the provisions of this section

Section 43 Supersedeas Unless otherwise provided by a statute authorizing a particular appeal no appeal shall operate as a supersedeas unless the court to which the appeal is taken or a judge thereof shall so order after hearing Upon due notice to the agency The court may grant a supersedeas upon such terms and conditions including the filing of security as it may prescribe Where the statute pertaining to a particular subject of adjudication requires that security be filed as a condition to obtaining a supersedeas the court shall require adequate security

Section 44 Disposition of Appeal The court to which the appeal is taken shall hear the appeal without a jury on the record certified by the agency After hearing the court shall affirm the adjudication unless it shall find that the same is in violation of the constitutional rights of the appellant or is not in accordance with law or that the provisions of sections thirty-one to thirty-five inclusive of this act have been violated in the proceeding before the agency or that any finding of fact made by the agency and necessary to support its adjudication is not supported by substantial evidence If the adjudication is not affirmed the court may set aside or modilfy it in whole or in part or may remand the proceeding to

the agency for further disposition in accordance with the order of the court

Section 45 Appellate Review The agency or any party affected by any decision of a court on an appeal from adjudication may within thirty days of the filing of such decision appeal to the Superior or Supreme Court as in other cases

Exemptions

Section 51 (a) None of the provisions of this act except sections twenty-one to twenty-four inclusive shall apply to proceedings before the Department of Revenue Auditor General Board of Finance and Revenue or Secretary of the Commonwealth involving the original settlement resettlement review or refund of taxes bonus interest or payments made into the State Treasury or judicial review of such proceedings The provisions of Sections 31 to 44 inclusive shall not apply to an adjudication of an agency from which an appeal to a court is provided by another statute or to an adjudication of an agency whose adjudication is provided by another statute as final

(b) Sections forty-one to forty-five inclusive of this act shall not apply to adjudications of the Banking Board or of the Building and Loan Board

(c) This act shall not apply to actions of the Secretary of Banking in the taking possession and liquidation of banking institutions and building and loan associations or to actions of the Insurance Commissioner in the taking possession and liquidation of insurance companies

Repealer

Section 55 All acts or parts thereof inconsistent with the provisions of this act are hereby repealed All existing applicable statutory provisions not inconsistent with this act shall remain in full force and effect

Effective Date

Section 61 This act shall take effect on the first day of January one thousand nine hundred forty-six

On the question,

Shall the bill pass finally?

Mr. LOVETT. Mr. Speaker, for many sessions I have tried to do something about the rules and regulations. I find myself in the position of my colleague, Mr. Dix, who finds that they steal his bills. This piece of legislation to my mind is good. I tried for a number of sessions to have enacted some legislation with regard to rules and regulations, but I find that the Bar Association never did quite agree, but I am glad, as the fellow says, to accept half a loaf. These bills may not be to my liking one hundred percent, but they are a step in the right direction. I therefore ask that the Members of this House vote in favor of this stolen legislation.

Mr. LICHTENWALTER. Mr. Speaker, I would like to reply to the gentleman from Westmoreland, and state that I also request that the Members vote for this bill. There is honor among thieves.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Andrews,	Fullerton,	Madden,	Reynolds,
Baker,	Gaffney,	Madigan,	Riley,
Barrett,	Gallagher,	Mahany,	Robertson,
Barton,	Gardner,	Matthews,	Root,
Baumunk,	Getchey,	McAtee,	Royer,
Bentzel,	Gibson,	McClester,	Rudisill,
Boies,	Goodling,	McCormack,	Salus,
Bonawitz,	Gore,	McDowell,	Scanlon,
Boney,	Grant,	McKinney,	Schuster,
Boorse,	Green,	McLanahan,	Serrill,
Boory,	Greenwood,	McMillen,	Shaffer,
Bower,	Greer,	McNair,	Shoemaker,
Brancato,	Guthrie,	McNally,	Skale,
Breisch,	Gyger,	Mikula,	Sloan,
Brice,	Haberlen,	Miller,	Smith,
Brothers,	Hall,	Milliken,	Snider,
Brown,	Hamilton,	Mills,	Snyder,
Brunner, C. H.,	Hare,	Modell,	Sollenberger,
Brunner, P. A.,	Haudenshield,	Mooney,	Sorg,
Burns,	Heatherington,	Moore, C. E.,	Stank,
Cadwalader,	Helm,	Moore, W. J.,	Stockham,
Chudoff,	Hennihan,	Moran,	Stonier,
Cohen,	Hering,	Moser,	Stuart,
Coleman,	Hersch,	Munley,	Swope,
Cook,	Hewitt,	Murray, M. L.,	Tahl,
Cooper,	Hoffman,	Murray, P. G.,	Tate,
Corrigan,	Hoggard,	Myhan,	Tittle,
Costa,	Howells,	Nagel,	Trachtman,
Coulson,	Hunter,	Nelson,	Trent,
Coyle,	Huntley,	O'Brien,	Trout,
Cullen,	James,	O'Connor,	Turbett,
Dague,	Jones,	O'Dare,	Turner,
Dalrymple,	Kennedy,	O'Donnell,	Varallo,
Dennison,	Kirley,	O'Neill,	Verona,
Depuy,	Kline,	Owens,	Wachhaus,
Dillon,	Kolankiewicz,	Pentrack,	Wagner,
Dix,	Komorofski,	Petrosky,	Waterhouse,
Dougherty,	Kurtz,	Pettigrew,	Watkins,
Duffy,	Lane,	Pickens,	Weiss,
Dye,	Laughner,	Polaski,	Welsh,
Elder,	Lee,	Polen,	Wescott,
Elish,	Leisey,	Powers,	White,
Erb,	Leonard,	Propert,	Wood, L. H.,
Ewing,	Levy,	Readinger,	Wood, N.,
Finnerty,	Lichtenwalter,	Reagan,	Worley,
Flack,	Loftus,	Reese, D. P.,	Wright,
Fleming,	Longo,	Reese, R. E.,	Yeakel,
Foor,	Lopez,	Regan,	Yester,
Fox,	Lovett,	Reidenbach,	Fiss,
Freed,	Lyons,	Reilly,	Speaker.
Frost,			

NAYS—0

NOT VOTING—5

Bentley,	Hoopes,	Mihm,	Rose,
Herman,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The SPEAKER. The Chair requests the gentleman from Montgomery, Mr. Lloyd H. Wood, to preside.

MR. LLOYD H. WOOD IN THE CHAIR

BILL PASSED OVER

There being no objection

House Bill No. 717, Printer's No. 500,

was passed over at the request of the SPEAKER pro tempore.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 411, as follows:

An Act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto

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The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Article I

Preliminary Provisions

Section 101 Short Title This act shall be known and may be cited as the "State Highway Law"

Section 102 Definitions When used in this act the following words and phrases shall have the following meanings

(1) "State highway" shall mean and include all roads and highways taken over by the Commonwealth as State highways under the provisions of any act of Assembly Unless clearly so intended the term shall not include any street in any city borough or incorporated town even though the same may have been taken over as a State highway

(2) "Rural State highway system" shall mean and include all roads and highways taken over by the Commonwealth as State highways under the provisions of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) Act No 203 entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" and its supplements and amendments and all other roads and highways specifically designated as rural State highways

(3) "Department" shall mean the Department of Highways of the Commonwealth

(4) "Secreetary" shall mean the Secretary of Highways of the Commonwealth

Section 103 Excluded Provisions This act does not include any provisions of and shall not be construed to repeal

(1) "The Administrative Code of 1929" approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177)

(2) "The Vehicle Code" approved the first day of May one thousand nine hundred twenty-nine (P. L. 905)

(3) "The Tractor Code" approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005)

(4) Any law administered by the Pennsylvania Turnpike Commission

(5) The act approved the first day of June one thousand nine hundred thirty-three (P. L. 1409) entitled as last amended "An act authorizing the Secretary of Highways to enter into agreements relating to support for State highway right of ways underlaid by coal and for the ascertainment and assessment of damages sustained by reason of the obligation to furnish such support whether the damages are payable by the Commonwealth or a county"

(6) The act approved the sixteenth day of July one thousand nine hundred forty-one (P. L. 386) entitled "An act providing for the establishment construction operation and mainteance of a mountain ridge road or parkway in the Pocono Mountains through bordering or accessible to the counties of Monroe Northampton Carbon Luzerne Lackawanna Wayne and Pike to be known as the "Rim Parkway" providing for the creation of the Pennsylvania Parkway Commission and conferring powers and imposing duties on said commission authorizing the issuance of parkway revenue bonds of the Commonwealth payable solely from tolls to pay the cost of such parkway providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds and for the cost of maintenance operation and repair of the parkway making such bonds exempt from taxation constituting such bonds legal investments in certain instances prescribing conditions upon which such parkway shall become free providing for condemnation granting certain powers and authority to municipal subdivisions and other agencies of the Commonwealth to cooperate with the commission conferring powers and imposing duties on the Department of Highways authorizing the issuance of parkway revenue refunding bonds and making an appropriation"

(7) Any law or part of a law adopting any road highway or street as a State highway

(8) Any law relating to interstate bridges

(9) Any law relating to flood control

(10) Any amendment or supplement of any of the laws referred to in this section

Section 104 Saving Clause The provisions of this act so far as they are the same as those of existing laws are intended as a continuation of such laws and not as new enactments The repeal by this act of any act of Assembly or part thereof shall not revive any act or part thereof heretofore repealed or superseded The provisions of this act shall not affect any act done liability incurred or right accrued or vested or affect any suit or prosecution pending or to be instituted to enforce any right or penalty or punish any offense under the authority of such repealed laws All regulations and rules made pursuant to any act of Assembly repealed by this act shall continue with the same force and effect as if such act had not been repealed

Article II

Designation and Location of State Highways

Section 201 Present State Highways to Continue Until Changed All roads streets and highways adopted and taken over as State highways and remaining as such on the effective date of this act shall continue to be State highways as now constituted until changed pursuant to the provisions of this act or by subsequent act of Assembly

Section 202 Parts of highways not Included in Designation of State highways Where the boundary line of any city borough or incorporated town traverses longitudinally the legal limits of a highway and a portion only of such highway situate either outside of or within the municipality has been or may hereafter be established as a State highway the portion of the highway which the act fails to include because of the presence of the boundary line whether such portion may be outside of or within the corporate limits of the city borough or incorporated town is hereby established as or shall hereafter automatically become a State highway and shall be constructed and maintained by the department in accordance with the provisions of this act governing State highways in cities or boroughs or in townships as the case may be

Section 203 Maps etc of State Highways The Department shall have authority to prepare and keep among its records such maps plans data and information as shall be deemed necessary by the secretary Copies thereof may be furnished to the public in such manner and for such cost not exceeding the cost of preparation as may be determined by the secretary

Section 204 Lettering Naming or Numbering State Highway Routes The secretary is hereby authorized to designate by letter or to name or number State highways or any part or parts thereof or any combinations of such highways or parts thereof in such manner as in his discretion will best accommodate and inform the traveling public using the highways of the Commonwealth and facilitate the keeping of maps and records of the department

Whenever the secretary designates any route by common letter name or number for the convenience of the traveling public he may in his discretion include therein any public road or part thereof except city borough or town streets Nothing herein contained shall authorize the secretary to construct maintain or repair any such road or part thereof as a part of the State highway system

Section 205 Entry on Lands to Make Surveys Damages Penalty The department shall have the power to enter upon any lands or enclosures for the purpose of making surveys to assist the department in determining whether any State highway should be relocated widened or improved and all surveys in connection with the actual relocation widening or improvement of any State highway Any entry made by any duly authorized employes of the department for any such purpose shall not be deemed a trespass under existing law

Any damages sustained by the owner or owners of land entered upon by the department for the purpose herein provided shall be determined and paid in the manner provided by law for the payment of damages to property heretofore or hereafter caused or occasioned in connection with the work of the department in the construction improvement maintenance and repair or in the preparation of materials for such purpose of roads highways or bridges under the jurisdiction of the department and for which the Commonwealth is responsible for maintenance and attributed to negligence or carelessness on the part of the employes of the department

Any person interfering with or obstructing the exercise of the authority herein conferred shall on summary conviction thereof be sentenced to pay a penalty for every such offense of not less than five dollars nor more than twenty dollars All penalties imposed under this section shall be transmitted to the State Treasury of the Commonwealth and shall be credited to the Motor License Fund The penalty herein provided shall be in addition to and not in lieu of any penalties imposed by existing law

Section 206 Ultimate Widths and Lines Establishment Recording The secretary shall have power with the approval of the Governor to establish the ultimate width and lines of any State highway for future construction before or after the construction reconstruction or improvement of the same not however exceeding the maximum width fixed by law for public roads The establishment of such ultimate width and lines for future construction shall be by a plan showing the center line of said highway and the established ultimate width thereof for future

construction bearing the acknowledgment of the secretary Such plan and acknowledgment shall be recorded in the office of the recorder of deeds of the proper county in a separate book kept for such purpose which shall be furnished to the recorder of deeds by the county commissioners at the expense of the county All costs of the recording shall be paid by the county

Section 207 Change of Plans for Ultimate Width The secretary shall have power with the approval of the Governor to change any plan establishing the ultimate width and lines of any State highway by reducing the width of such State highway or section thereof established as hereinbefore provided by causing a new plan thereof to be made showing the center line of said highway and the new established width thereof and shall attach thereto his acknowledgment When any such change has been made such plan and acknowledgment shall be recorded in the office of the recorder of deeds of the proper county as hereinbefore provided and a notation shall be made on the prior plan that the same has been replaced by a later plan

Section 208 Limitations on Damages for Taking No person shall be entitled to recover any damages for any buildings or improvements of any kind which shall or may be placed or constructed upon or within the ultimate width and lines of any State highway after the same shall have been established for future construction and recorded as aforesaid

No person shall be entitled to damages by reason of such establishment of the ultimate width and lines of a State highway for future construction and where the Commonwealth by its proper authorities has improved or constructed or shall hereafter improve or construct such State highway and in so doing has taken or shall take a part only of the lands lying within the lines shown by such plan damages shall be allowed for and to the extent of such actual taking only Such taking shall be deemed to occur only when right of way plans or construction drawings prepared by the department showing thereon the right of way required for highway purposes and for slopes shall have been approved by the secretary and the Governor and filed as a public record in the office of the department

Section 209 Relocation without Limitation on Account of Terminal Points When the terminal point of one or more State highway routes is described as being at the boundary line of a county township municipality or adjoining state and the highway continues beyond such point the secretary shall have authority to relocate such State highway route or routes without limitation on account of such terminal point except that the new point of crossing of such line shall be properly referenced and shown on the plan by which the relocation is made When the terminal point of a State highway route is described as being on another highway the secretary shall have authority to relocate such highway route without limitation on account of such terminal point except that the new terminal point shall be on such other highway When two separate State highway routes with one common terminal point form a continuous highway the secretary shall have authority to relocate such State highway routes without limitation on account of such terminal point except that both the old and the new terminal points shall be shown on the plan by which the relocation is made

Section 210 Relocation etc Abandonment as State Highway Vacation The secretary is hereby empowered to change alter or establish the width lines location or grades of any State highway or any intersecting road in such manner as in his discretion may seem best in order to correct danger or inconvenience to the traveling public or lessen the cost to the Commonwealth in the construction reconstruction or maintenance thereof After the relocation has been opened to traffic the secretary by notice to the local authorities shall abandon as a State highway route or vacate the section of highway between the termini of the relocation Where the new route in the judgment of the secretary supplies and takes the place of any part of the old highway and such part is of a length of not more than two miles the secretary being of the opinion that such part is unnecessary for public use and travel or burdensome or dangerous and having due regard for the convenience of access to the new highway by the owners of property abutting on such part may at any time by written order declare such part to be vacated Thereafter the part so vacated shall be closed to public use and travel and shall no longer be a public road Before any change or order of vacation is made the secretary shall first submit a plan of the proposed change and any proposed order of vacation to the Governor and the same shall be approved by him and filed as a public record in the office of the department The approval of such plan or plans by the Governor shall be considered to be the condemnation of an easement for highway purposes from all property within the lines marked as required for right of way and the condemnation of an easement of support or protection from all property within the lines marked as required for slopes

Section 211 Use of Abandoned Canals and Railroad or Railway Rights of Way for Relocation of State Highways Whenever any abandoned canal or part thereof is no longer used for the purpose for which it was intended and is not used or occupied by a railroad or railway in actual operation or whenever any right of way of a railroad or railway has been abandoned or has not been used occupied or built upon for a period of two years or more and such canal or right of way extends in the same general direction in which a State highway is projected the secretary may take over any such canal or part thereof or any such railroad or railway right of way for the purpose of relocating such State highway and if a price therefor to be approved by the Governor can be agreed upon acquire the same or as much thereof as is needed in the name of the Commonwealth from the owners thereof If no such price can be agreed upon the canal or right of way or as much thereof as is needed shall be acquired by eminent domain under the procedure prescribed in Article three of this act

Section 212 Acquisition and Disposal of Certain Canals and Artificial Waterways The department may acquire by gift all or any part of the lands occupied by any canal or other artificial waterway constructed by the Commonwealth as a part of its public works and heretofore acquired directly or indirectly by any canal corporation organized and existing under the laws of this Commonwealth The department may thereafter sell or otherwise dispose of any portion of such lands not actually necessary for highway purposes upon such terms and conditions as the Governor may approve and deposit the proceeds in the Motor License Fund

Section 213 Acceptance of Canal Property Acquired by Department of Forests and Waters The secretary may in his discretion accept for the purposes of location relocation construction or reconstruction and maintenance and repair of highways and purposes incidental thereto any canal property acquired by the Secretary of Forests and Waters and by him transferred to the department Upon such transfer the Department of Forests and Waters shall be relieved of all control over or responsibility for such property

Section 214 Maintenance of Parts of Roads Abandoned as State Highways Vacation when not of Full Width Where any section of a State highway route shall be or has been relocated the portion of the public road or highway thus abandoned as a State highway route shall be maintained by and at the expense of the township borough incorporated town or city wherein it is located but the department shall in each case before abandoning such portion of public road or highway improve and repair the same so that it shall be in first class condition when it is taken over by the township borough incorporated town or city

Where the width lines or location of a State highway shall be or have been changed altered or established according to law in a manner which does not create an entirely new highway the section or sections or portions of the right of way of the highway as previously estab-

lished which are not included within the changed altered or established widths shall be considered vacated if such portions or sections are not of the full width of the highway as previously established

Section 215 Power of Courts to Vacate Parts of Certain State Highways The courts of quarter sessions shall have power to inquire of and vacate any part or parts of any former State road or turnpike road which has been adopted as a State highway where such part or parts thereof due to the change or relocation of the State highway no longer form a part of such State highway Such vacation shall be in the same manner as in the case of the vacation of roads under the general road law

Section 216 Spurs and Branch Roads In constructing reconstructing repairing or maintaining any public highway taken over by the State as a State highway it shall be lawful to construct reconstruct repair and maintain a spur or branch road to such State highway in order to reach points named in the route of such State highway as taken over

Section 217 Connecting Roads between State Highways The secretary is hereby authorized to join two or more State highway routes in cities of the second class second class A and third class boroughs incorporated towns or townships or in any two or more of such political subdivisions by taking over or building a connecting road not more than one mile in length whenever such connecting road would lessen the distance between two points on separate routes or provide a better alignment or grade Such road when constructed or taken over shall become a State highway and subject to the laws relating to such highways

Any damage occasioned by the taking of land for the construction of any such connecting road shall be determined and paid as provided by Article three of this act

Section 218 Lengthening or Shortening Intersecting Routes to Conform to Relocations Where any section of any State highway route which contains the terminus of an intersecting State highway route has been or shall be relocated in such a manner that the terminus of the intersecting State highway route does not fall within the limits of the relocated route the secretary may lengthen or shorten such intersecting route so that its terminus falls within the limits of the relocated State highway route If the intersecting route is shortened and the portion thereof abandoned as a State highway by reason thereof is in the opinion of the secretary unnecessary for public use and travel the secretary may vacate said abandoned section When any State highway route is lengthened under the provisions of this section and property is taken thereby the damage shall be ascertained and paid as provided by Article three of this act

Section 219 Designation of Future Locations for Highways The secretary with the approval of the Governor may designate the future location and width of any proposed highway and continue to maintain the present highway until such time as the amount of traffic warrants the construction of the new highway designated and until such new highway has been completed and opened to traffic

Whenever the secretary shall establish the width and lines of any such highway he shall cause a plan thereof to be made showing the center line of said highway and the established width thereof and shall attach thereto his acknowledgment Thereupon such plan and acknowledgment shall be recorded in the office of the recorder of deeds of the proper county in a separate book kept for such purpose which shall be furnished to the recorder of deeds by the county commissioners at the expense of the county

No owner or occupier of lands buildings or improvements shall erect any building or make any improvements within the limits of any State highway the width and lines of which have been established and recorded as provided in this section and if any such erection or improvement shall be made no allowance shall be had therefor by the assessment of damages

Any damages sustained by the taking of private property under the provisions of this section for the construction of such highway shall be ascertained and paid as provided by Article three of this act

Section 220 Parallel Highways Establishment Control of Direction of Traffic When any State highway route or combination of State highway routes or portions thereof in the opinion of the secretary is inadequate for present or anticipated traffic and the cost of securing the right of way necessary for a highway of adequate design on the existing location would be unwarranted in the judgment of the secretary or the topography adjacent to the existing location is such that widening is impractical and the establishment and construction of a parallel highway together with the retention of the existing highway will provide ample width of highway for public use the secretary may establish construct and maintain a parallel or approximately parallel highway as a State highway in any township borough incorporated town or city or combination of such political subdivisions and retain the present highway as a part of the system of State highways A plan for the establishment and construction of such parallel or approximately parallel highway shall be prepared by the department signed by the secretary and approved by the Governor and filed as a public record in the department

The secretary may control the direction of the flow of traffic over parallel or approximately parallel highways established under the provisions of this section by the erection of approved one-way traffic signs at the beginning and ending of each parallel or approximately parallel highway and at the entrance of all roads highways alleys or streets connecting therewith

Damages occasioned by the taking of private property for the construction of parallel or approximately parallel State highways established under the provisions of this section shall be ascertained and paid as provided by Article three of this act

Section 221 Parallel Highways Taking over of Existing Roads and Streets Payments to Boroughs The secretary with the approval of the Governor is authorized to take over existing public roads and streets in cities boroughs and townships approximately parallel to State highways between any or all of the points named in the line or route of such State highway Any such road may intersect with or cross over the highway to which it is approximately parallel Any such road when taken over shall become a State highway and be subject to the laws relating to State highways except that in the case of parallel highways in cities and boroughs approval of the councils thereof shall be required for the relocation or change of the lines or widths thereof on for constructing and improving such parallel route wholly or in part on a new alignment

Whenever the secretary shall adopt any existing street parallel to any State highway in any borough as a State highway and such parallel street has been improved and constructed by the borough according to the standards of the department for the construction of streets forming parts of State highways and under plans prepared by the department the department shall reimburse the borough for the amount expended by such borough for the improvement and construction of such street to be determined by the councils of such borough and the department

Any damages sustained by any property owner in connection with the construction change of width or relocation of such road shall be ascertained and paid as provided by Article three of this act

Article III

Eminent Domain Ascertainment and Payment of Damages

Section 301 County to be Notified of Certain Improvements etc Before the department shall undertake the construction reconstruction or improvement of any State highway wherein a change of width or of existing lines and location is necessary and damage is likely to result to abutting property it shall notify the county commissioners of the proper county in writing of the contemplated change in such existing width lines and location After the county commissioners have agreed to such

changes or refused to agree thereto as hereinafter provided the department may proceed with the work of construction reconstruction and improvement

Section 302 Fixing Amount of Damage Payment by County After the receipt of the notice as above provided the county commissioners if they approve such change of width or of existing lines and location and agree thereto in writing shall when possible enter into an agreement with the owner or owners of said property as to amount of damage to be paid to said owner or owners Whenever the amount so agreed upon shall exceed the sum of three hundred dollars ($300.00) the same shall not be paid by the county until the proposed agreement shall have been filed by the county commissioners in the office of the prothonotary of the county in which the property damaged is situated If no exceptions are filed thereto within ten (10) days after notice given by publication as hereinafter provided the county commissioners may pay the amount so agreed upon If exceptions thereto are filed within ten (10) days after such notice the proceedings shall be presented to the court of quarter sessions for its approval The court shall fix a time for hearing the matter at which time the parties to such agreement and any taxpayer interested therein and their witnesses shall be heard and the court shall either approve or disapprove the agreement as it deems proper If the court disapproves the agreement it shall indicate a sum which it would approve for such case if the county commissioners and the property owner could agree thereon In such cases if the property owner and the county commissioners agree on the amount of damages indicated by the court as acceptable to it such agreement may be entered into and shall be final and binding on the parties without any further approval by the court Notice of the filing of such agreement in the office of the prothonotary and of the time and place of hearing in all such cases shall be given by one publication in one or more newspapers of general circulation throughout the county which shall state that any taxpayer may file exceptions to the agreement or may appear at such hearing and be heard together with his witnesses as the case may be

Section 303 Assessment of Damages and Benefits Payment by County In case an agreement satisfactory to the county commissioners and said owner or owners cannot be made and the approval of the court thereto secured the owner or owners of said property damaged thereby or the commissioners of the proper county may present their petition to the court of quarter sessions for the appointment of viewers to ascertain and assess such damages as well as any benefits Such petitions shall be presented within six (6) years from the date of the approval by the Governor of the plan making the change but not thereafter

In assessing the damages the viewers shall take into consideration the advantages derived from such road passing through the land of the complainant The viewers shall make report in writing to the court of quarter sessions within the time fixed by the court in its decree appointing the viewers or such extention thereof as the court may allow At the end of thirty (30) days after the filing of the report if no exceptions thereto have been filed the report shall be confirmed absolute by the court without waiting until the next term of court If all parties in interest waive the thirty (30) day period before confirmation absolute and shall in writing agree to have the report of the viewers confirmed absolute at any time before the expiration of the thirty (30) day period the court may enter confirmation absolute accordingly The county commissioners or any other party to such proceedings may within thirty (30) days after the filing of the report of the viewers appeal from the award of the viewers to the court of common pleas and shall be entitled to a trial by jury From the judgment of the court of common pleas an appeal may be had to the Supreme Court as in other cases Such damages when ascertained shall be paid by the county in which the State highway is located

Section 304 Fixing or Assessment of Damages and Benefits Payment by Commonwealth Whenever the county commissioners do not consent to or approve any such change of width or of existing lines and location and the secretary determines such change to be necessary he shall when possible enter into an agreement with the owner or owners of said property as to the amount of damages to be paid therefor and if agreed upon such damages shall be paid by the Commonwealth out of moneys in the Motor License Fund If such agreement cannot be made the owner or owners of said property damaged thereby or the Commonwealth may present their or its petition to the court of quarter sessions for the appointment of viewers to ascertain and assesss such damage as well as any benefits within the same time in the same manner and with the same right of appeal to the owner or owners and to the Commonwealth as is hereinbefore provided in cases where the county agreed to such change The damages when ascertained shall be paid by the Commonwealth out of moneys in the Motor License Fund

Section 305 Damage by Change of Lines of Intersecting Roads Removal of Structures The county shall be liable for any damages sustained by abutting property owners for a change of the width or lines of roads intersecting State highways where such damages are made necessary as a result of the changing with their consent and approval of the width lines or location for the construction of a State highway Such damages shall be ascertained in the same manner as herein provided for damages occasioned as a result of the change with their consent and approval of width or of existing lines and location of State highways In case the commissioners shall not have consented to and approved such change of width or of existing lines or location then such damage shall be paid by the Commonwealth and shall be ascertained in the same manner as herein provided for damages for land taken as a result of the change of width or of existing lines and location of State highways without the consent and approval of the county commissioners Such damages shall be paid from the Motor License Fund

In all cases where the county commissioners have consented to and approved the change of width or of existing lines or location the county shall also provide for the removal of all structures within the lines of the highway as thus established unless otherwise provided by agreement between the county and the secretary In all other cases the Commonwealth shall provide for the removal of all such structures In case the same is to be done by the Commonwealth the cost thereof shall be paid out of the Motor License Fund

Section 306 Agreement by County to Assist in Payment of Damages If the county refuses to assume all damages in connection with the relocation or widening of any highway as hereinbefore provided the county commissioners and the secretary may thereafter agree that the county shall pay a portion thereof to either the owners or to the department or shall perform specified work for the benefit of the owner in lieu thereof or shall participate in the total damage expense in such other manner as may be agreed upon

Section 307 Property Damage in Elimination etc of Crossings where Construction Paid for by Federal Government In any case where the costs of construction in the elimination of a grade crossing or in the alteration or abolition of an existing overhead or undergrade crossing on a State highway route within any township or any borough are to be paid by the Federal Government the department in the discretion of the secretary may by written declaration filed with the Public Utility Commission assume and pay all or any part of the property damages for land or buildings thereon taken injured or destroyed in such elimination alteration or abolition

In such cases the secretary is hereby authorized to enter into agreements with counties townships boroughs and railroad companies for sharing all or any part of the property damages Any moneys received under the terms of such agreements shall be deposited in the Motor License Fund

Section 308 Procedure where Possession of Condemned

Property is Withheld Whenever the secretary with the approval of the Governor shall have condemned property for highway purposes either under the provisions of this act or of any future law and possession thereof is withheld a writ of possession may be issued by the court of common pleas of the county wherein the property condemned is situated on petition by the secretary or by the county commissioners for a rule returnable in ten (10) days to show cause why the writ shall not be issued Such writ shall be served by the sheriff upon the respondents named in the writ and upon all other persons found in possession of any occupied property structures and dwelling house taken in whole or in part by such condemnation The prothonotary shall add the names of such other persons as respondents after service of the writ If no answer is filed or if an answer is filed and after such hearing as the court shall direct it shall deem the same to be insufficient the court shall upon motion order and direct the sheriff of the county or his deputy to execute such writ and deliver possession to the Commonwealth or the county as the case may be The procedure outlined in this section shall not be considered as in derogation of or in any manner affecting any other powers or procedure possessed by the Commonwealth or county in such cases No bond or other form of security shall be required to be filed by the Commonwealth or the county

Article IV

Construction Improvement Maintenance and Repair of State Highways

Section 401 Duty on Department of Highways The department shall construct or improve and thereafter maintain and repair at the cost and expense of the Commonwealth the highways forming the plan or system of the State highways in the several counties and townships Such improvement and maintenance shall be made according to specifications to be prepared by the department as regards the character construction and material to be used The work of construction and maintenance of said State highways shall be done under the direction and supervision of the secretary The secretary in addition to the powers conferred upon him in this act shall enjoy and possess in the construction and maintenance of State highways all the rights and powers conferred by existing laws on supervisors or commissioners in townships in the construction or maintenance of township roads

Section 402 Materials for Construction Minimum Width All highways improved and constructed or rebuilt under the provisions of this act shall be constructed of such materials or combination of materials in such manner that the same of whatever material constructed will with reasonable repairs thereto at all seasons of the year be firm smooth and convenient for travel The kind of materials to be used on any particular highway or part thereof to be built shall be decided or selected by the secretary before the contract is let All State highways shall be constructed and improved to width of not less than nine (9) feet

Section 403 By Whom Construction Work to be Done All work of construction building or rebuilding of highways excepting that of repairing and maintenance done under the provisions of this act may be either (1) by the agents servants and employes of the department or (2) by contract and shall be according to plans and specification to be prepared in every case by the department

Section 404 Awarding Contracts Bonds In awarding any contract the work shall be given to the lowest responsible bidder with the option on the part of the secretary to reject any or all bids if the prices named for the work or materials to be used are higher than the estimated cost or for any other reason appearing to the secretary Every person before being awarded any contract for the construction or improvement of any State highway under the provisions of this act shall furnish a bond with sufficient surety or sureties in a sum equal to fifty per centum of the contract price of the work conditioned that the contractor shall well and truly and in a manner satisfactory to the secretary complete the work contracted for and shall save harmless the Commonwealth of Pennsylvania from any expense incurred through the failure of said contractor to complete the work as specified or from any damages growing out of the carelessness of said contractor or his or its servants Where the amount of such contract is in excess of five hundred dollars ($500.00) it shall be the duty of the department to require every person co-partnership association or corporation entering into such contract before commencing work thereunder to execute and deliver to the Commonwealth of Pennsylvania an additional bond for the use of all persons interested in a sum equal to fifty per centum of the contract price of the work which bond shall be conditioned for the prompt payment of all material furnished and labor supplied or performed and services rendered by public utilities in or in connection with the prosecution of the work whether or not such material or labor entered into and become component parts of the work or improvement contemplated Such additional bond shall be deposited with and held by the department for the use of any party interested therein Every such additional bond shall provide that every person who whether as sub-contractor or otherwise has furnished material or supplied or performed labor or services in or in connection with the prosecution of the work and who has not been paid therefor may sue in assumpsit on such additional bond in the name of the Commonwealth for his use and prosecute the same to final judgment for such sum or sums as may be justly due him and have execution thereon The Commonwealth shall not be liable for the payment of any costs or expense of any such suit Each of such surety bonds shall have as surety thereon one or more surety companies legally authorized to transact business in this Commonwealth and satisfactory to the secretary

Section 405 Advertisement for Proposals Advertisement for proposals for construction reconstruction or improvement of all State highways under the provisions of this act shall be made by the secretary at least three weeks before the contract may be awarded by public notices inserted at least twice in one or more newspapers of general circulation in the county in which the highway to be improved is located and where the highway to be improved is located in more than one county then in at least two newspapers in at least two of such counties Such advertisements shall designate where the plans and specifications may be had and the time and place of the reception of bids and letting of the contract The secretary may at his discretion insert the same advertisement in other newspapers or engineering periodicals

Section 406 Approval and Execution of Contracts Every contract authorized to be made by the secretary under the provisions of this act for the reconstruction or improvement of State highways shall be made in the name of the Commonwealth of Pennsylvania and shall be signed by the secretary and shall be approved as to form and legality by the Department of Justice

Section 407 Maintenance of Highways For the purpose of uniform efficient and economic maintenance and repair of the State highways the department shall purchase all necessary material and shall appoint and employ all necessary labor or repairmen who shall at all times in the year keep the State highways free from holes ruts sticks loose stones or other impediments of any kind which tend to interfere with free and easy travel or which if permitted to exist might tend to the deterioration injury or destruction of the highway

Section 408 Contracts for Repair Maintenance and Engineering Services The secretary may at his discretion enter into a contract with any person firm or corporation or the authorities of any city borough or incorporated town or the commissioners of any county or the supervisors or commissioners of any township to repair and maintain any State highway or any portion thereof The secretary may also contract with any person firm or corporation for engineering services to lay out design and estimate the cost of constructing altering or repairing highways and bridges

Section 409 State Highway Markers All State highways shall be marked as determined by the secretary with suitable signs having the words "State Highway" thereon and signs or distance board giving directions to towns or villages shall be erected at cross or intersecting roads the same to be paid for as part of the cost of maintaining the highway

Section 410 Trees Grasses Shrubs and Vines along Highways Penalty The department may cause trees grasses shrubs and vines to be planted and maintained along State highways within the legal right of way thereof the same to be paid for as a part of the cost of construction or maintenance of the road The department may enter into agreements with the Department of Forests and Waters regarding the planting and maintenance of such trees grasses shrubs and vines The Department of Highways shall have the absolute right to trim cut and remove any trees grasses shrubs and vines growing within the legal right of way of any State highway and to trim and cut away any trees grasses shrubs and vines growing on adjacent property in so far as they overhang or encroach upon the legal right of way of any state highway

It shall be unlawful for any person to cut trim remove or otherwise damage any trees grasses shrubs or vines growing within the legal right of way of a State highway which have been planted by any person or agency other than the abutting property owner without first having obtained the consent of the secretary in writing Any person who shall cut trim remove or otherwise damage such trees grasses shrubs or vines without first having obtained such written consent shall on summary conviction thereof be sentenced to pay a fine of not less than twenty-five dollars ($25.00) or more than one hundred dollars ($100.00) for each act of cutting trimming removal or damaging This section shall not be construed to permit the department to interfere with the right of any abutting property owner to establish entrance to his property from State highways at any point or points at which such owner may desire to establish such entrances

Section 411 Use of Highways by Public Utilities Penalty No railroad or street railway shall hereafter be constructed upon any State highway nor shall any railroad or street railway crossing nor any gas pipe water pipe electric conduits or other piping be laid upon over under or in nor shall any telephone telegraph or electric light or power poles or other structures be erected upon over or in any portion of a State highway nor shall any opening be made therein except under such conditions restrictions and regulations and subject to the payment of such fees for permits for the placing of such structures and openings as may be prescribed and required by the department Such fees shall not exceed the reasonable cost of permit issuance inspection and surface restoration costs The secretary shall also have authority to issue permits to any public utility company for the accupancy by the facilities of such company of any bridge under the control or jurisdiction of the department Such permits shall be for such length of time and for such fee for the occupancy of said bridge as may be determined by the secretary subject to the right of the utility company to appeal to the court of common pleas of the proper county having jurisdiction thereof as to the reasonableness of the fee of the occupancy All fees so collected shall be paid into the Motor License Fund

Any person failing to obtain such a permit before doing any work on any highway for which a permit is required by this section shall for every such offense be sentenced upon conviction in a summary proceeding to pay a fine not exceeding one hundred dollars ($100.00) and costs together with the cost of restoring any highway which moneys shall be paid into the State Treasury and credited to the Motor License Fund

Section 412 Occupancy of Right of Way of Public Service Companies Whenever in the construction widening or relocation of any State highway bridge or tunnel or of any part thereof it becomes necessary in the opinion of the secretary to occupy the whole or any part of the right of way of any public service company the department may enter upon and occupy the whole or any part of such right of way for the purpose of such highway bridge or tunnel or part thereof Before such right of way or any part thereof is so occupied either the department or the county whichever is responsible for property damages under the provisions of this act governing the payment of damages for property condemned for highway purposes shall at the expense of the Commonwealth or county provide a substitute right of way on another and favorable location Such public service company shall thereupon provide for the transfer to or reconstruction upon in under or above said substitute right of way of any structures and facilities of said public service company located upon in under or above said original right of way at the time the same is so occupied. The department or the county as the case may be is hereby authorized to enter into agreements with such public service company to contribute toward the expense of such transfer or reconstruction and in the event that they are unable to agree on the amount to be paid the matter shall be referred to the Pennsylvania Public Utilities Commission which shall after hearing thereon make a finding of the amount to be paid to such public service company by the Commonwealth or county In case of the failure of such public service company within a reasonable time after notice so to do to remove its facilities to such substitute right of way the Pennsylvania Public Utilities Commission shall have jurisdiction on petition of the department to order such transfer or reconstruction Any party to such proceedings before the Pennsylvania Public Utilities Commission shall have the right to appeal to the Superior Court from the ruling of the commission The department or the county commissioners are hereby authorized to acquire by purchase or by the exercise of the right of eminent domain in the same manner that property is now taken and condemned for State highway purposes any necessary land or right of way for the relocation of any such public service right of way and facilities The right of way of a railroad company shall not be acquired or occupied without the consent of the company owning or operating or in possession of said railroad

Section 413 Acquisition of Property for Unobstructed View The department may acquire by purchase or by the right of eminent domain a free and unobstructed view down and across such lands located at or near the intersection of any two highways or a highway and a railroad or railway or at any curve in any highway as may be necessary to assure a free and unobstructed view in all directions at such crossings and to so prevent the use of such lands for any purpose or in any manner which may interfere with or obstruct the vision of any person or persons traveling upon any such highway

Upon any such condemnation the secretary shall file with the recorder of deeds of the proper county a plan showing the property condemned and such other detailed information as may be deemed necessary Said plan shall be recorded at the expense of the county After the same is recorded the secretary may from time to time abate or remove or cause to be abated or removed any obstruction to such view over and across such lands

The proceedings for the condemnation of such view over and across such lands and for the assessment of damages for property taken injured or destroyed shall be taken in the same manner as provided for the condemnation of land by the department for road purposes

Upon the condemnation of a view over and across any lands for the purposes of this act the owner of such lands may make every such use thereof as will not interfere with a free and unobstructed view at such dangerous crossing or curve Unless specially provided for in such condemnation proceedings such condemnation shall not be construed to prevent the owner thereof from using such land for pasture or the growing of grass oats wheat or other crops which will not obstruct the vision more than wheat

Section 414 Snow Fences Entry on Private Lands to Place The department shall have authority to enter upon

private property adjacent to any State highway and place thereon snow fences at any point deemed necessary in order to eliminate snow drifting on the traveled portion of the highway Such snow fences shall not be placed more than one hundred (100) feet from the right of way line of the highway

No snow fence authorized under this act shall be placed prior to November first nor shall the same remain in place after April first of the succeeding year unless the written consent of the owner of the adjacent property is obtained agreeing to an extension of time for the removal of said snow fence

If the department shall not be able to enter into an agreement with the owner of adjacent property occupied by such snow fence as to the amount of damages sustained as a result of said fence being placed and removed the owner may petition the court of the proper county for the appointment of viewers to ascertain the amount of damage incurred in such case The procedure for the ascertainment of such damages shall be in accordance with the provisions of this act for the ascertaining of damages to private property due to a relocation of a State highway Such damages if any when ascertained shall be paid by the department

Section 415 Live Snow Breaks Acquisition of Land The secretary is hereby authorized and empowered to establish and maintain live snow breaks along or adjacent to State highways for the purpose of preventing snow from drifting on said highways

The secretary is hereby empowered to acquire land along or adjacent to State highways for the purpose of placing thereon live snow breaks Such land shall be acquired in the same manner and subject to the same requirements and restrictions as provided in this act for the acquisition of land for the relocation of State highways

Section 416 Sidewalks along State Highways Whenever it shall appear that any part or portion of a State highway in any township is dangerous to the traveling public and such danger could be materially reduced or lessened by the construction of a sidewalk the department may aid the local authorities to lay out and construct a sidewalk along such dangerous portion of State highway Such sidewalks shall be constructed in such manner and of such materials as deemed advisable by the department but shall be raised at least five inches above the surface of the highway All sidewalks constructed under the provisions of this section shall be thereafter considered as a part of the State highway system and shall be reconstructed maintained and repaired by the department and the cost or proportion thereof agreed to be paid by the department shall be paid in the same manner as provided in this act in the case of State highways

Section 417 Drains and Ditches over Lands and Enclosures Damages Penalty The department shall have authority to enter upon any lands or enclosures and cut open maintain and repair such drains or ditches inlets or outlets through the same as are necessary to carry the waters from roads highways or within at the top or base of slope areas constructed or improved at the expense of the Commonwealth or under its supervision Any damages sustained by the owner or owners of land entered upon by the department for such purposes shall be paid in the same manner as provided by this act in the construction of State highways. The determination of the amount of damage shall be in accordance with the provisions of Article three of this act

If any person shall stop fill up or injure any such drain or ditch or shall divert or change the course thereof without authority from the department such person shall upon summary conviction thereof for every such offense forfeit and pay a sum of not less than four dollars ($4.00) nor more than twenty dollars ($20.00) together with costs of prosecution All such fines collected shall be paid to the treasurer of the proper county

Section 418 Changing or Protecting Stream Channels The department shall have authority to enter upon private property adjacent to or in the vicinity of highways or bridges constructed or maintained in whole or in part by the Commonwealth or any highway or bridge under the jurisdiction of the department and change or protect existing stream channels where it is deemed advisable in order to protect improved highways or bridges within the limits of any borough incorporated town or township from damage due to erosion or high water Any such change to an existing stream channel shall first be approved by the Department of Forests and Waters

The Secretary when possible shall enter into an agreement with the owner or owners of said property as to the amount of damages to be paid which damages if agreed upon shall be paid by the department In case no agreement satisfactory to the secretary and the owner or owners can be made the secretary may proceed with the changing or protecting of any stream channel and the owner or owners of the property damaged thereby or the secretary may present a petition to the court of quarter sessions for the appointment of viewers to ascertain and assess such damages The determination of the amount of damages shall be in accordance with the provisions of Article three of this act and shall be payable from the Motor License Fund

Section 419 Subsidence from Failure of Vertical or Lateral Support Whenever a State highway or any part thereof subsides by reason of the failure of vertical or lateral support therefor it shall be the duty of the person copartnership association or corporation then owning the subjacent or adjacent strata as the case may be to provide for the restoration of the vertical and lateral support and the replacement of the surface of such highway upon receiving from the department notice to proceed with such restoration and replacement In the event that such owner of the subjacent or adjacent strata does not proceed immediately after notice with the replacement and restoration of the highway and does not diligently complete such restoration and replacement within a reasonable time the subsidence is hereby constituted and declared a public nuisance which may be abated by appropriate proceedings in law or in equity against such owner If such owner fails or refuses to provide for the restoration and replacement of the highway then the department may proceed with such restoration and replacement and the underlying owners of the subjacent or adjacent strata both at the time the vertical or lateral support was removed and at the time the subsidence occurred and their respective assignees lessees or grantees shall be jointly and severally liable for the cost of restoration The provisions of this section shall not be construed to restrict any existing remedy now available to the Commonwealth nor shall it be so construed as to nulify or modify any existing assignment or agreement transferring the obligation to furnish vertical and lateral support of the surface as between the parties thereto

The term "subjacent or adjacent strata" as used in this section shall mean any land or estate or right therein from which materials have been extracted by mining or quarrying operations causing the subsidence

It shall be the duty of any person co-partnership association or corporation operating any quarries or mines in this Commonwealth under or adjacent to State highways to permit inspection by the department of any maps drawings or blue prints of such quarry or mine workings and to furnish a copy of such maps drawings or blueprints to the department which maps drawings or blueprints shall indicate the location of State highways with reference to their quarrying mining operations

It shall be the duty of any person co-partnership association or corporation mining or quarrying or about to mine or quarry under any State highway or within three hundred (300) feet horizontally from the center line of any State highway projected downward vertically to notify the department and to furnish copies of maps drawings or blueprints and such other information as may be reasonably required by the secretary

The department through its authorized representatives

shall have the right to enter upon and into any quarry or mine workings under or adjacent to any State highway for the purpose of inspecting the actual conditions of such workings and it shall be the duty of any person co-partnership association or corporation operating any such quarry or mine to permit such inspection and to give such information and assistance in the making of the same as may be reasonably required by the secretary

Any person who shall fail to comply with any of the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred dollars ($500.00) or suffer imprisonment for not more than six (6) months or both in the discretion of the court For the purposes of this section the word "person" shall mean the partners or members of any copartnership or association and shall mean the officers of any corporation All penalties collected under the provisions of this act and all bail forfeited shall be paid into the State Treasury and credited to the Motor License Fund

This section shall be deemed an exercise of the police power of the Commonwealth for the protection of the public safety in the use of State highways and shall be liberally construed for the accomplishment of this purpose

Section 420 Rules for Use of and Injury to Highways Penalty The secretary is empowered to make reasonable rules and regulations governing the use of all State highways and by the construction of curbs divisor strips painted lines or signs may control the direction of the flow of traffic thereon Any person violating such rules or regulations or who shall by any method or device or in any manner wilfully or maliciously destroy injure or damage any such highway in this Commonwealth shall upon summary conviction thereof be sentenced to pay a fine of not less than ten dollars ($10.00) nor more than twenty dollars ($20.00) for each offense together with the costs of prosecution which shall be recovered as in similar cases upon complaint of any person before a magistrate or justice of the peace and the fine or fines so recovered shall be paid into the Motor License Fund

Section 421 Discharge of Sewage or Drainage on Highways Prohibited It is unlawful for any person to discharge sewage or drainage except surface drainage on or within the legal limits of any State highway

Any sewer outlet placed or located within the limits of a State highway or so located that the discharge therefrom enters a State highway is hereby declared to be a violation of this section and a public nuisance and may be blocked or removed by the department

Section 422 Closing Highways to Vehicular Traffic Except in the case of emergencies wherein the safety of the public would be endangered no State highway shall be closed to vehicular traffic except upon order of the department nor for a longer period than is necessary for the purpose for which such order is issued No public road or highway shall be closed to vehicular traffic when the same has been designated as a detour by the department unless the written consent of the department has first been obtained or unless the authorities having jurisdiction over said road or highway shall by resolution duly recorded on their minutes declare such closing necessary for the protection of the public safety

When any borough town or city street which forms a part or section of a State highway is closed to vehicular traffic the borough town or city shall at once notify the department of the creation of a detour as hereinafter provided and when such detour is removed the department shall also be notified at once of the removal

Section 423 Detours When any State highway shall be closed it shall be the duty of the department to immediately designate or lay out a detour on which it shall erect or cause to be created and maintained while such detour is in use legible signs at each public road intersection throughout its entire length indicating the direction to the main highway During the period when such detour is in use it shall be the duty of the department to maintain such detour in safe and passable condition It shall also be the duty of the department to remove all detour signs immediately upon the opening for traffic of the highway originally closed The department shall as soon as possible repair the road designated as a detour and place same in a condition at least equal to its condition when designated as a detour Whenever necessary in the creation of a detour the department may enter into agreement with the owners of private lands covering the acquisition of right-of-way privileges over private property for the period when the main highway shall be closed to traffic In case no agreement satisfactory to the parties can be reached the department may proceed with the construction of the same and either the department or the owner of the property occupied may petition the court for the appointment of viewers to ascertain the damages if any in the same manner as provided by Article three of this act

Section 424 Penalties and Damages Any person who shall wilfully remove deface destroy or disregard any barricade light danger sign detour sign or warning of any other character whatsoever erected or placed under authority of this act or who shall drive on over or across any State highway which has been closed by the department shall upon conviction thereof in a summary proceeding before a magistrate alderman or justice of the peace be sentenced to pay a fine of not less than twenty-five dollars ($25.00) nor more than one hundred dollars ($100.00) and the costs of prosecution and in default of the payment thereof shall be imprisoned one day for each dollar of fine and costs unpaid All fines collected shall be paid by the officer receiving the same to the treasurers of the respective cities boroughs towns or townships in which the offense was committed

Persons who have no outlet due to the closing of a highway may drive on over or across such highway with the consent in writing of and subject to such conditions as may be prescribed by the department or its agents or contractors without being subject to the penalties imposed by this section

In addition to the penalties herein provided the department acting through the Department of Justice or its contractors may in an action at law recover damages from any person or persons who have damaged a highway by driving on over or across same when it is closed to vehicular traffic in accordance with the provisions of this act

Section 425 Signs Banners etc across or within Legal Limits of Highway Penalty Abatement It shall be unlawful to place any sign banner or advertising matter of any kind whatsoever on or across any State highway or on or across any structure within the legal limits of any State highway without first having obtained the written consent of the department Any person violating the provisions of this section shall upon summary conviction be sentenced to pay a fine of not less than four dollars ($4.00) nor more than twenty dollars ($20.00) All such fines shall be paid into the county treasury to be used only for the construction or repair of public roads or highways

Any such sign banner or advertising matter placed without the consent of the department is hereby declared to be a public nuisance and may be abated by the department with or without notice to the persons responsible for the placing thereof

Any person violating any of the provisions of this section shall upon summary conviction thereof be sentenced to pay a fine of not less than five dollars ($5.00) nor more than twenty-five dollars ($25.00) or in default of payment of said fine and costs to be imprisoned in the county jail for a period of one day for each dollar of fine and costs unpaid All fines collected under the provisions of this act shall be paid to the treasurer of the municipality in which the offense occurred

Article V

Rural State Highway System and State Highways in Cities Boroughs and Towns

(a) Rural State Highway System

Section 501 Structures on Rural State Highways The department shall not assume for the Commonwealth any obligation to maintain construct or reconstruct any structure of any kind or character whatsoever situate upon or forming part of any township road taken over or designated as a part of the rural State highway system except only drainage structures with a total spanned length not exceeding ten (10) feet measured along the center line of the highway and which were the sole obligation of the townships prior to the taking over of such road by the Commonwealth Responsibility for the construction reconstruction and maintenance of any other structures shall remain with the county township person association or corporation responsible therefor at the date of the approval of the act taking over the road

Section 502 Construction Repairs Maintenance Taking over by Counties After the highways on the rural State highway system shall have been taken over by the Commonwealth they shall be built rebuilt constructed reconstructed repaired and maintained by the department at the expense of the Commonwealth but it shall nevertheless be lawful for the department to enter into agreements in the discretion of the secretary with counties or townships or with persons associations or corporations for sharing with the Commonwealth the cost of construction reconstruction and maintenance of such highways or parts thereof The construction or improvement of any such highways shall be of such width type and location as may be determined by the secretary with the approval of the Governor and repairs and maintenance shall be of such type as shall be determined by the secretary

The county commissioners of any county may by resolution and after approval of a grand jury of the county take over with the consent of the secretary any State highway on the rural State highway system or any section thereof as a county road to be maintained and improved in the manner provided by law for county roads A description of any road or section so taken over with the resolution of the county commissioners and the approval of the secretary shall be filed on record in the office of the clerk of the courts of the proper county

(b) State Highways in Boroughs and Towns

Section 511 Changing etc Width Grades or Lines of Highways Whenever in the construction reconstruction maintenance and repair of any State highway within the limits of any borough or incorporated town it shall appear to the secretary that any part or portion of such State highway within the borough or incorporated town is dangerous or inconvenient to the traveling public in the present location either by reason of width grades dangerous turns or other local conditions or that the expenses of the Commonwealth in the construction or maintenance and repair thereof would be too great or unreasonable and could be materially reduced or lessened the secretary with the approval of the Governor may change alter or establish the width grades or lines of any such State highway in a borough or incorporated town before or after construction reconstruction or improvement of the same not however exceeding the maximum width fixed by law for public roads

Whenever the secretary shall change alter or establish the width grades or lines of any State highway within a borough or incorporated town he shall cause a plan thereof to be made showing the line of State highway and the established width thereof and shall attach thereto his acknowledgement Such plan and acknowledgment shall be recorded in the office of the recorder of deeds of the proper county in the book kept for such purposes by the recorder of deeds All costs of the recording shall be paid by the county

All damages resulting from a change of width or of existing lines and locations under the provisions of this section shall be ascertained and paid as provided in Article three of this act

Whenever the secretary shall change alter or establish the widths grades or lines of any State highway within a borough or incorporated town it shall not be necessary to submit the plans therefor to the county commissioners for approval unless responsibility for the property damages is to be assumed by passage of a proper resolution of the county commissioners Borough councils by passage of a proper ordinance may adopt the plan of the department as and for the action of the borough in establishing the widths lines grades and drainage structures as shown thereon and in such event the borough shall be responsible for settlement and payment of the resultant property damages or the borough may enter into an agreement with the secretary subject to the terms of a resolution of the borough council authorizing the same whereby the borough will pay the resultant property damages in whole or in part upon such terms as may be agreed upon with the secretary

Section 512 Abandoned Rights of Way of Canals Railroads and Turnpikes Where the department has heretofore acquired or shall hereafter acquire by condemnation purchase or otherwise the abandoned right of way of a canal railroad or turnpike company to form a part of a State highway route and any part thereof is located within the limits of any borough the part located within the borough shall be taken and deemed to be a borough street without any action on the part of the borough or any of its representatives to either accept dedicate or open it as such Any damages occasioned by the adoption as aforesaid or any part or parts of an abandoned right of way of a canal railroad or turnpike company as a part of a State highway route located within a borough shall be paid by the borough wherein said section of highway is located and such damages shall be determined and paid in the same manner as is now provided by law for the opening of borough streets

Section 513 Improvement Reconstruction and Maintenance The department shall at the expense of the Commonwealth improve or reconstruct and maintain all State highways within boroughs and incorporated towns to such width and of such type as shall be determined by the Secretary

Section 514 Bridges on State Highways in Boroughs and Incorporated Towns The department shall construct reconstruct and maintain any bridge over a stream or mill race which the borough or incorporated town is obligated to maintain and which bridge is located on or forms a part of a State highway within the limits of any borough or incorporated town Provided That nothing herein contained shall authorize any assessment to be made against the Commonwealth by reason of or to assist in the elimination of any grade crossing or in the reconstruction of any structure eliminating a grade crossing on any highway within the limits of a borough or incorporated town and no such assessment shall hereafter be made under any act of Assembly heretofore enacted

Section 515 Openings in Surface of Highways Maintained by State in Boroughs and Towns Penalty No opening shall be made in the surface of any improved highway which is maintained by the department under the authority of this act within the limits of any borough or incorporated town until and unless a permit has been obtained for such opening either from the municipal authorities or from the department pursuant to an ordinance authorizing the department to act for the municipality Where a permit is not obtained from the department as above provided the borough or incorporated town shall require a cash deposit or bond conditioned upon the proper restoration of the surface and shall be responsible to the department for the cost of the restoration of such surface in accordance with the adopted standards of the department for the particular type of construction Any person opening the improved surface of any street or highway without having first obtained a permit as hereinbefore provided shall upon summary conviction be sentenced to pay a fine of not more than twenty-five dollars ($25,00) and in addition thereto the cost of prosecution and surface restoration costs and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

(c) Streets in Second Second A and Third Class Cities

Section 521 Restrictions and Limitations upon Powers and Obligations of State The designation or taking over of any street of any city of the second second A or third class as a State highway by any act of Assembly is not intended and shall not be construed

(1) To place upon the Commonwealth any duty to regulate traffic or police any such streets but such duty shall be and remain the obligation of the cities

(2) To place upon the Commonwealth any obligation for the maintenance construction reconstruction or resurfacing of said streets other than the base or surface courses

(3) To place upon the Commonwealth through the department any obligation to maintain construct or reconstruct any structure of any kind or character whatsoever situate upon or forming part of any such city street or section thereof except that the secretary may assume the obligation to maintain construct or reconstruct drainage structures with a total spanned length not exceeding ten (10) feet measured along the center line of the street other than storm or sanitary sewers and which were the sole obligation of the city prior to the designation of the street as a State highway Responsibility for the construction reconstruction and maintenance of any other structure shall remain with the city person association or corporation responsible therefor at the date of the approval of the act by which the street was designated as a State highway

(4) To authorize any assessment to be made against the Commonwealth by reason of or to assist in the elimination of any grade crossing on any street described and designated as a State highway and no such assessment shall hereafter be made under any act of Assembly heretofore enacted

(5) To place upon the Commonwealth any obligation under any franchise or franchises heretofore or hereafter granted by the city to any public utility company nor to transfer to the Commonwealth from the city any rights under any such franchise or franchises heretofore granted

(6) To place upon the department any authority to regulate traffic parking or the general use by the traveling public of the streets or section thereof taken over by the Commonwealth for maintenance or improvement under the provisions of this or any other act Provided however That the department is hereby authorized to close to traffic all of the streets or sections thereof taken over as State highways during such time as improvements are being made thereon and in such case the city shall establish and maintain a suitable detour in accordance with the provisions of section five hundred twenty-six of this act

Section 522 Construction Resurfacing Repair and Maintenance After the streets designated as State highways shall have been taken over by the Commonwealth they shall be maintained constructed reconstructed and resurfaced by the department at the expense of the Commonwealth and such construction reconstruction and resurfacing shall be of such type as shall be determined by the secretary with the approval of the Governor and repairs and maintenance shall be of such type as shall be determined by the secretary The obligation of the Commonwealth in the construction reconstruction resurfacing or maintenance as hereinbefore provided shall be limited to that part of the street or section thereof between curb lines as established at the time of passage of the act by which the street was designated as a State highway or in the discretion of the secretary between curb lines theretofore or thereafter established but shall not include the portions of such streets which are or may be used and occupied by the structures or surface facilities of any public utility company Maintenance shall not include snow removal or street cleaning and shall be limited to the portion of the street between existing curb lines available to vehicular traffic

The department may enter into agreements in the discretion of the secretary with the cities or with persons associations or corporations for the sharing with the Commonwealth of the cost of construction reconstruction or resurfacing of the streets or sections thereof taken over by the Commonwealth under any act Where any such street is to be improved and the city agrees to bear a portion of the cost of the improvement the abutting property owners may be assessed a proportionate part of the cost of the improvement and benefits as now provided by the laws applicable to the improvements of city streets

Section 523 Width Lines Grades and Location The department shall not change the width lines or grades of the streets taken over under the provisions of any act of Assembly or any section thereof without the consent of the city evidenced by an ordinance duly passed in accordance with laws applicable thereto In the event of any change of width lines or grades in accordance with the provisions of this section the city shall be responsible for the payment of any damages which may be occasioned thereby such damages to be ascertained and paid in accordance with the laws applicable thereto

Whenever it shall appear to the secretary that any part or portion of a State highway route in a city of the second class second Class A or third class as now or hereafter defined or described is dangerous or inconvenient to the traveling public in its present location either by reason of width grade length curves or other conditions or that the expense to the Commonwealth in the construction or maintenance thereof could be materially lessened by a change of location the secretary may with the consent of the Governor and of the city expressed by ordinance or resolution change the location of such State highway route including the terminal points thereof to pass over existing streets or new streets laid out and opened by the city in such manner as in his discretion may seem best in order to correct such danger or inconvenience or lessen the cost to the Commonwealth A plan showing the new location approved by the Governor and the mayor of the city shall be recorded in the office of the recorder of deeds in the county in which such city shall be located

Section 524 Replacement and Renewals of Public Utility Structures Tearing up Surface Before the department shall enter into an agreement with any city for the construction reconstruction or resurfacing of any of the streets or sections thereof designated as State highways by any act of Assembly the city shall take the necessary steps to compel all public utility companies to make any necessary replacements or renewals of any of their structures located within the lines of the improvement prior to the commencement of work and shall further agree that the street or sections thereof when completed shall not be torn up or opened for a period of five (5) years except in emergency cases and subject to the same conditions and restrictions as preseribed by section five hundred fifteen of this act with reference to the opening of State highways in boroughs

Section 525 Permits for Opening Surface Penalty No opening shall be made in the surface of any improved street which is maintained by the department as a State highway until and unless a permit has been obtained for such opening either from the city authorities or from the department pursuant to an ordinance authorizing the department to act for the city Where a permit is not obtained from the department as above provided the city shall require a cash deposit or bond conditioned upon the proper restoration of the surface and shall be responsible to the department for the cost of the restoration of such surface in accordance with the adopted standards of the department for the particular type of construction Any person firm or corporation opening the improved surface of any street or highway without having first obtained a permit as hereinbefore provided shall upon summary conviction be sentenced to pay a fine of not more than twenty-five dollars ($25.00) and in addition thereto the costs of presecution and surface restoration charges and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 526 Detours Before the commencement of any work authorized under the provisions of section five hundred twenty-two of this act the city shall upon notice from the secretary so to do establish and thereafter maintain at its own expense an adequate detour for the accommodation of the traveling public for such length of time as may be necessary or until the improvement contemplated has been completed and accepted and the street or sections thereof opened and made available to public travel Such detour when established as herein provided shall be marked and posted by the department at the expense of the Commonwealth

Section 527 Cities Authorized to Incur Indebtedness Cities are hereby authorized to incur or to increase their indebtedness by the issue and sale of obligations of the city in the manner and subject to the limitations provided by law for the purpose of improving constructing reconstructing or resurfacing any of the streets or sections thereof the improvement of which is authorized in accordance with the provisions of this subdivision of this article

Section 528 Signs along Streets for Guidance of Public The department is hereby authorized to purchase place and maintain such signs and markers on or along the streets or sections thereof designated as State highways by any act of Assembly as may be determined to be necessary for the guidance and information of the traveling public

(d) Streets in First Class Cities

Section 541 Restrictions and Limitations upon Powers and Oligations of State The designation or taking over of any street of any city of the first class as a State highway by any act of Assembly is not intended and shall not be construed

(1) To place upon the Commonwealth any duty to regulate traffic or police any such streets but such duty shall be and remain the obligation of the cities

(2) To place upon the department any authority to regulate traffic parking or the general use by the traveling public of the streets or sections thereof taken over by the Commonwealth for maintenance or improvement under the provisions of any act of Assembly Provided however That the department is hereby authorized to close to traffic all of the streets or sections thereof taken over as State highways during such time as improvements are being made thereon and in such case the city shall establish and maintain a suitable detour in accordance with the provisions of section five hundred forty-eight of this act

Section 542 Construction Resurfacing Repair and Maintenance Change of Lines Widths and Grades After the streets designated as State highways shall have been taken over by the Commonwealth they shall be maintained constructed resurfaced and repaired by the department at the expense of the Commonwealth and such construction reconstruction and resurfacing shall be of such type as shall be determined by the secretary with the approval of the Governor and repairs and maintenance shall be of such type as shall be determined by the secretary Provided however That nothing in this section shall be construed to place upon the Commonwealth any obligation to repair and maintain the curbing and footways of any such street or to remove snow or keep street clean

The Department may enter into agreements in the discretion of the secretary with the cities or with persons associations or corporations for the sharing with the Commonwealth of the cost of construction reconstruction or resurfacing of these streets or sections thereof taken over by the Commonwealth under any act

Section 543 Type of Improvement The type of improvement shall include opening widening and change of grade on any street or section thereof clearing grading demolition removal of existing paving repaving surfacing the construction of traffic islands circle or other traffic channelizations the construction of storm water conduits drains and gutters culverts bridges viaducts and retaining walls curbing and recurbing the proving and repaving of sidewalks the planting of trees and shrubs seeding and sodding street and traffic signs traffic signals and conduits and lighting fixtures for same and such other work excepting water pipe and sanitary sewers as may be necessary fully and satisfactorily to complete such improvement

Section 544 Lines Widths and Grades Whenever the secretary shall deem it necessary or desirable that the lines widths or grades of any such street or section thereof be revised or changed prior to and for the purpose of facilitating the construction reconstruction or improvement of any such street the secretary may with the approval of the Governor enter into agreements with any such city within the limits of which such streets or section thereof to be constructed reconstructed or improved are located for the revision and change of lines widths and grades of such street or section thereof and such revision and changes shall be made by such city on the city plan in accordance with the law and procedure applicable thereto

Section 545 Taking Opening Relocation Widening Change of Grade Damages The Secretary with the approval of the Governor and any such city of the first class is hereby authorized to enter into agreements for the taking opening relocation widening or change of grade by the Commonwealth of any State highway or section thereof within the limits of such city Such agreements may provide inter alia for the payment by the city of all or part of the property damages resulting by reason of the taking opening relocation widening or change of grade by the Commonwealth of such highway or section thereof

The amount of damages payable for such taking opening relocation widening or change of grade by the Commonwealth shall be ascertained in accordance with article three of this act relating to the payment of damages for the taking opening relocation widening or change of grade of State highway routes Each city of the first class is hereby appointed and constituted the agent of the Commonwealth in the taking opening relocation widening or change of grade of any such highway or section thereof within its limits and in the determination of property damages payable therefor under the provisions of this subdivision of this article The city as agent for and on behalf of the Commonwealth shall determine by amicable settlement legal proceedings or otherwise all claims for damages in accordance with the procedure established by law for the determination of damages resulting from the exercise of eminent domain by cities of the first class No agreement for the settlement of any claim for damages shall become effective until approved by the secretary and the secretary shall at the expense of the Commonwealth have the right to be represented by counsel and witnesses in any judicial proceedings to ascertain the damages payable but all other expenses of such judicial proceedings exclusive of damages shall be paid by the city The damages resulting from such taking opening relocation widening or change of grade of any such street or section thereof when finally ascertained whether by settlement award judgment or otherwise shall be paid out of moneys in the Motor License Fund and all sums if any due by such city as its share thereof under any such an agreement with the Commonwealth shall be paid by such city to the Commonwealth and shall be credited in the Motor License Fund

Section 546 Replacement and Renewals of Public Utility Structures Tearing up Surface Before the department shall proceed with the construction reconstruction or resurfacing of any of the streets or sections thereof designated as State highways by any act of Assembly the city after being notified of the contemplated improvement shall take the necessary steps to compel all public utility companies to make any necessary replacements or renewals of any of their structures located within the lines of the improvement prior to the commencement of work and shall agree that the street or sections thereof when completed shall not be torn up or opened for a period of five (5) years except in emergency cases and subject to the same conditions and restrictions as provided by sec-

tion five hundred fifteen of this act with reference to the opening of State highways in boroughs

Section 547 Permits for Opening Surface Penalty No opening shall be made in the surface of any improved street which is maintained by the department as a State highway until and unless a permit has been obtained for such opening from the department Any person firm or corporation opening the improved surface of any street or highway without having first obtained such permit shall upon summary conviction before a magistrate be sentenced to pay a fine of not more than twenty-five dollars ($25.00) and in addition thereto the costs of prosecution and surface restoration charges and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 548 Detours Before the commencement of any work authorized under the provisions of section five hundred forty-two of this act the city shall upon notice from the secretary so to do establish and thereafter maintain at its own expense an adequate detour for the accommodation of the traveling public for such length of time as may be necessary or until the improvement contemplated has been completed and accepted and the street or sections thereof opened and made available to public travel Such detour when established as herein provided shall be marked and posted by the department at the expense of the Commonwealth

Section 549 Cities Authorized to Incur Indebtedness Cities of the first class are hereby authorized to incur or to increase their indebtedness by the issue and sale of obligations of the city in the manner and subject to the limitations provided by law for the purpose of assisting in the improving constructing reconstructing or resurfacing any of the streets or sections thereof the improvement of which is authorized in accordance with the provisions of this subdivision of this article

Section 550 Limit of Expenditure by Commonwealth The net expenditure of Commonwealth funds from the Motor License Fund or otherwise for the purposes of this subdivision of this article over and above the amounts paid by any city to the Commonwealth shall not exceed the sum of twelve million dollars ($12,000,000.00) in any one year

Article VI

Highways in Special Areas

Section 601 Highways on State Lands The department with the approval of the Governor may build rebuild construct and maintain roads bridges and viaducts within or on any State forest lands or within or on the lands of any charitable penal or educational institution including the Pennsylvania State College or within or on the lands of State parks State armories and military reservations or within or on any lands owned by the Commonwealth or under the direct control of any administrative department board or commission of the State government

Nothing in this section shall be construed as relieving any political subdivision of the Commonwealth from any responsibility for the construction reconstruction maintenance repair policing and supervision of any road bridge or viaduct except as such responsibility may be assumed by the Commonwealth under the provisions of this section or future laws applicable thereto

Section 602 Roads to State Property Used as Parks or for Militar yPurposes The secretary is hereby authorized to take over for construction reconstruction improvement and maintenance and thereafter to construct reconstruct improve and maintain at the expense of the Commonwealth as a part of its system of State highways any road leading from a State highway to any State property maintained as a park or used for military purposes The secretary shall first submit a plan of such road to the Governor and the same shall be approved by him After being approved the plan shall be filed as a public record in the office of the department Before the secretary shall take over any such road for construction reconstruction improvement or maintenance he shall give notice in writing to the proper officers of the county or township in which said road shall lie of his intention to take over the same as a part of the system of State highways and of the date when the department will assume the care and maintenance thereof

Section 603 Gifts Donations and Transfer of Funds for Highways and Bridges on State Lands For payment of all or any portion of the cost of any work performed under the provisions of section six hundred one and section six hundred two the department is authorized to accept contributions gifts donations or materials from any political subdivision person firm association or corporation and any moneys thus received shall be deposited in the Motor License Fund Whenever any administrative department board or commission for which any such work is performed has funds available for payment of all or any portion of the cost of such work such funds shall be transferred to the Motor License Fund by proper requisition and warrant as provided by law

Section 604 Approach Roads to National Cemeteries National Military Parks etc The secretary in his discretion is hereby authorized to accept on behalf of the Commonwealth any conveyance from the Secretary of War by quitclaim deed of any government owned or controlled approach road to any national cemetery or national military park or any other road ceded by the Commonweal to the United States of America under the act approved the twenty-sixth day of June one thousand eight hundred ninety-five (P. L. 371) entitled "An act to cede jurisdiction to the United States over certain public roads within the National Park at Gettysburg Pennsylvania"

Any such section of road so conveyed by the Secretary of War and accepted by the secretary which is a part of or forms a continuation of a State highway route shall be a State highway and shall be constructed reconstructed and maintained as such

Any such section of road so conveyed by the Secretary of War and accepted by the secretary which is not a State highway or a continuance of a State highway shall revert to the status it occupied as a county or township road or borough street at the time it was ceded to the United States of America and the proper county or municipal authorities upon receipt of notice in writing from the secretary that such section of road has been conveyed to this State and accepted as aforesaid shall be responsible for the construction reconstruction and maintenance of those sections of said roads which lie within their respective counties or municipalities

Section 605 Abandonment of State Highways in State Parks and Federal Resettlement Projects The secretary is authorized whenever in his opinion any portion of a State highway route within the limits of any State park or Federal resettlement project in the Commonwealth shall be unnecessary for public use and travel and has had presented to him a petition or request by the proper authorities of such State park or Federal resettlement project for abandonment of such portion of State highway as a State highway route at any time by written order to declare such portion of State highway to be abandoned as a part of the system of State highways and thereupon such portion shall no longer be a part of such system Provided That the secretary shall first submit such proposed order of abandonment to the Governor and that the same shall be approved by him

Article VII

Bridges

(a) Bridges on State Highways

Section 701 Commonwealth to be Responsible for Certain Bridges on State Highways Where any county or township is responsible for the construction or maintenance of any bridge on a State highway route carrying vehicular traffic over a stream or mill race or over a stream or mill race and the facilities of any public service

company or on a continuation of a State highway route through any borough or incorporated town or which is located on a continuation of a State highway route and part of which extends into the municipal limits of a third class city the responsibility of such county or township shall be assumed by the Commonwealth except as hereinafter provided All such bridges shall be taken over by the department and shall be built rebuilt repaired maintained and may be lighted by the department at the expense of the Commonwealth The assumption and taking over of any such bridge by the Commonwealth shall not be construed to relieve any person firm association or corporation from any obligation for the construction or maintenance of such bridge under any agreement or order of court or under any order of the Public Utility Commission heretofore or hereafter made

This section shall not be construed to place upon the Commonwealth the responsibility for the construction or maintenance of any bridge on a State highway route within the limits of any third-class city if such highway was established subsequently to the first day of January one thousand nine hundred thirty-one or any bridge which the county prior to the first day of September one thousand nine hundred thirty-five has with the approval of the secretary retained as a county bridge and has by resolution agreed to maintain and reconstruct in accordance with the standards of the department

The department shall not take over any such bridge if an order has been issued or a contract has been entered into for the rebuilding or reconstruction of such bridge until the rebuilding or reconstruction thereof has been completed

Section 702 Structures of Utility Companies Prior Contracts The department shall have authority to enter into contracts with any public service company for the construction as a part of any existing bridge or of any bridge to be hereafter constructed under the provisions of this act of such structure or equipment as may be necessary to accommodate the facilities of the company but the company shall in every such case pay in full the cost of such structure or equipment The department shall also have authority to issue licenses for such length of time and for such fee for the occupancy of any bridge by the facilities of any public service company as may be determined by the secretary with the approval of the Governor under the provisions of existing laws The payment by any public service company of the cost of such structure or equipment as may be necessary for the accommodation of its lines shall not confer upon such company any rights except those expressly conferred upon it by the license issued to it as hereinbefore provided All fees collected under such licenses shall include the costs of issuance of the license inspection of the work and restoration charges in addition to rental for the occupancy of the bridge and when collected shall be credited to the Motor License Fund

If any agreement or contract has heretofore been made or entered into between any county and any public service company for occupancy of any such bridge such agreement or contract shall remain in force and the State shall take over and succeed to all the rights of the county under such agreement or contract Where such contract provides for the payment of a certain amount for such occupancy payment shall be made by the company to the Commonwealth and if payment has already been made to the county in full for any specified length of time extending beyond the date of approval of this act the proportionate amount of the payment represented thereby shall be paid by the county to the Commonwealth and the department shall not be authorized to assume the obligation for construction or maintenance of such bridge until and unless such payment is made by the county All payments made to the Commonwealth as herein provided shall be credited to the Motor License Fund

Section 703 Bridge Abandoned on Relocation of Highway If the department relocates a part or section of a State highway route included within which is a county bridge the responsibility for the construction and maintenance of which is placed upon the Commonwealth by section eight hundred one of this act upon the opening of the new highway to vehicular traffic and the abandonment of the section of highway supplanted by the relocation as a State highway route the bridge located on the abandoned section of highway shall revert to the county and the subsequent maintenance and construction thereof shall become the obligation of the county if the section of highway is to remain for the accommodation of vehicular traffic If in the opinion of the secretary it is not necessary that such highway be continued as a public road he may remove or dispose of such county bridge or authorize it to be removed and disposed of by the county commissioners

(b) Bridges on Highways Essential to National Defense

Section 711 Taking over by State Whenever any Federal agency or department has designated any State highway or section thereof as essential to national defense the secretary may upon request of the United States military or naval authorities with the approval of the Governor take over for construction reconstruction maintenance or repair any bridge viaduct and other structure upon over or appurtenant to said State highway in any city of the third class borough incorporated town or township in the Commonwealth

The cost and expense of the construction reconstruction maintenance and repair of said bridges viaducts and appurtenant structures shall be paid in whole out of any moneys appropriated to the department or in part with the same moneys and any other funds appropriated to the Commonwealth by the Federal government for any highway purpose

Section 712 Bridges in Third Class Cities when Federal and Other Funds are Available Whenever Federal emergency funds and city or county funds are available therefor the department is hereby authorized to construct replace or repair bridges in cities of the third class whether such bridges are owned and maintained by such cities or by the counties in which located which bridges form connecting links on State highways which have been or may be designated by any Federal agency or department as essential to national defense No such bridge shall be constructed repaired or rebuilt without the consent of the public authorities responsible by law for the maintenance of such bridge

Section 713 Payment of Cost of Construction etc The cost and expense of construction replacement or repair of such bridges shall be paid in whole or in part from Federal emergency funds made available for such purpose and where sufficient Federal emergency funds are not available to pay the entire cost of such construction replacement or repair the city in which such bridge is located or the county in case the bridge is owned and maintained by it shall provide and pay the balance thereof Except as hereinafter specifically provided in this act no construction replacement or repair costs or property damages shall be paid out of the Motor License Fund or out of any Federal aid appropriations made to the Commonwealth by the Federal government for the construction of State highways and bridges

Section 714 Property Damage Any damage sustained by reason of the condemnation of property for the construction replacement or repair of such bridges shall be paid by the city or county wherein such bridge is located or the city or county shall provide for the payment of such damages and shall enact any ordinance necessary to effect the condemnation of property for such construction replacement or repair

Section 715 Contracts Surveys etc Payment of Expenses The department shall have authority to advertise and receive bids for any project undertaken under the provision of section seven hundred twelve of this act and to make and carry out contracts and to do every other act necessary to carry out any project undertaken and is hereby authorized to make the necessary surveys and

prepare the necessary plans specifications and estimates for such project and to furnish such employes as may be necessary to provide supervision inspection and preparation of estimates for payment the costs incident thereto to be paid out of moneys in the Motor License Fund Whenever the Federal government has approved such project and has indicated that it will reimburse the Commonwealth in full for its expenditures therefor from Federal funds other than Federal aid appropriations made to the Commonwealth for the construction of State highways and bridges the department may also pay construction replacement and repair costs out of the Motor License Fund in anticipation of such reimbursement by the Federal government

Section 716 Agreement with Federal City and County Authorities Contributions The secretary is hereby authorized to enter into agreements with the proper Federal authorities and with the authorities of cities of the third class and with the authorities of counties covering the construction replacement or repair of bridges as authorized by this act Any city or county with which such an agreement is made shall agree therein to pay to the State Treasurer before any contract is awarded as herein provided a sum stated and agreed upon in such agreement as the city's or county's share of the cost and said sum or sums when so paid shall be deposited by the State Treasurer in a special account in the Motor License Fund from which special account payments on the contract shall be made on proper requisition of the department If the initial amount deposited by any city or county is insufficient to pay the city's or county's share of any project the city or county shall make such additional deposits as may be necessary to pay the city's or county's total share of the cost and any balance remaining in such special account after payment of the final moneys to the contractor shall be repaid to the city or county upon proper requisition of the department

Section 717 Approval of Public Utility Commission If any bridge to be constructed replaced or repaired under the provisions of section eight hundred twelve of this act crosses the tracks of a public utility the department shall institute proceedings to secure the requisite approval of the Public Utility Commission of the Commonwealth of Pennsylvania

(c) Privately Owned Bridges Other Than Toll Bridges

Section 721 Acquisition Division of Responsibility Where a bridge other than a toll bridge forming part of a State highway or a continuation thereof or connecting two State highways shall be owned or controlled in whole or in part by any person partnership association or corporation it shall be lawful for the secretary with the approval of the Governor to enter into agreements with such owner for the acquisition of such bridge or bridges or for the division of responsibility for maintenance thereof under such fair and reasonable terms of payment as may be agreed upon Provided however That this section shall not apply to relieve any person partnership association or corporation from any obligation for the construction or maintenance of any such bridge under any agreement or order of court or any order of the Public Utility Commission heretofore or hereafter made

(d) Acquisition of Toll Bridges Generally

Section 731 Acquisition of Privately Owned Toll-bridges Jointly with Counties The department in conjunction with any county or counties wherein any privately owned toll-bridge is located shall have power to purchase or take said bridges by the right of eminent domain at the expense of the Commonwealth and the county or counties when such bridge crosses a river and is located on a State highway route or connects a State highway route with a city or connects two or more counties or connects two or more State highway routes The cost of any bridge purchased or condemned hereunder shall be paid fifty per cent (50%) by the Commonwealth and the remaining fitfy per cent (50%) by the county or counties in equal proportions or in any other proportions agreed upon by the commissioners of the counties affected

The department and any such county or counties shall whenever they determine to acquire any such bridge ascertain or estimate the value thereof and shall in writing give notice of such valuation to the owner or owners thereof Such notice shall contain an offer to purchase such bridge at the valuation made by the department and such county or counties

Section 732 Appointment of Viewers Notice of Meeting In the event that the owner or owners of any such bridge refuse or neglect to accept such offer application shall be made by the Attorney General or by the owner or owners of any such bridge to the court of common pleas of the county in which such bridge is located or in the case of a bridge on the boundary line between two or more counties then in any of such counties for the appointment of viewers Whereupon said court or any law judge thereof shall; appoint three discreet and disinterested freeholders to view such bridge and estimate the value thereof None of said freeholders shall be a resident of the county wherein such application shall be made The court shall fix a time not less than twenty (20) nor more than thirty (30) days thereafter when said viewers shall meet upon the property and view the same The viewers shall cause at least ten (10) days personal notice of the time and place of such first meeting to be given to the Attorney General the commissioners of the county or counties and to the owner or owners of such bridge if resident within said county If said owner is a corporation such notice shall be given to the president secretary or treasurer thereof if such officer resides within said county If neither said owner nor any of said officers reside within said county or cannot be found therein notice of such first meeting shall be given as said court may direct

Section 733 Powers and Duties of Viewers The viewers having been duly sworn or affirmed faithfully and impartially to perform their duties shall at the time fixed for said first meeting proceed to ascertain as accurately as may be the value of such bridge and to that end may require the attendance of any person whose testimony may be pertinent thereof and the production of any books and papers said viewers may deem necessary If any person shall refuse to appear and testify before such viewers or refuse to produce such books and papers when thereto required the court or any judge thereof shall upon application of said viewers or a quorum thereof make such order therein as may be necessary

Section 734 Report of Viewers Whenever said viewers shall have ascertained the value of said bridge they shall prepare a full report of their labors Said report shall include a plan showing the location of said bridge Upon the completion of their report the viewers shall fix a time when they shall meet and exhibit same Ten (10) days written notice of the time and place of such meeting shall be given to the department to the Attorney General to the commissioners of the county or counties and to the owner or owners of said bridge At the time and place mentioned in such notice said viewers shall meet and shall publicly exhibit their report and hear all exceptions thereto After making any changes in such report as they may deem necessary the same shall be filed in said court

Section 735 Exceptions to Report Jury Trial Appeal Within thirty (30) days after the filing of the report the Commonwealth or any person interested may file exceptions thereto whereupon the court may confirm said report absolutely or modify it or refer it back to the same or to new viewers with like powers and duties as the former viewers

Within thirty (30) days after final action on said report by the court the Commonwealth or any person interested may demand a trial by jury From the action of the court on exceptions or from any judgment after a jury trial an appeal may be taken by either party to the Supreme or Superior Court

Section 736 Costs Compensation of Viewers The cost of said condemnation proceedings including the court costs compensation of viewers and the advertising herein required shall be paid by the Commonwealth Each of said viewers shall receive a sum not exceeding five dollars ($5.00) for each day actually and necessarily employed in the performance of the duties herein prescribed

Section 737 Possession of Bridge Freeing of Tolls Use by Railroads and Railways As soon as the department the county or counties and said owners shall have agreed upon the price of any such bridge or as soon as the department and the county or counties shall have determined to acquire any such bridge by condemnation proceedings the department if funds sufficient for the purchase of the bridge are available shall at once take possession of such bridge in the name of the Commonwealth Toll charges on such bridge shall thereupon cease and such bridge shall thereafter be free to the traveling public under such rules and regulations as may be prescribed by the department Any railroad or railway having the use of any such bridge by lease or agreement at the time of its acquisition shall continue to pay to the Commonwealth the same rental charges and in the same manner as such charges were paid to the owner or owners of such bridge

Section 738 Interest on Purchase Price or Award Until the amount of such purchase price is paid to the owner or owners of such bridge interest shall be paid thereon at the rate of six per centum (6%) Interest at the same rate shall be paid on any award or verdict under condemnation proceedings from the time of taking such bridge until the termination of such proceedings by final decree of said court or of final decree on an appeal to the Supreme or Superior Court if any is taken

Section 739 Control Maintenance Repair Rebuilding Upon the acquisition of any such bridge by the Commonwealth and any county or counties the same shall remain in the charge and control of the department Such bridge shall thereafter be maintained by the Commonwealth shall be kept in constant repair and shall be rebuilt when destroyed The cost of such maintenance and repair shall be paid by the Commonwealth

(e) Approaches to Interstate Bridges in Cities of the First Class

Section 761 Contracts for Widening and Relocation at Joint Expense with City etc The secretary may enter into agreements with cities of the first class interestate joint commissions persons associations and corporations public or private for the sharing with the Commonwealth of the cost exclusive of property damages of widening such streets and relocating such highways as form part of the State highway system and constitute approaches to interstate bridges in cities of the first class Cities of the first class and interstate joint commissions are hereby authorized and empowered to enter into agreements with the secretary and with persons associations and corporations for the purposes of sharing the cost of widening said streets and relocating said highways exclusive of property damages

Cities of the first class and interstate joint commissions are further authorized and empowered to enter into agreements with each other and with persons associations and corporations for the purpose of sharing the cost of property damage direct and not merely consequential thereto in connection with the widening of said streets and relocating of said highways

Section 762 Change of Location Abandonment as State Highway Whenever it shall appear to the secretary that any part or portion of a State highway route or routes in a city of the first class which constitutes or constitute a part of the approaches to an interstate bridge are dangerous or inconvenient to the traveling public in their then location either by reason of width grade lines curves or other conditions or that the expense to the Commonwealth in the construction or maintenance thereof could be materially lessened by a change of location the secretary may with the consent of the Governor and of the city expressed by ordinance or resolution change the location of such State highway route including the terminal points thereof to pass over existing streets or new streets laid out and opened by the city in such manner as in his discretion may seem best in order to correct such danger or inconvenience or lessen the cost to the Commonwealth A plan showing the new location approved by the Governor and the mayor of the city shall be recorded in the office of the recorder of deeds in the county in which such city shall be located

After the relocation has been opened to traffic the secretary by notice to the local authorities may abandon as a State highway route all or any part of the section of highway between the termini of the relocation

(f) Rebuilding County Bridges

Section 771 County Bridge Defined The term "county bridge" as used herein shall mean all bridges maintained owned and controlled by the several counties and known as county bridges which now are or hereafter may be erected over and across the navigable rivers and such other streams as have been declared public highways by act of Assembly

Section 772 Duty of Department to Rebuild New Elevation or Site Whenever any county bridge is carried away or destroyed by flood or wind storm the department shall rebuild the same if and when the General Assembly shall have made a specific appropriation for such purpose whether or not such bridge has been previously rebuilt by the department

In order to facilitate public travel and eilminate grade crossings the department if the viewers appointed as hereinafter provided so recommend may rebuild such bridge and the necessary approaches thereto at a lower or higher elevation than the former bridge or may rebuild the same upon a new site Provided That the expenses to the State shall be limited to the sum required to construct a bridge of the dimensions and character of the old bridge destroyed or carried away and at the old site and elevation The department in preparing the plans and specifications shall determine the amount of such sum

Section 773 Agreements for Sharing Cost In rebuilding any county bridge and the aproaches thereto the department and any city county or railroad company or any two or more of them may enter into agreements for the joint payment in proportions to be agreed upon of the cost of such rebuilding of said bridge and the approaches

Section 774 Appointment of Viewers Notice to Attorney General Whenever any county bridge shall be carried away or destroyed by flood or wind storm the county commissioners of the county in which such bridge is located or when such bridge crosses the boundary line between two counties then the commissioners of both counties may apply by petition to the court of common pleas of Dauphin County setting forth fully in said petition the location of such bridge the time when a bridge was first erected in the same location as a county bridge the time when the bridge was carried away or destroyed by flood or wind storm the character of the bridge so carried away or destroyed and the probable cost of replacing the same Whereupon it shall be the duty of the court to appoint five viewers one of whom shall be a civil engineer and not more than two of whom shall be residents of the county wherein such bridge is proposed to be built

The Attorney General shall be given due notice of the time of filing the petition and the application for viewers and it shall be his duty to appear for and defend the interests of the Commonwealth in all such proceedings

Section 775 View and Report Thereon The viewers so appointed after having been duly sworn to faithfully perform their duties shall proceed to view the location of the proposed bridge and make report at such time as the court may direct which report shall contain an accurate statement of the kind and character of the bridge carried away or destroyed which it is proposed to replace the length of time since the first bridge was built on the same location as a county bridge the length of the bridge together with a recommendation of the viewers as to the kind of bridge needed and the probable cost

thereof It shall also be the duty of the viewers to inquire whether the accommodation of the travelling public in the locality demands the rebuilding of said bridge

Whenever it appears to the viewers that the proper accommodation of the travelling public so demands they may recommend a larger bridge than the one carried away or destroyed to be constructed at the joint expense of the State and the county or counties in or between which the same is located

Section 776 Exceptions to Report Appeals Upon the filing of such report both the county and the Commonwealth shall have the right to file exceptions thereto at any time within thirty (30) days It shall be the duty of the court after full hearing by depositions or otherwise as the court may direct to determine all questions raised by the petition or exceptions To the final order of the court either the county or the Commonwealth shall have the right of appeal to the Supreme Court at any time within thirty (30) days

Section 777 Order to Rebuild Plans and Specifications etc. In case the report of the viewers or a majority of them is in favor of the erection of the bridge and the same is confirmed by the court the court shall order and decree such rebuilding Thereupon it shall be the duty of the department immediately to proceed and have prepared in conformity with the report of the viewers such plans and specifications of the proposed bridge as may be necessary and appoint a superintendent of construction and fix his compensation for said services

Section 778 Advertising for Bids Contract for Rebuilding Liability of Commonwealth Limited The department shall advertise for bids in not less than three daily newspapers two of which shall be published in the county or counties in which such bridge is located and the other one published in the State Capitol for a period of three (3) weeks In counties in which less than two daily newspapers are published the advertisement for bids shall be inserted in two weekly newspapers of the county or counties as the court may direct

The department shall let the contract for rebuilding such bridge to the lowest and best bidder It may reject any or all bids that may be submitted and may readvertise for the same in the manner aforesaid

Upon acceptance of any bid the department on behalf of the Commonwealth shall enter into a contract for rebuilding said bridge with such bidder under the advice and direction of the Attorney General

The department in the rebuilding of county bridges under this section shall not exceed in the aggregate the sum appropriated by the General Assembly for such purpose

Section 779 Collusive Bidding Penalty Any person for himself or acting as an agent for any association copartnership or corporation who shall do or permit any act which interferes with or prevents fair competition among bidders or submits a collusive bid or enters into collusion in the making or submission of bids or in obtaining the same for any such construction repairing or rebuilding of a county bridge shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000.00) or to undergo imprisonment for the term of two (2) years or both at the discretion of the court

Section 780 Inspection of Bridge Action on Contract Every county bridge erected under contract with the Commonwealth shall be inspected by three (3) fit persons to be appointed by the court of common pleas of Dauphin County none of whom shall be residents of or property holders in the county wherein the bridge is located Such persons shall make report of the result of their inspection to said court

If the inspectors find that such bridge has been erected according to the contract for the erection of the same they shall so report and the bridge shall be approved by the court If the inspectors shall not approve of the bridge they shall report to the court what sum in their judgment ought to be deducted from the sum stipulated in such contract and thereupon the court shall grant a rule upon the builder or contractor to show cause against said report at the time and place specified in such rule After the service and return of such rule it shall be lawful for the builder or contractor to file a declaration or statement in the court of common pleas of Dauphin County upon the contract made by him with the Commonwealth and thereupon proceed to trial in due course in like manner as if an action has been commenced by him upon such contract against the Commonwealth

Section 781 Payments on Contracts Partial payments on contracts shall be made from time to time to the contractor as the work progresses based upon estimates made by the superintendent of construction setting forth the relative value of work done and by him approved at the time of estimate as compared with the total contract price All such estimates shall be approved by the department At no time before the completion of the work and final approval thereof by the court shall any payment or payments be made in excess of eighty per centum (80%) of the estimated value of work done and approved by the superintendent of construction If by the report of the inspectors it appears that said bridge has been built in conformity with the terms of the contract and specifications and such report is approved by the court payment shall be made of all the contract price not previously paid Upon approval of any estimate by the department or upon approval by the court of the report of the inspectors finding that the bridge has been built in conformity with the terms of the contract and specifications as the case may be it shall become the duty of the Auditor General to draw a proper warrant upon the State Treasurer in accordance with the foregoing payable out of the appropriation specifically made for such purpose

Section 782 Payments when Deductions Are Made If by the report of the inspectors it is made to appear that a deduction should be made from the contract price and such report is acquiesced in by the contractor or the amount of the contract price owing is finally determined by the court in the manner hereinbefore provided it shall be the duty of the Auditor General in like manner to draw a proper warrant for such sum as shall thus appear to be owing exclusive of any payments that have been previously made upon the State Treasurer in full satisfaction of the claims of the contractor or the same shall be fully paid by the department from funds made available for such purposes

Section 783 County Bridges on State Highways Whenever a county bridge is rebuilt under the provisions of this subdivision of this article and it is on the route of a State highway payment of the amount due by the State may be from the funds available for the construction of State highways

Section 784 Fees and Expenses The fees and expenses to be allowed the viewers and inspectors and the proper charge for the preparation of the plans and specifications of such bridge and the superintending of construction of the same the cost of advertising cost of all legal proceedings and all other costs and expenses whatsoever shall be paid by the county or counties in which the bridge is located and the amount of the fees and expenses herein provided to be paid shall be fixed by the court according to the circumstances of the case upon notice to the county commissioners

Section 785 Maintenance and Repair of Rebuilt Bridges All bridges erected under the provisions of this subdivision of this article shall be maintained and at all times kept in good repair by the county in which the same may be located at its proper expense and in case such bridge is over any stream forming the boundary line between two counties the same shall be maintained and kept in repair at the joint expense of such counties

Article VIII

Intra-State Bridges and Tunnels

Section 801 Definitions As used in this article the following words and terms shall have the following meanings

(1) The word "bridge" shall be deemed to include all

property rights easements and franchises relating thereto including approaches

(2) The word "improvements" shall mean such repairs replacements additions and betterments of and to a bridge or tunnel acquired by purchase or by condemnation as are deemed necessary to place it in a safe and efficient condition for the use of the public if such repairs replacements additions and betterments are ordered prior to the sale of any bonds for the acquisition of such bridge or tunnel

(3) The term "cost of bridge" or "cost of tunnel" as applied to a bridge or tunnel to be acquired by purchase or by condemnation shall include the purchase price or the amount of the award cost of improvements financing charges interest during any period of disuse before completion of improvements cost of traffic estimates and of engineering and legal expenses plans specifications and surveys estimates of cost and of revenues other expenses necessary or incident to determining the feasibility or practicability of the enterprise administrative expense and such other expenses as may be necessary or incident to the financing herein authorized and the acquisition of the bridge or tunnel and the placing of the bridge or tunnel in operation

(4) The term "cost of bridge" or "cost of tunnel" as applied to a bridge or tunnel to be constructed shall embrace the cost of construction the cost of all land property rights easements and franchises acquired which are deemed necessary for such construction financing charges interest during construction cost of traffic estimates and of engineering and legal expenses plans specifications surveys estimates of cost and of revenues other expenses necessary or incident to determining the feasibility or practicability of the enterprise administrative expense and such other expenses as may be necessary or incident to the financing herein authorized and the construction of the bridge or tunnel and the placing of the bridge or tunnel in operation

(5) The word "commission" shall mean the State Bridge Commission of the Commonwealth which shall hereafter be known as the State Bridge and Tunnel Commission

(6) The word "owner" shall include all individuals copartnerships associations or corporations having any title or interest in any property rights easements or franchises authorized to be acquired by this article

(7) The word "tunnel" shall mean any tunnel for whatsoever purpose constructed that is usable with or without re-boring as a vehicular tunnel for general highway purposes and shall include all property rights easements and franchises relating thereto including approaches

Section 802 Purchase of Bridges and Tunnels The commission is hereby authorized and empowered to acquire by purchase whenever it shall deemed such purchase expedient any toll bridge or bridges over rivers and navigable waters or any tunnel or tunnels which are within the Commonwealth or any such toll bridge or bridges or tunnel or tunnels party constructed or any franchises easements permits or contracts for the construction of any such bridge or bridges or tunnel or tunnels upon such terms and at such prices as may be reasonable and can be agreed upon between the commission and the owner thereof title thereto to be taken in the name of the Commonwealth The commission shall issue bridge or tunnel revenue bonds of the Commonwealth as hereinafter provided to pay the cost of such acquisition

Section 803 Condemnation of Bridges or Tunnels and Property The commission whenever a reasonable price cannot be agreed upon is hereby authorized and empowered to acquire by condemnation any such bridge or bridges or tunnel or tunnels or interest or interests therein and any land rights easements franchises and other property deemed necessary or convenient for the improvement or the efficient operation of any property acquired or constructed under this act or for the purpose of constructing any bridge or tunnel or portion thereof hereunder or for securing right of way leading to any such bridge or its approaches or to any such tunnel in the manner hereinafter provided

In such event application shall be made by the commission acting through the Department of Justice or by any owner or owners to the court of common pleas of the county in which such bridge or tunnel is or is to be located or in the case of a bridge or tunnel on the boundary line between two or more counties then in any of such counties for the appointment of viewers Whereupon said court or any law judge thereof shall appoint three (3) disinterested freeholders to view such bridge or tunnel land rights easements or franchises and estimate the value thereof None of the freeholders shall be a resident of the county wherein such application shall be made The court shall fix a time not less than twenty (20) nor more than thirty (30) days thereafter when the viewers shall meet upon the property and view the same

The viewers shall cause at least ten (10) days personal notice of the time and place of such meeting to be given to the Attorney General and to the owner or owners if resident within said county If the owner is a corporation such notice shall be given to the president secretary or treasurer thereof if such officer resides within said county If neither owner nor any of such officers reside within the county or cannot be found therein notice of such first meeting shall be given as the court may direct The viewers having been duly sworn or affirmed faithfully and impartially to perform the duties required of them shall at the time fixed for the first meeting proceed to ascertain as accurately as may be the value of such bridge or tunnel lands rights easements or franchises They may require the attendance of any person whose testimony may be pertinent thereto and production of any such books or papers as the viewers may deem necessary If any person shall refuse to appear and testify before such viewers or refuse to produce such books and papers when they are required then the court or any judge thereof shall on application of the viewers or a quorum thereof make such order therein as may be necessary

Whenever the viewers shall have ascertained the value of the bridge or tunnel land rights easements or franchises they shall prepare a full report of their labors The report shall include a plan showing the location of or the proposed location of the bridge or tunnel Upon the completition of the report the viewers shall fix a time when they shall meet and exhibit same Ten (10) days written notice of the time and place of such meeting shall be given to the chairman of the commission to the Attorney General and to the owner or owners of the bridge or tunnel At the time and place mentioned in such notice the viewers shall meet and publicly exhibit the report and hear all exceptions thereto After making any changes in such report as they may deem necessary the same shall be filed in the court Within thirty (30) days after the filing of the report in the court the commission acting through the Department of Justice or any person interested may file exceptions thereto Whereupon the court may confirm the report absolutely or modify it or refer it back to the same or to any viewers with like powers and duties of the former viewers

Within thirty (30) days after final action on the report by the court the commission acting through the Department of Justice or any person interested may demand a trial by jury From the action of the court on exceptions or from any judgment after a jury trial an appeal may be taken by any party to the Supreme or Superior Court Each of the viewers shall receive a sum not exceeding ten dollars ($10.00) for each day actually and necessarily employed in the performance of the duties herein prescribed

Title to any property condemned by the commission shall be taken in the name of the Commonwealth The Commonwealth shall be under no obligation to accept and pay for any property condemned or any costs incidental to any condemnation procedings and shall in no event pay for the same except from the funds provided by the sale of bridge or tunnel revenue bonds hereinafter

authorized In any condemnation proceedings the court having jurisdiction of the suit action or proceeding may make such order as may be just to the Commonwealth and to the owners of the property to be condemned and may require an undertaking or other security to secure such owners against any loss or damage to be sustained by reason of the failure of the Commonwealth to accept and pay for the property but such undertaking or security shall impose no liability upon the Commonwealth except such as may be paid from the funds provided by the sale of bridge or tunnel revenue bonds hereinafter authorized

Section 804 Improvement of Bridges and Tunnels Acquired It shall be the duty of the commission at or before the time any such bridge or tunnel shall be acquired by purchase or by condemnation to determine what repairs replacements additions or betterments will be necessary to place the bridge or tunnel in safe and efficient condition for the use of the public and to cause an estimate of the cost of such improvement to be made The commission shall order such improvements before the sale of any bridge or tunnel revenue bonds hereinafter authorized for the acquisition of such bridge or tunnel and the cost of such improvements shall be paid for out of the proceeds of such bonds

Section 805 Construction of Bridges and Tunnels The commission is hereby authorized and empowered to construct whenever it shall deem such construction expedient any toll bridge or bridges over any river or navigable waters or any tunnel or tunnels within the Commonwealth The cost of such construction shall be paid solely by means of or with the proceeds of bridge or tunnel revenue bonds hereinafter authorized The commission is hereby authorized to purchase within this Commonwealth solely from the proceeds of such bonds such lands structures rights of way franchises easements and other interests in lands including lands under water and riparian rights of any person copartnership association railroad or other corporation or municipality or political subdivision deemed necessary for the construction of any such bridge or tunnel upon such terms and at such prices as may be considered by it to be reasonable and can be agreed upon between it and the owner thereof and to take title thereto in the name of the Commonwealth

Section 806 Bridge and Tunnel Revenue Bonds The commission is hereby authorized to provide by resolution at one time or from time to time for the issuance of bridge or tunnel revenue bonds of the commission for the purpose of paying the cost as hereinabove defined of any one or more such bridges or tunnels which resolution shall recite an estimate of each issue of such cost The principal and interest of such bonds shall be payable solely from the special fund herein provided for such payment Such bonds shall bear interest at not more than six per centum (6%) per annum payable semiannually shall mature at such time or times not more than forty (40) years from their date or dates as may be determined by the commission and may be made redeemable before maturity at the option of the commission at such price and under such terms and conditions as may be fixed by the commission prior to the issuance of the bonds The principal and interest of such bonds may be made payable in any lawful medium The commission shall determine the form of the bonds including the interest coupons to be attached thereto and shall fix the denomination or denominations of the bonds and the place or places of payment of principal and interest thereof which may be at any bank or trust company within or without the Commonwealth Bonds issued by the commission shall be signed by the chairman of the commission under the seal of the commission and attested by the secretary of the commission and the coupons attached thereto shall bear the facsimile signature of the chairman of the commission All bonds issued under this act shall contain a statement on their face that the Commonwealth shall not be obligated to pay the same or the interest thereon except from the revenues of such bridges or tunnels In case any of the officers whose signatures appear on the bonds or coupons shall cease to be such officers before the delivery of such bonds such signatures shall nevertheless be valid and sufficient for all purposes the same as if they had remained in office until such delivery All such bonds shall be and shall have and are hereby declared to have all the qualities and incidents of negotiable instructions under the negotiable instruments law of the Commonwealth Such bonds and the income thereof shall be exempt from all taxation within the Commonwealth Provisions may be made for the registration of any of the bonds in the name of the owner as to principal alone and also as to both principal and interest

The commission may sell such bonds in such manner and for such price as it may determine to be appropriate for the accomplishment of the purposes of this act taking into consideration the financial responsibility of the purchaser the terms and conditions of the purchase and especially the availabililty of the proceeds of the bonds when required for payment of the cost of the bridges or tunnels Such bonds shall be sold for not less than a price which computed with relation to the absolute maturity of the bonds in accordance with standard tables of bond values will show a net return of six per centum (6%) per annum to the purchaser upon the amount paid therefor Such bonds may be sold at private sale without advertisement The proceeds of such bonds shall be used solely for the payment of the cost of the bridges or tunnels and shall be checked out by the chairman of the commission under such restrictions if any as such commission may provide

If the proceeds of such bonds by error of calculation or otherwise shall be less than the cost of the bridge or bridges or tunnel or tunnels additional bonds may in like manner be issued to provide the amount of such deficit and unless otherwise provided in the trust indenture hereinafter mentioned shall be deemed to be of the same issue and shall be entitled to payment from the same fund without preference or priority of the bonds first issued for the same bridge or bridges or tunnel or tunnels If the proceeds of bonds issued for any bridge or bridges or tunnel or tunnels shall exceed the cost thereof the surplus shall be paid into the fund hereinafter provided for the payment of principal and interest of said bonds Prior to the preparation of definitive bonds the commission may under like restrictions issue temporary bonds with or without coupons exchangeable for definitive bonds upon the issuance of the latter Such revenue bonds may be issued without any other proceedings or the happening of any other conditions or things than those proceedings conditions and things which are specified and required hereby

Such bonds are hereby made securities in which all State and municipal officers and administrative departments boards and commissions of the Commonwealth all banks bankers savings banks trust companies saving and loan associations investment companies and other persons carrying on a banking business all insurance companies insurance associations and other persons carrying on an insurance business and all administrators executors guardians trustees and other fiduciaries and all other persons whatsoever who now or may hereafter be authorized to invest in bonds or other obligations of the Commonwealth may properly and legally invest any funds including capital belonging to them or within their control and said bonds or other securities or obligations are hereby made securities which may properly and legally be deposited with and received by any State or municipal officers or agency of the Commonwealth for any purpose for which the deposit of bonds or other obligations of the Commonwealth is now or may hereafter be authorized by law

Section 807 Lien upon Bond Proceeds All moneys received from any bonds issued hereunder shall be applied solely to the payment of the cost of the bridges or tunnels or to the appurtenant sinking fund and there shall be and hereby is created and granted a lien upon such moneys until so applied in favor of holders of such bonds or the trustee hereinafter provided for in respect of such bonds

Section 808 Trust Indenture In the discretion of the commission any issue of such bonds may be secured by a trust indenture by and between the commission and a corporate trustee which may be any trust company or bank having the powers of a trust company within or outside of the Commonwealth but no such trust indenture shall convey or mortgage any bridge or tunnel or any part thereof Such trust indenture may contain such provisions for protecting and enforcing the rights and remedies of the bondholders as may be reasonable and proper and not in violation of law including covenants setting forth the duties of the commission in relation to the acquisition construction improvement maintenance operation repair and insurance of the bridges or tunnels the custody safeguarding and application of all moneys The trust indenture may also provide that the bridges or tunnels shall be acquired constructed and paid for under the supervision and approval of consulting engineers employed or designated by the commission and satisfactory to the original purchasers of the bonds issued therefor their successors assigns or nominees who may be given the right to require that the security given by contractors and by any depository of the proceeds of the bonds or revenues of the bridges or tunnels or other moneys pertaining thereto be satisfactory to such purchasers successors assigns or nominees Such indenture may set forth the rights and remedies of the bondholders and trustee restricting the individual right of action of bondholders as is customary in trust indentures securing bonds and debentures of corporations Except as in this act otherwise provided the commission may provide by resolution or by such trust indenture for the payment of the proceeds of the sale of the bonds and the revenues of the bridges or tunnels to such officer board or depository as it may determine for the custody thereof and for the method of disbursement thereof with such safeguards and restrictions as it may determine All expenses incurred in carrying out such trust indenture may be treated as a part of the cost of maintenance operation and repairs of the bridge or bridges or tunnel or tunnels affected by such indenture

Section 809 Bridge and Tunnel Tolls The commission shall fix charge and collect tolls for transit over such bridges or through such tunnels Such tolls shall be so fixed and adjusted in respect of the aggregate of tolls from the bridge or bridges or tunnel or tunnels for which a single issue of bonds is issued as to provide a fund sufficient to pay such issue of bonds and the interest thereon and to provide an additional fund to pay the cost of maintaining repairing and operating such bridge or bridges or such tunnel or tunnels subject however to any applicable law or regulation of the United States of America now in force or hereafter to be enacted or made The tolls from the bridge or bridges or tunnel or tunnels for which a single issue of bonds is issued except such part thereof as may be necessary to pay such cost of maintaining repairing and operating during any period in which such cost is not otherwise provided for during which period the tolls may be reduced accordingly shall be set aside each month in a sinking fund which is hereby pledged to and charged with the payment of (a) the interest upon such bonds as such interest shall fall due (b) the necessary fiscal agency charges for paying bonds and interest and (c) the payment of such bonds Such sinking fund shall be a fund for all such bonds without distinction or priority of one over another Prior to the issuance of the bonds the commission may provide by resolution or by such trust indenture for the use of the sinking fund or any part thereof in the purchase of any of the outstanding bonds payable therefrom at the market price thereof but not exceeding the price if any at which the same shall at the next interest date be payable or redeemable and all bonds redeemed or purchased shall forthwith be cancelled and shall not again be issued The moneys in the sinking fund less a reserve for payment of not exceeding one (1) year's interest on the bonds if not used within a reasonable time for the purchase of bonds for cancellation as above provided shall be applied to the redemption of bonds by lot at the redemption price then applicable

Section 810 Cessation of Tolls When the particular bonds issued for any bridge or bridges or any tunnel or tunnels and the interest thereon shall have been paid or a sufficient amount shall have been provided for their payment and shall continue to be held for that purpose the commission shall cease to charge tolls for use of such bridge or bridges or such tunnel or tunnels and thereafter such bridge or bridges or such tunnel or tunnels shall be free unless tolls are required for maintaining repairing and operating such bridge or bridges or such tunnel or tunnels due to the lack of funds from other sources than tolls

Section 811 Action by Trustee and Bondholders Any holder of any such bonds or any of the coupons attached thereto and the trustee if any except to the extent the rights herein given may be restricted by resolution passed before the issuance of the bonds or by the trust indenture may either at law or in equity by suit action mandamus or other proceedings protect and enforce any and all rights granted hereunder or under such resolution or trust indenture and may enforce and compel performance of all duties required by this act or by such resolution or trust indenture to be performed by the Commonwealth or by the commission or any officer thereof including the fixing charging and collecting of tolls for transit over such bridges or through such tunnels

Section 812 Contributions The commission in addition to the revenues which may be received from the sale of bridge and tunnel revenue bonds and from the collection of tolls and other bridge and tunnel revenues derived under the provisions of this act shall have authority to receive and accept contributions of either money or property or other things of value to be held used and applied for the purposes in this act provided and to receive accept grants from the United States or any of its agencies for such purposes

Section 813 Competing Bridges Ferries and Tunnels No bridge for the use of the travelling public located as provided in section nine hundred two of this act shall hereafter be constructed and operated by any county municipal corporation or political subdivision of the Commonwealth or by any person copartnership association or corporation or no franchise shall hereafter be granted for the operation of a ferry within five (5) miles of any toll bridge nor shall any tunnel be so constructed and operated within five (5) miles of any toll tunnel for the acquisition or construction of which bridge or tunnel revenue bonds shall have been authorized except under a written permit granted by the commission No such permit shall be granted by the commission until it shall ascertain by an investigation including a hearing upon such notice and under such rules as the commission may prescribe that there is an urgent public need for the operation of such bridge or such ferry or such tunnel and that its operation will not affect the revenues of any such toll bridge or tunnel of the Commonwealth so as to impair the security of any bridge or tunnel revenue bonds issued for the acquisition or construction of such bridge or tunnel

Section 814 General Powers of State Bridge and Tunnel Commission The above enumeration of powers and duties of the commission shall not be construed as a limitation upon the general powers or duties of said commission It shall be the duty of the commission in addition to the powers and duties enumerated herein to do and perform any and all things and acts necessary in the construction or acquisition maintenance and operation of any bridge or tunnel to be constructed or acquired under the provisions of this article to the end that such bridge or bridges or tunnel or tunnels may become and be operated free of tolls as early as possible and practicable subject only to the express limitations of this act and the limitations of other laws and constitutional provisions applicable thereto

Article IX

Special Provisions Affecting Local Authorities

Section 901 Assistance and Information to Local Officials County Highway Maps The department shall

investigate and determine upon the various methods of road construction best adapted to the various sections of the State and establish standards for the construction and maintenance of highways in various sections taking into consideration the topography of the country the natural conditions and the character and availability of road building material and the ability of the townships and counties to build and maintain roads under the provisions of this act The department may at all reasonable times be consulted by county city borough incorporated town or township officers having authority over highways and bridges and shall when requested advise and give information to such officers relative to the construction repairing alteration and maintenance of highways and bridges The department shall at all times lend its aid in promoting road improvement throughout the State and may prepare models and pictures for exhibition and exhibit the same at such times and at such places as in its judgment shall be deemed advisable and in addition thereto the department may also compile all useful information relative to road building and maintenance which it shall disseminate by means of printed bulletins issued at such times and in such numbers as it shall deem best The department shall publish maps showing complete road surveys of each county which shall be kept on sale in the department at cost of publication Such maps shall be published at such times and in such form as shall be determined by the secretary

Section 902 Certification of Reports of Viewers Laying out or Vacating Public Roads Upon the confirmation by the court of quarter sessions of the report of any jury of view laying out or vacating a public road it shall be the duty of the clerk of said court to immediately certify a copy of said report with the accompanying draft and the action of the court on the report of the viewers to the department For such services the clerk of the court shall receive from the department the sum of three dollars and fifty cents ($3.50) for each certification

Section 903 Surveys Plans Bids where County Pays Expense of Highways In all cases where any county is authorized by law to appropriate and expend moneys for the improvement or maintenance of any public highways either in full payment thereof or in payment thereof in conjunction with any township borough or incorporated town the county commissioners of such county may make execute and deliver all necessary agreements and contracts for such improvement or maintenance with the lowest responsible bidder and to that end the secretary shall be authorized to make all necessary surveys and plans and to advertise for receive and open bids therefor in the manner now provided in the case of the improvement of State highways

Section 904 Material Equipment and Supplies from Political Subdivisions Any political subdivision of the Commonwealth is authorized to sell lease donate or otherwise transfer to the Commonwealth any material equipment or supplies appropriate for use in the construction or maintenance of the highways of this Commonwealth

Section 905 Expenditures and Indebtedness by Counties for Property Damage Improvement etc of State and Other Highways Any county may appropriate and expend moneys and incur such indebtedness and issue bonds or other obligations therefor as may be necessary to pay all or any portion of the damages to property resulting from any widening or relocation made with the consent of the county or to pay for the improvement and maintenance of any State highway or any public highway including sidewalk construction within its proper limits Provided That no improvement can be made to any State highways until the same has been submitted to and approved by the department And provided further That no county shall appropriate and expend any of such moneys for the improvement and maintenance of any public highway other than a State highway or county road where the highway is to be improved jointly by the township or borough or town or city and county until and unless the supervisors or commissioners of the township or council of the city or borough or town in which the highway proposed to be improved lies shall first petition the county commissioners of the county representing that any highway or section thereof lying within such township or borough or town or city on which it is proposed that said money shall be expended is in need of reconstruction or repair and particularly describing said highway and until and unless the said application has been submitted to and approved by the department And provided further That when the improvement and maintenance of any public highway in the county is desired by the county without the intervention of the township or borough or town or city the commissioners of said county may make application for approval direct to the department

Section 906 Division of Responsibility between Commonwealth and Local Authorities Whenever there is a division of responsibility between the Commonwealth and any county city borough town or township for the construction or maintenance of any portion of the width of a public highway which forms a part of a State highway route or the local authorities of such county city borough town or township are responsible for the construction or maintenance of structures which form a part thereof it shall be lawful for the local authorities and the department to provide by agreement that the department may in the discretion of the secretary construct or maintain with its own forces the entire width of such highway or any structures forming a part thereof which are the responsibility of the local authorities Such agreements shall provide for the reimbursement of the Commonwealth by the local authorities for any and all moneys expended by the department in the construction and maintenance of any structures or portions of the width of the highway for which the local authorities are responsible

Section 907 Advertising and Bids for Construction in Conjunction with Work by Department of Highways It shall also be lawful for the local authorities and department to provide by agreement that the department may advertise and receive bids for the construction of any part or portion of a highway or any structure forming part thereof whenever in the judgment of the secretary such construction may be done in conjunction with construction by the department Such adversiitng when done in accordance with the laws applicable to advertising for bids by the department shall be the only advertising necessary any law to the contrary notwithstanding

Section 908 Department of Highways to Receive Bids etc When any work is to be done by contract as provided by this act the department may receive bids and award the contract for and on behalf of the local authorities and thereafter may supervise the performance of the work provided for by the contract and forward estimates to the local authorities for payment

Section 909 Termination of Agreements for Maintenance Any agreement for maintenance entered into under the provisions of section nine hundred six of this act may be terminated by either party upon three (3) months written notice to the other provided that such termination shall not affect any liability incurred under the agreement up to the effective date of its termination

Section 910 Assessments against Abutting Property Any sum or sums which are expended by local authorities as provided by sections nine hundred six to nine hundred nine of this act may be assessed and collected from the abutting property owners as provided by law

Section 911 Additional Width of State Highways by Counties Townships and Boroughs Whenever a State highway is constructed and the State pays a portion of the cost and the county or township or borough pays a portion of the cost and it is deemed advisable to widen the State highway beyond the width as laid out and ordered by the secretary or other body having authority over the same the county and township or borough jointly or the township or borough may increase the width of the State highway with consent of the secretary or other body having charge of the construction of said State high-

way The cost of such additional width shall be borne jointly by the county and township or borough or wholly by the said township or borough as the case may be Authority is hereby given the several counties through their commissioners and the several townships and boroughs through their proper officers to enter into agreement providing for the additional width of the State highway in accordance herewith Such additional width shall be constructed under the supervision of the department and according to its plans and specifications

Article X

Commonwealth Receipts and Expenditures Federal Aid

Section 1001 Moneys Received Paid into Motor License Fund All moneys received by the Commonwealth under any provision of this act shall be paid into the Motor License Fund in the State Treasury

Section 1002 Expenditures from Motor License Fund Except as otherwise in this act specifically provided all expenditures authorized by this act to be made by the Commonwealth shall be paid out of that portion of the Motor License Fund which has been or may be specifically appropriated and available to the department

Section 1003 Highway Appropriation All money at any time appropriated for the use of the department for the improvement and maintenance of State Highways shall always remain for the use of the department until the same is entirely used and applied to the purpose or purposes for which it was appropriated

Section 1004 Aid under Federal Highway Acts The secretary shall enter into all necessary contracts and agreements with the proper agencies of the government of the United States and shall do all other things necessary and proper in order to obtain the benefits afforded under the provisions of the act of Congress approved the eleventh day of July one thousand nine hundred sixteen entitled "An act to provide that the United States shall aid the States in the construction of rural postroads and for other purposes" and its supplements and amendments or any other act of Congress providing Federal aid for highway purposes

Section 1005 Federal Grants for Highway Construction and Related Projects The department is hereby authorized to accept grants of funds from the President of the United States or other Federal agency for the construction of public highways and related projects Such money shall be held by the State Treasurer as custodian for the department and shall be paid out on requisition of the department without further appropriation If required by the Federal government the Department of Property and Supplies shall provide the necessary bonds for the State Treasurer in his capacity as custodian

Where any highway or bridge which is not a part of the State highway system of the Commonwealth has been or may be designated to be improved with funds received from the Federal government the department shall have all of the powers and authority in the relocation widening or construction of such highway which are now or may hereafter be conferred upon it with respect to State highways Any damages sustained by reason of taking property in the relocation widening or construction of any such highway shall be ascertained in accordance with the provisions of this act applicable to the ascertainment of damages in relocating widening or constructing State highways Such damages when ascertained shall be paid by the county or political subdivision or both as may be agreed upon between the political subdivision and county No work shall be undertaken until the county or political subdivision or county and political subdivision affected by the liability for damages shall have agreed thereto

Where any highway or bridge is to be constructed under contract and to be paid for wholly or in part from Federal funds and the project involves additional work to be contracted and paid for by political subdivisions or local authorities the advertisement by the department in compliance with the rules and regulations of the proper Federal authorities shall be the only advertising necessary any other acts or requirements to the contrary notwithstanding

The department shall have authority to make and carry out contracts and to do every other act necessary to carry out any project heretofore or hereafter undertaken which is to be paid for in whole or in part from Federal funds and in every way to conform to the requirements and rules and regulations of the proper Federal authorities with respect to such projects but no limitation contained in this act shall in anywise diminish any authority or powers conferred on the department by this act

Article XI

Repeals

Section 1101 Specific Repeals The following acts and parts of acts and all amendments thereof are hereby repealed to the extent hereinafter specified

(1) Section twenty-one of the act approved the thirteenth day of June one thousand eight hundred thirty-six (P. L. 551) entitled "An act relating to roads highways and bridges" absolutely

(2) Sections two and three of the act approved the twenty-third day of April one thousand nine hundred nine (P. L. 142) entitled "An act requiring all petitions for the laying out or vacation of a public road to fix definitely the points of beginning and ending and requiring the clerk of the court of quarter sessions in any county to certify the report of the jury of view to the State Highway Department" absolutely

(3) Section one of the act approved the twenty-seventh day of April one thousand nine hundred nine (P. L. 201) entitled "An act authorizing counties townships or boroughs to widen State highways and validating agreements heretofore made for widening State highways and the payment of the cost therefor" absolutely

(4) Sections seven eight nine ten eleven twelve thirteen fourteen fifteen sixteen seventeen eighteen nineteen twenty twenty-one twenty-two twenty-three twenty-four twenty-five twenty-six twenty-seven twenty-eight thirty thirty-one thirty-two thirty-four thirty-five thirty-six thirty-seven thirty-eight and thirty-nine of the act approved the thirty-first day of May one thousand nine hundred eleven (P. L. 468) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting countyseats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated

town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" absolutely

(5) The act approved the fifth day of June one thousand nine hundred thirteen (P. L. 417) entitled "A supplement to an act approved the thirty-first day of May one thousand nine hundred and eleven entitled 'An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act'" absolutely

(6) The act approved the twelfth day of June one thousand nine hundred thirteen (P. L. 491) entitled "A supplement to an act approved the thirty-first day of May one thousand nine hundred eleven entitled 'An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act' providing for constructing reconstructing repairing or maintaining certain spurs or branch roads" absolutely

(7) The act approved the seventh day of July one thousand nine hundred thirteen (P. L. 687) entitled "An act authorizing the State Highway Commissioner to take over the rights of way of canal companies and of railroad and railway companies that have been abandoned or that have not been built upon for the use of the State Highway Department for the purpose of locating and constructing State Highways and providing a method of condemnation procedure" absolutely

(8) The act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 235) entitled "A supplement to an act approved the thirty-first day of May one thousand nine hundred and eleven (P. L. 468) entitled 'An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Com-

monwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act' and further providing that the State Highway Commissioner and the several counties townships boroughs or incorporated towns shall have authority to make and enter into contracts to reconstruct or improve a State highway or portion thereof in the same manner as a State-aid highway and authorizing counties townships boroughs or incorporated towns to incur indebtedness and pay their respective shares of the cost thereof and making valid all such contracts heretofore made such highway to remain a State highway" absolutely

(9) The act approved the sixth day of July one thousand nine hundred seventeen (P. L. 724) entitled "An act authorizing the Highway Commissioner to use lease or sell toll-collectors' residences or offices or other property acquired by the purchase or condemnation of any turn-pike or toll-road" absolutely

(10) The act approved the eleventh day of July one thousand nine hundred seventeen (P. L. 814) entitled "An act providing for the employment of prisoners or inmates of penitentiaries prisons reformatories and reform schools by the State Highway Department prescribing duties of the State Highway Commissioner and of the wardens sheriffs and superintendents in connection therewith providing methods of payment for such employment and the conditions relative thereto and extending the provisions of this act to a county the limits of which coincide with the limits of a city of the first class" absolutely

(11) The act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1041) entitled "A supplement to an act approved the thirty-first day of May one thousand nine hundred eleven entitled 'An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act' providing that the State Highway Commissioner may take over as a part of the system of State highways any road leading from a State highway to any State property maintained as an historical park or used for military purposes" absolutely

(12) The act approved the twelfth day of June one thousand nine hundred nineteen (P. L. 450) entitled "An act permitting counties of the Commonwealth of Pennsylvania to appropriate and expend moneys and to incur indebtedness and issue bonds and other obligations for the improvement and maintenance of State highways and State-aid highways or any public highway in any county of the Commonwealth and providing the method for applying for said moneys and for the approval thereof by the State Highway Department in certain cases" absolutely

(13) The act approved the ninth day of July one thousand nine hundred nineteen (P. L. 821) entitled "An act providing for the construction and maintenance of roads for travel for horses whenever certain roads and highways shall be constructed rebuilt and improved by the State Highway Department" absolutely

(14) The act approved the twenty-ninth day of March one thousand nine hundred twenty-three (P. L. 47) entitled "An act providing for the assessment and collection as benefits from the abutting property owners of the borough's share of the cost of the improvement of a street which forms part of a State Highway where such improvement has been heretofore made by the State Highway Department" absolutely

(15) The act approved the fourteenth day of June one thousand nine hundred twenty-three (P. L. 761) entitled "An act providing for the rebuilding by the Commonwealth through the Department of Highways of certain county bridges the procedure therefor the payment of a portion of the cost thereof in certain cases by counties cities and railroads and the maintenance thereof when completed by the counties" absolutely

(16) The act approved the fourteenth day of June

one thousand nine hundred twenty-three (P. L. 801) entitled "An act authorizing the State Highway Department the Public Service Commission counties cities boroughs and townships to purchase or condemn by the right of eminent domain free and unobstructed veiw over and across lands at certain highway railroad and railway intersections and curves so as to prevent and permit removal of interference with and obstruction of the vision of users of said highways and providing for the use of such lands in such manner as not to interfere with a free and unobstructed view" in so far as it applies to State highways

(17) The act approved the seventeenth day of March one thousand nine hundred twenty-five (P. L. 35) entitled "An act relating to the allocation of moneys to the different counties by the Department of Highways for the construction of highways providing a method to compel the county commissioners to apply for such moneys and extending the time for filing applications for money allocated but unexpended prior to the approval of this act" absolutely

(18) Section one of the act approved the seventh day of April one thousand nine hundred twenty-five (P. L. 187) entitled "An act authorizing county commissioners to make execute and deliver agreements and contracts for the improvement or maintenance of certain highways involving the expenditure of county money alone or in conjunction with that of any township borough or incorporated town authorizing the Secretary of Highways to make surveys and plans and to advertise for receive and open bids therefor in the manner now provided in the case of the improvement of State Highways and validating all agreements or contracts heretofore entered into in accordance with the provisions hereof" absolutely

(19) The act approved the twenty-ninth day of April one thousand nine hundred twenty-five (P. L. 360) entitled "An act conferring on the Department of Highways power to enter upon private property and open and maintain drainage channels along roads or highways constructed at the expense of the Department of Highways or under its supervision and providing penalty for interference with such drains or ditches and providing for the payment of damages" absolutely

(20) The act approved the twenty-ninth day of April one thousand nine hundred twenty-five (P. L. 367) entitled "An act providing for the improvement or repair by the Department of Highways of any portion of a road or highway lying within the area of State forest lands which is deemed necessary to the development protection or use by the public of any such forest lands now possessed or hereafter acquired by the Commonwealth and providing for the expense to be borne by the Commonwealth or by the Commonwealth county and township upon such terms and conditions as may be mutually agreed upon" absolutely

(21) The act approved the first day of May one thousand nine hundred twenty-five (P. L. 441) entitled "An act authorizing the Secretary of Highways of the Commonwealth of Pennsylvania to accept on behalf of the Commonwealth certain roads heretofore ceded to the United States of America and located within the limits of the National Park at Gettysburg designating the status of the same as State highways county or township roads or borough streets and providing for their construction reconstruction and maintenance by the State county township or borough" absolutely

(22) The act approved the twelfth day of May one thousand nine hundred twenty-five (P. L. 620) entitled "An act empowering the Department of Highways in conjunction with any county or counties to acquire and maintain certain toll-bridges within the Commonwealth and making an appropriation" absolutely

(23) The act approved the fourteenth day of May one thousand nine hundred twenty-five (P. L. 704) entitled "An act authorizing the Secretary of Highways with the approval of the Governor to establish the width and lines of State highways for future construction where it appears uneconomical to widen existing highways providing for acknowledgment by the Secretary of Highways and recording of plans therefor in the proper county and providing further that no allowance shall be made for buildings or improvements erected or made within the limits of any such highway and providing for the payment of damages" absolutely

(24) The act approved the fourteenth day of May one thousand nine hundred twenty-five (P. L. 714) entitled "An act prohibiting the placing of any sign banner or advertising matter of any kind whatsoever on or across any public road or highway or on or across any structure within the legal limits of any public road or highway without the written consent of the authorities responsible for the maintenance of such public road or highway and declaring the placing of any sign or banner in violation of this act to be a public nuisance and authorizing its removal with or without notice and providing penalty" in so far as it applies to State highway

(25) The act approved the twentieth day of April one thousand nine hundred twenty-seven (P. L. 321) entitled "An act authorizing the Secretary of Highways to designate by letter or to name number or combine State highways or any part or parts thereof in such manner as in his discretion will best accommodate and inform the treveling public using the highways of the Commonwealth and facilitate the keeping of maps and records of the Department of Highways and to include in any route designated for the convenience of the traveling public any township road or roads" absolutely

(26) The act approved the twenty-seventh day of April, one thousand nine hundred twenty-seven (P. L. 409) entitled "An act authorizing the Secretary of Highways to join two or more State highway routes by the construction of connecting roads under certain conditions and providing for the payment of damages for land taken in the construction of such connecting roads" absolutely

(27) The act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 677) entitled "An act to provide that where the Department of Highways has heretofore acquired or shall hereafter acquire by condemnation purchase or otherwise the abandoned right-of-way of a canal railroad or turnpike company to form a part of a State highway route and any part thereof is located within the limits of any borough the part located within the borough shall be taken and deemed to be a borough street without any action on the part of the borough or any of its representatives to either accept dedicate or open it as such and making such boroughts responsible for any damages occasioned by such taking within their limits" absolutely

(28) The act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 392) entitled "An act providing that highways or sections thereof abandoned as State highway routes shall revert for maintenance to the party or parties responsible for the maintenance of said highways prior to their coming under the jurisdiction of the Department of Highways" absolutely

(30) The act approved the sixth day of May one thousand nine hundred twenty-seven (P. L. 843) entitled "An act authorizing the Department of Highways with the approval of the Governor to build rebuild construct and maintain roads wholly upon the lands of State institutions and State parks and providing for the payment of the cost thereof" absolutely

(31) The act approved the eleventh day of May one thousand nine hundred twenty-seven (P. L. 962) entitled "An act authorizing the Secretary of Highways with the approval of the Governor and the commissioners of the county affected to relocate roads or highways where an application for the construction of said road has been filed in accordance with the provisions of the act of June twelfth one thousand nine hundred and nineteen (P. L. 450) as amended providing for the vacation of the original road or section thereof under certain conditions and restrictions and providing for the payment of damages to abutting property owners incurred as a result of such relocation" absolutely

(32 The act approved the tenth day of April one thousand nine hundred twenty-nine (P. L. 478) entitled

"An act conferring authority on the Department of Highways or any county or township to enter upon private property adjacent to any public road or highway and place thereon snow fence between November first and April first of the succeeding year providing the method of ascertaining damages and payment of same by the authorities responsible for the maintenance of the said public road or highway to the owner of adjacent property and repealing certain acts" except in so far as it applies to the Pennsylvania Turnpike.

(33) The act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1056) entitled "An act providing for the Commonwealth to share in the cost of maintaining township reward roads" absolutely

(34) The act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1062) entitled "An act providing for assistance by the Commonwealth in the maintenance of township reward roads and making an appropriation out of the Motor License Fund for such purposes" absolutely

(35) The act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1528) entitled "An act authorizing the Secretary of Highways with the approval of the Governor to establish construct and maintain roads parallel to existing State highways in order to relieve traffic congestion providing certain conditions and restrictions for the assessment and payment of damages for property taken thereby and providing that such highways when constructed shall become a part of the system of State highways of the Commonwealth" absolutely

(36) The act approved the seventh day of May one thousand nine hundred twenty-nine (P. L. 1578) entitled "An act authorizing the Secretary of Highways to establish and maintain live snow breaks along or adjacent to State highways on lands heretofore or hereafter acquired by the county" absolutely

(37) The act approved the seventh day of May one thousand nine hundred twenty-nine (P. L. 1586) entitled "An act prohibiting the discharge of sewage and all drainage except surface drainage on or within the legal limits of any public highway providing for the blocking or removal of sewer outlets within the limits of public roads declaring such outlets to be a public nuisance and abatable as such conferring jurisdiction and providing penalties and repealing certain acts" in so far as it applies to State highways

(38) The act approved the ninth day of May one thousand nine hundred twenty-nine (P. L. 1702) entitled "An act regulating the closing of public highways and providing for the locating marking and maintenance of detours necessitated by such closing requiring boroughs cities and towns to notify the Department of Highways of the creation and discontinuance of certain detours providing penalties for removing destroying defacing signs erected for warning or detour purposes and for driving on over or across highways which are closed by the proper persons or authorities except in certain cases further providing that the authorities responsible for the maintenance of highways which have been damaged or their agents or contractors shall have the right to recover the amount of such damages from the person or persons responsible in addition to the penalties herein provided and repealing certain acts" in so far as it applies to State highways

(39) The act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 147) entitled "An act placing upon the Commonwealth the responsibility for the construction and maintenance of certain bridges on State highway routes or continuations of State highway routes in boroughs incorporated towns cities of the third class and townships under certain conditions and restrictions and appropriating money in the Motor License Fund for such purposes providing for a limitation of the Commonwealth's liability for reconstruction and maintenance in certain cases under orders of court or the Public Service Commission providing for the Commonwealth to succeed to the rights of the county under certain existing agreements or contracts authorizing the department to issue licenses to public service companies for occupancy of such bridges in accordance with existing laws subject to certain conditions and restrictions providing for the crediting of certain moneys to the Motor License Fund and providing for the return to the county or disposal of said bridges in certain cases and repealing certain acts with reference to county bridges" absolutely

(40) The act approved the first day of June one thousand nine hundred thirty-one (P. L. 301) entitled as amended "An act providing for the acquisition construction improvement operation and maintenance of bridges over rivers and navigable waters and of tunnels for highway purposes within the Commonwealth authorizing the issuance of bridge and tunnel revenue bonds free from taxation and payable solely from bridge or tunnel earnings to pay the cost of such bridges and tunnels and improvements thereof providing for the collection of bridge and tunnel tolls for the payment of such bonds and for the cost of maintenance operation and repair of the bridges and tunnels constituting such bonds legal investments in certain instances prescribing conditions upon which such bridges and tunnels shall become free bridges and tunnels conferring powers and imposing duties on the State Bridge and Tunnel Commission providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act and providing for condemnation" absolutely

(41) The act approved the ninth day of June one thousand nine hundred thirty-one (P. L. 478) entitled "An act authorizing municipal subdivisions of the Commonwealth to convey or transfer to the Commonwealth any material equipment or supplies appropriate for use in the construction or maintenance of certain highways" absolutely

(42) Sections sixty-nine seventy seventy-one and sevent-two of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" absolutely

(43) The act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 673) entitled "An act conferring on the Department of Highways the right to enter upon private property adjacent to highways or bridges under the control and supervision of the said department for the purpose of changing or protecting existing stream channels in order to protect said highways or bridges in a proper manner providing for the approval of said changes by the Department of Forests and Waters and providing for the ascertainment and payment of damages occasioned thereby" absolutely

(44) Sections four five six seven eight nine ten eleven twelve and thirteen of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting

property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" absolutely

(45) The act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 920) entitled "An act providing for the relocation and change of width grades and lines of State highways in boroughs by the Secretary of Highways with the approval of the Governor and commissioners of the proper county and for the payment of damages occasioned thereby by the county and repealing certain acts" absolutely

(46) The act approved the twenty-fifth day of June one thousand nine hundred thirty-one (P. L. 1369) entitled "An act establishing certain State-aid highways and concrete township reward roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act and repealing an act" absolutely

(47) Section three of the act approved the twenty-sixth day of June one thousand nine hundred thirty-one (P. L. 1387) entitled "An act relieving canals corporations owning any canals or other artificial waterways constructed by the Commonwealth as parts of its public works from the obligation to maintain the same for transportation purposes under certain conditions and authorizing such corporations to use sell or lease the waters of such canals and waterways for domestic manufacturing commercial and other lawful purposes and to use sell lease or otherwise dispose of the whole or any part of the lands occupied by such canals or waterways and the property appurtenant thereto and authorizing the Department of Highways to acquire by gift all or any part of such lands and to sell or otherwise dispose of all or any part of such lands as shall not be needed for highway purposes" absolutely

(48) The act approved the seventh day of April one thousand nine hundred thirty-three (P. L. 27) entitled "An act to authorize the Department of Highways and the county commissioners to occupy and relocate rights of way of public service companies in certain cases and to acquire by purchase or condemnation the necessary land therefor" in so far as it applies to State highways

(49) The act approved the fourth day of May one thousand nine hundred thirty-three (P. L. 277) entitled "An act establishing portions of certain highways lying partially within the corporate limits of cities boroughs or incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" abslutely

(50) The act approved the first day of June one thousand nine hundred thirty-three (P. L. 1410) entitled "An act authorizing agreements between the Department of Highways and local authorities to provide for the construction and maintenance of streets and highways in cities counties boroughs towns and townships under certain conditions providing for assessments on abutting property owners and making an appropriation" absolutely

(51) The act approved the third day of June one thousand nine hundred thirty-three (P. L. 1514) entitled "An act establishing as State highways certain condemned or abandoned turnpikes and turnpikes the companies or associations owning which have been dissolved and requiring their construction repair and maintenance as such" absolutely

(52) The act approved the second day of January one thousand nine hundred thirty-four (P. L. 173) entitled "An act authorizing the State Treasurer and the Department of Highways to accept funds from the Federal Government for the construction of public highways and bridges and related projects providing for the payment of damages by counties and political subdivisions as a result of relocating widening or constructing said highways or bridges and limiting the requirements for advertising for work to be performed by municipal subdivisions or local authorities" absolutely

(53) The act approved the twelfth day of July one thousand nine hundred thirty-five (P. L. 805) entitled as amended "An act providing for the acquisition and possession of occupied property structures and dwelling houses condemned for highway purposes and providing a method of procedure" absolutely

(54) The act approved the twelfth day of July one thousand nine hundred thirty-five (P. L. 945) entitled "An act authorizing the Department of Highways to assume all or any part of the property damages occasioned in the elimination of grade crossings or in the alteration or abolition of existing crossings on State highways in townships or boroughs when the Federal Government is paying all of the costs of construction authorizing agreements with townships boroughs counties and railroad companies and making an appropriation" absolutely

(55) The act approved the twenty-second day of April one thousand nine hundred thirty-seven (P. L. 393) entitled "An act conferring on the Department of Highways power to enter upon private property for the purposes of making surveys of proposed highway improvements providing for the payment of damages and providing penalty for interference" absolutely

(56) The act approved the twenty-second day of April one thousand nine hundred thirty-seven (P. L. 394) entitled "An act to authorize the Secretary of Highways to disregard terminal points in relocating State highway routes under certain conditions" absolutely

(57) The act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 547) entitled "An act authorizing the Secretary of Highways to abandon portions of State highway routes within the limits of State parks or Federal Resettlement projects under certain conditions" absolutely

(58) Sections four five six seven eight nine ten eleven twelve sixteen seventeen and eighteen of the act approved the seventh day of May one thousand nine hundred thirty-seven (P. L. 589) entitled as amended "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the first class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of said streets providing for the taking opening relocation widening or change of grade of such State highways by the Commonwealth at the expense of the Commonwealth and any such city or either of them and authorizing agreements between cities and the Commonwealth for the opening taking relocating widening or change of grade of said streets and designating the city as agent of the Commonwealth in such opening taking relocating widening or change of grade and the determination of damages to private property arising therefrom imposing duties on such cities and on public utility companies using such streets authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction regulating the replacement of certain facilities of public utility companies prohibiting the making of any opening in said street after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating moneys in the Motor License Fund for the purposes of this act" absolutely

(59) The act approved the thirteenth day of May one thousand nine hundred thirty-seven (P. L. 617) entitled "An act authorizing the Secretary of Highways with the approval of the Governor to enter into agreements with private owners of bridges other than toll bridges forming part of a State highway or a continuation thereof or connecting two State highways for the

acquisition of such bridges or for the division of responsibility for such maintenance thereof" absolutely

(60) The act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1960) entitled "An act providing for the construction reconstruction maintenance and repair of sidewalks at dangerous places along State highways by the Department of Highways and making an appropriation from the Motor License Fund" absolutely

(61) The act approved the twenty-fifth day of June one thousand nine hundred thirty-seven (P. L. 2275) entitled "An act to promote safety for the traveling public on State highways to extend the responsibility for subsidence of such highways by the failure of vertical and lateral support and declaring said subsidence a public nuisance to provide for inspection of mine maps by the Department of Highways and the furnishing to said department of copies of such mine maps in certain cases to authorize entry by the Department of Highways into mines in certain cases and to provide for notices to the Department of Highways of certain mining operations under or adjacent to highways and providing penalties" absolutely

(62) The act approved the thirteenth day of October one thousand nine hundred thirty-eight (P. L. 79) entitled "An act authorizing the Secretary of Highways to change the location of State Highway routes in cities of the first class constituting part of the approaches to interstate bridges including the terminal points thereof authorizing the abandonment of such relocated sections of State highways authorizing the Secretary of Highways to enter into agreements with cities of the first class interstate joint commission persons associations and corporations for the sharing of the cost exclusive of property damages of widening streets and relocating highways forming part of the State highway system and constituting approaches to interstate bridges authorizing cities of the first class interstate joint commissions persons associations and corporations to enter into agreements with each other for the sharing of the cost of property damages direct and not merely consequential thereto in connection with the widening of said streets and relocating said highways and with the Secretary of Highways and each other for the sharing of the cost of widening said streets and relocating said highways exclusive of property damages and making an appropriation" absolutely

(63) The act approved the twentieth day of June one thousand nine hundred thirty-nine (P. L. 468) entitled "An act authorizing the Department of Highways with the approval of the Governor to lease from the General State Authority any bridge and road project constituting a connecting link across a river between two existing State highways providing for the operation of such bridge as a toll bridge and appropriating moneys from the Motor License Fund for the payment of rentals under such lease and for the operation and maintenance of such bridge and road project" absolutely

(64) The act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 621) entitled "An act authorizing the Secretary of Forests and Waters to utilize or transfer to the Department of Highways canal properties or parts thereof acquired by the Department of Forests and Waters and in connection with such use to sell waters from such canal" in so far as it confers any powers or imposses any duties on the Secretary of Highways

(65) The act approved the nineteenth day of June one thousand nine hundred forty-one (P. L. 145) entitled "An act authorizing the Department of Highways to take over bridges viaducts and other structures on State highways for the purpose of construction reconstruction maintenance and repair thereof when such highways are designated as essential National Defense Highways" absolutely

(66) The act approved the eighteenth day of July one thousand nine hundred forty-one (P. L. 420) entitled "An act authorizing the Secretary of Highways to lengthen or shorten State highway routes under certain conditions and providing for the payment of damages" absolutely

(67) The act approved the twenty-second day of April one thousand nine hundred forty-two (P. L. 57) entitled "An act authorizing the Department of Highways to construct replace or repair bridges in cities of the third class whether such bridges are owned and maintained by such cities or by the counties in which located which form connecting links on State highways necessary for National defense in cases where Federal funds and city or county funds are available for such purposes and authorizing the Secretary of Highways to enter into agreements with the proper Federal authorities and the authorities of cities of the third class or counties covering the construction replacement or repair of such bridges and making an appropriation" absolutely

(68) The act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 460) entitled "An act authorizing the Secretary of Highways to establish construct and maintain parallel or approximately parallel State highways in townships boroughs incorporated towns and cities in certain cases providing for the payment of property damages resulting therefrom and authorizing the Secretary of Highways to control the direction of the flow of traffic thereover" absolutely

(69) The act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 461) entitled "An act to further amend section one of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (P. L. 392) entitled 'An act providing that highways or sections thereof abandoned as State highway routes shall revert for maintenance to the party or parties responsible for the maintenance of said highways prior to their coming under the jurisdiction of the Department of Highways' by providing that sections of highways abandoned by relocation shall be maintained by and at the expense of the township borough incorporated town or city within which they are located after being improved and repaired by the Department of Highways and by adding a new section to provide that portions or sections of the old highway which are not included within the changed altered or established widths shall be considered vacated if such portions or sections are not of the full width of the highway as previously established" absolutely

(70) The act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 796) entitled "An act establishing as state highways certain county highways and requiring their construction repair and maintenance as such" absolutely

Section 1102 General Repeal All other acts and parts of acts inconsistent herewith are hereby repealed

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. FISS. Mr. Speaker, I feel that because my name appears as sponsor of House Bill No. 411 that you should know the story back of this bill—one that I have been concerned with for many years. When I was a kid fifteen years old I threw stones in a stone crusher that helped to build the first state highway in Pennsylvania. I have always been proud of that fact.

Over a period of twenty-five years I was interested in working on state highways in Pennsylvania, in fact I think I could say we were pioneers in the highway building in the Commonwealth of Pennsylvania. This first road that I have reference to was built in 1904, even prior to the Sproul Law, when we had the State aid, township, county road law.

Governor Pennypacker, who was then Governor of

Pennsylvania, came to our little village and laid a cornerstone in a culvert very near to my home. Joseph W. Hunter, who was then the Highway Commissioner also helped the Governor break ground for that first state highway. Since those days I have always been interested in highway work, and even prior to 1941, in fact as early as 1939 I conceived the idea that Pennsylvania should have a Highway Code. It seems that last year, or rather two years ago it possibly came nearer to being a reality than at any other time, when we had a conference in the Attorney General's office between the Reference Bureau, the Highway Department and myself in regard to the bill that is now on the calendar, House Bill 411.

In my efforts to codify the highway laws and give to Pennsylvania a Highway Code I insisted every step of the way that there be no change, there be no controversy. The best agency to make codification to the highway laws was the Reference Bureau. They did the major portion of the work; I was merely the coordinator in this task.

As the bill stands before you there is no change, there never was any intent to make a change in the present highway laws. The effort is to give Pennsylvania a codification of the highway laws as they exist today. Then as the years come, say two years from now if there is any need for change, it would be very easy to amend any particular section of this act.

I have had implicit faith in the Legislative Reference Bureau, who, as I told you before, did the major portion of this work. The bill has been on the calendar for several weeks and I know, and so do you, that it is time that we take action on this bill.

As Speaker of the House I say to you in all sincerity I have no reason, nor do I have any desire to say to any Member of this House that he should vote for this bill for my sake. You use your judgment and vote as you desire. There was no pressure back of this legislation; it was an earnest effort to give to the people of Pennsylvania the Highway Code. If I knew there was any radical change in this piece of legislation I would be the first man to vote against this bill, but as I told you before, I have had implicit faith in the Legislative Reference Bureau that has prepared and codified the laws. So, ladies and gentlemen of the House, with this brief explanation I leave House Bill 411 in your hands. I am going to be satisfied with whatever you say.

Mr. TROUT. Mr. Speaker, it would be the last thing that I would do to question the integrity or the honesty of the Speaker of this House. I believe and I know that Mr. Fiss has been interested in the highways for many years. I served with him in this House when he was on the floor, and I know the interest that he took in highways at that time. I have made some objections to this bill, and I may be entirely wrong, and I hope that I am.

I do not think, Mr. Speaker, that there were any intentions on the part of the attorneys who handled this legislation to make any misstatement of fact or to change anything material.

Mr. Speaker, I would like to call the attention of the House on page 11, to the definition of state highways. It says "State highways" shall mean and include all roads and highways taken over by the Commonwealth as State highways under the provisions of any act of Assembly

Now, that is perfectly clear. Then it follows:

Unless clearly so intended the term shall not include any street in any city, borough or incorporated town even though the same may have been taken over as a State highway.

Now, Mr. Speaker, I just cannot interpret what that means. Probably the attorneys who wrote it knew what they wanted to say, and probably it is the way it should be, but surely when you take a highway over and it becomes part of a state highway it should remain a state highway and be so defined in the Act of Assembly or the Highway Code.

On page 14, section 104, called the saving clause, it states as follows:

> The provisions of this act so far as they are the same as those of existing laws are intended as a continuation of such laws and not as new enactments. As I said, The provisions of this act so far as they are the same as those of existing laws are intended as a continuation of such laws and not as new enactments. The repeal by this act of any act of assembly or part thereof shall not revise any act or parts of acts thereof heretofore repealed or superseded. The provisions of this act shall not affect any act done, liabilities incurred or right accrued or vested or affect any suit or prosecution pending or to be instituted to enforce any right or penalty or punish any offense under the authority of such repealed laws. All regulations and rules made persuant to any act of assembly repealed by this act shall continue with the same force and effect as if such act had not been repealed.

Now, I have read that clause a number of times and tried to interpret just what it meant, but up to this minute I have not been able to do so.

I had a note on my desk "awarding contracts," page 36, but that has been destroyed. This act awarding contracts is practically the same, only there has been a transposition of the last clause. Now, that might not make any difference as far as the law is concerned, but it does seem to me that these sections that I have read should be clarified and they should be written in such a way that they can be easily understood.

I hesitate to take a position in this matter because of my respect for the Speaker and knowing his honesty in the matter, but personally I feel that the Committee on Highways should confer with the attorneys of the Highway Department and with the Legislative Bureau for further study, and then if found to be correct the Committee could make their report.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—111

Barton,	Fullerton,	Madigan,	Salus,
Baumunk,	Gardner,	Mahany,	Serrill,
Bonawitz,	Getchey,	McAtee,	Shoemaker,
Boorse,	Gibson,	McClester,	Sloan,
Bower,	Goodling,	McCormack,	Smith,
Breisch,	Greenwood,	McDowell,	Snyder,
Brice,	Greer,	McKinney,	Sollenberger,
Brunner, C. H.,	Guthrie,	McMillen,	Sorg,
Cadwalader,	Gyger,	Mikula,	Stockham,
Cook,	Hall,	Miller,	Stonier,
Cooper,	Hare,	Milliken,	Stuart,
Costa,	Haudenshield,	Moore, C. E.,	Tahl,
Coulson,	Helm,	Moser,	Tate,
Dague,	Hewitt,	Murray, P. G.,	Tittle,

Dalrymple,	Hoffman,	Nelson,	Trachtman,
Dennison,	Howells,	O'Connor,	Turbett,
Depuy,	Huntley,	O'Dare,	Turner,
Dix,	James,	O'Neill,	Wachhaus,
Dye,	Kennedy,	Pickens,	Wagner,
Elder,	Kline,	Polen,	Waterhouse,
Erb,	Kurtz,	Propert,	Watkins,
Ewing,	Laughner,	Reagan,	Wescott,
Flack,	Lee,	Reese, D. P.,	Wood, L. H.,
Fleming,	Leisey,	Reilly,	Wood, N.,
Foor,	Lichtenwalter,	Riley,	Worley,
Fox,	Loftus,	Robertson,	Yeakel,
Freed,	Lyons,	Root,	Fiss,
Frost,	Madden,	Royer,	Speaker.

NAYS—75

Baker,	Gallagher,	McNally,	Rose,
Barrett,	Gore,	Modell,	Rudisill,
Bentzel,	Hamilton,	Mooney,	Scanlon,
Boney,	Heatherington,	Moore, W. J.,	Schuster,
Boory,	Hennihan,	Moran,	Shaffer,
Brancato,	Hering,	Munley,	Skale,
Brown,	Hersch,	Murray, M. L.,	Snider,
Burns,	Hunter,	Myhan,	Stank,
Chudoff,	Jones,	Nagel,	Swope,
Cohen,	Kirley,	O'Brien,	Trent,
Coleman,	Komorofski,	O'Donnell,	Trout,
Corrigan,	Lane,	Owens,	Varallo,
Coyle,	Leonard,	Pentrack,	Verona,
Dillon,	Levy,	Petrosky,	Weiss,
Dougherty,	Longo,	Powers,	Welsh,
Duffy,	Lopez,	Readinger,	White,
Elish,	Lovett,	Regan,	Wright,
Finnerty,	Matthews,	Reidenbach,	Yester,
Gaffney,	McNair,	Reynolds,	

NOT VOTING—19

Andrews,	Cullen,	Hoggard,	Mills,
Bentley,	Grant,	Hoopes,	Pettigrew,
Boies,	Green,	Kolankiewicz,	Polaski,
Brothers,	Haberlen,	McLanahan,	Reese, R. E.,
Brunner, P. A.,	Herman,	Mihm,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REASONS FOR VOTE

Mr. JAMES filed the following reasons for his vote:

I believe that this Bill (House Bill 411) represents a sincere and honest effort to codify the Pennsylvania Highway laws. I feel that the work of drawing this bill has been productive of several ambiquities which widen the tests of the future will need to be eliminated but I feel, also, that a complete and detailed study of the bill at this time, would result in an unwarranted delay and in the end serve no better purpose than will be served by the administration of the act.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 63, as follows:

An Act to further amend section one of the act approved the thirteenth day of June one thousand eight hundred eighty-three (P. L. 118) entitled "An act ceding concurrent jurisdiction of this State over certain lands owned or hereafter acquired by the United States" by further regulating cession of jurisdiction by the Commonwealth of Pennsylvania to the United States of America

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the thirteenth day of June one thousand eight hundred eighty-three (P. L. 118) entitled "An act ceding concurrent jurisdiction of this State over certain lands owned or hereafter acquired by the United States" as last amended by the act approved the second day of May one thousand nine hundred thirty-three (P. L. 223) is hereby further amended to read as follows

Section 1 Be it enacted &c That the jurisdiction of this State is hereby ceded to the United States of America over all such pieces or parcels of land not exceeding ten acres in any one township ward of city or borough within the limits of this State as have been or shall hereafter be selected and acquired by the United States for the purpose of erecting post offices custom houses or other structures exclusively owned by the general government and used for its purposes Provided That an accurate description and plan of such lands so acquired verified by the oath of some officer of the general government having knowledge of the facts shall be filed with the Department of Internal Affairs of this State as soon as said United States shall have acquired possession of the same [And provided further That this cession is upon the express condition that the State of Pennsylvania shall so far retain concurrent jurisdiction with the United States in and over all lands acquired or hereafter acquired as aforesaid that all civil and criminal process issued by any court of competent jurisdiction or officers having authority of law to issue such process and all orders made by such court or judicial officers duly empowered to make such orders and necessary to be served upon any person may be executed upon said land and in the buildings that may be erected thereon in the same way and manner as if jurisdiction had not been ceded as aforesaid]

All such descriptions and plans heretofore filed with the Secretary of the Commonwealth shall as soon as it may conveniently be done be transferred to the Department of Internal Affairs and the Department of Internal Affairs shall give to the Secretary of the Commonwealth proper receipts for such descriptions and plans

The jurisdiction so ceded to the United States of America is granted upon the express condition that the Commonwealth of Pennsylvania shall retain concurrent jurisdiction with the United States in and over the lands and buildings aforesaid in so far that civil process in all cases and such criminal process as may issue under the authority of the Commonwealth of Pennsylvania against anyone charged with crime committed outside said land may be executed thereon in the same manner as if this jurisdiction had not been ceded The United States shall retain such jurisdiction so long as the said land shall be used for the purposes for which jurisdiction is ceded and no longer

The jurisdiction so ceded to the United States shall be upon the further condition that the Commonwealth reserves to itself and its political subdivisions whatever power of taxation it may constitutionally reserve to levy and collect all taxes now or hereafter imposed by the Commonwealth and its political subdivisions upon property persons and franchises within the boundaries so ceded

Section 2 This act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. COHEN. Mr. Speaker, I rise to a question of information.

The SPEAKER pro tempore. The gentleman will state it.

Mr. COHEN. Can the Speaker ascertain for me which gentleman on the other side would like to defend the bill?

The SPEAKER pro tempore. The Chair will recognize the Majority Leader of the House. Will the gentleman from Lehigh permit himself to be interrogated?

Mr. LICHTENWALTER. I shall, Mr. Speaker.

Mr. COHEN. Mr. Speaker, I should like to ask the gentleman whether or not in his opinion the provision of the bill on page three, beginning on line twenty and going to line twenty-six, which provides for the retention of the taxing power by the Commonwealth or the political subdivision to tax the Federal Government will stand a constitutional test.

Mr. LICHTENWALTER. I do, Mr. Speaker. I think the language is very clear.

Mr. COHEN. Mr. Speaker, may I ask the gentleman whether a political subdivision may tax the Commonwealth of Pennsylvania?

Mr. LICHTENWALTER. It may not, Mr. Speaker.

Mr. COHEN. May I ask the gentleman whether a political subdivision or the Commonwealth of Pennsylvania may tax the government of the United States?

Mr. LICHTENWALTER. It may not, Mr. Speaker.

Mr. COHEN. That is all, Mr. Speaker.

Mr. Speaker, this is no particular objection to this bill. In fact it passed over in the Senate without a dissenting vote, but I suspicion possibly the gentlemen of the Senate may have passed up a provision of the bill that may make the bill defective. There is no great harm in providing for the retention of "concurrent jurisdiction with the United States in and over all lands acquired or hereafter acquired as aforesaid that all civil and criminal process issued by any court of competent jurisdiction . . ." as relating to federal property. That is proper, but the reservation to tax the Federal Government, while it does not impose a tax is just a bit of surplusage that to my mind makes the bill defective. You cannot tax the United States Government nor any property owned by the United States Government nor any of its agencies, and while we passed a bill which provides a hold on the title to land which we cede to the Federal Government, and which in most instances I believe the Federal Government pays for, to hold a line on the right to tax is merely saying something that we cannot do, that we can't finish, and I believe that the bill should not pass until that section is stricken out. I think that we ought to slow up in order to convince the Senate that it is a perfectly stupid provision. If we do so it might be passed, and we might have a piece of good legislation.

Mr. LICHTENWALTER. Mr. Speaker, I understand that the series of bills that have been passed recently, and the acts of the Department of Internal Affairs and the Secretary of the Commonwealth in ceding lands to the federal government for the erection of federal buildings, and recently for federal operations in the war effort, that the provision here would just retain some control by the Commonwealth of Pennsylvania at such time that the federal government might relinquish the particular land which was ceded to them. It would just retain such rights as the Commonwealth should retain at any time in the future when the federal government might not continue its operations on the lands ceded to them.

I don't see anything wrong, because the bill clearly states in the paragraph beginning with line 22, "whatever power of taxation it may constitutionally reserve. . . ."

I think that is very clear and would definitely not place the Commonwealth in any position where we could even make a gesture to tax the Federal Government any more than as the gentleman has stated the local municipalities can tax the Commonwealth.

Mr. COHEN. Mr. Speaker, briefly replying to the gentleman, of course, when we give the Federal Government the right of ownership of land, and the Federal Government sells that land either privately or publically, the purchaser would then become, whether an individual or a corporation or anyone else, liable to pay taxes, but I think we have been very hospitable in Pennsylvania to the Federal Government. We have permitted them to get a lot of our land, to come in and take it for military purposes and other purposes. The Federal Government ownes the land; you can't make them pay taxes. It is not being very polite, it is not being very hospitable to tell them "Come on, but we are watching you." I think it is just not good manners and I think we ought to take it out of the bill.

Mr. LICHTENWALTER. Mr. Speaker, I see no reason for feeling that we are distressing anyone by repeating in the bill these particular lines. I know that the Federal Government in many of its acts passed by Congress in which the State participates certainly have a lot of strings to everything they possibly can have before they grant anything to the Commonwealth of Pennsylvania or the other forty-seven states, in the same way that we grant powers to any political sub-division. All we ask here is that the Commonwealth reserve what is constitutionally right for itself and its political subdivisions. I see no harm in the bill.

Mr. MAHANY. Mr. Speaker, about two or three months ago I believe the Supreme Court of Pennsylvania held that the Defense Plant Corporation could be held subject to local taxation. It was along the same line as the Mesta Machine Company case which was decided by the Supreme Court of Pennsylvania and later reversed by the United States Supreme Court.

However, in these late cases decided by the Supreme Court of Pennsylvania they have held that Defense Plant Corporation, owning property is subject to local taxation. I believe that this bill would allow such taxation if the same is enacted. Therefore, I believe it is constitutional and I think it is much needed legislation.

Mr. BROWN. Mr. Speaker, may I have the honor to concur in the position taken on the constitutional point raised by the gentleman from Lehigh, Mr. Lichtenwalter. I think it is an honor and a privilege. I think his position is correct. This bill simply provides that they may retain such power of taxation as is constitutional, which is no power at all. It gives no power, and this amendment takes no power. If they have no power, they retain no power. Again I would like to concur in the position taken by the gentleman from Lehigh, Mr. Lichtenwalter.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—111

Barton,	Frost,	Madden,	Salus,
Baumunk,	Fullerton,	Madigan,	Serrill,
Bonawitz,	Gardner,	Mahany,	Shoemaker,
Boorse,	Getchey,	McAtee,	Sloan,
Bower,	Gibson,	McClester,	Smith,
Breisch,	Goodling,	McCormack,	Snyder,
Brice,	Greenwood,	McDowell,	Sollenberger,
Brown,	Greer,	McKinney,	Sorg,
Brunner, C. H.,	Guthrie,	McMillen,	Stockham,
Cadwalader,	Gyger,	Mikula,	Stonier,
Cook,	Hall,	Miller,	Stuart,
Cooper,	Hare,	Milliken,	Tahl,
Costa,	Haudenshield,	Moore, C. E.,	Tittle,
Coulson,	Helm,	Moser,	Trout,
Dague,	Hewitt,	Murray, P. G.,	Turbett,
Dalrymple,	Hoffman,	Nelson,	Turner,
Dennison,	Howells,	O'Connor,	Wachhaus,
Depuy,	Huntley,	O'Dare,	Wagner,
Dix,	James,	Pickens,	Waterhouse,
Dye,	Kennedy,	Propert,	Watkins,
Elder,	Kline,	Readinger,	Weiss,
Erb,	Kurtz,	Reagan,	Wescott,
Ewing,	Laughner,	Reese, D. P.,	Wood, L. H.,
Flack,	Lee,	Reilly,	Wood, N.,
Fleming,	Leisey,	Riley,	Worley,
Foor,	Lichtenwalter,	Robertson,	Yeakel,
Fox,	Loftus,	Root,	Fiss,
Freed,	Lyons,	Royer,	Speaker.

NAYS—81

Andrews,	Gallagher,	Matthews,	Powers,
Baker,	Gore,	McLanahan,	Regan,
Barrett,	Grant,	McNair,	Reidenbach,
Bentzel,	Green,	McNally,	Reynolds,
Boies,	Haberlen,	Modell,	Rose,
Boney,	Hamilton,	Mooney,	Rudisill,
Boory,	Heatherington,	Moore, W. J.,	Scanlon,
Brancato,	Hennihan,	Moran,	Schuster,
Brunner, P. A.,	Hering,	Munley,	Shaffer,
Burns,	Hersch,	Murray, M. L.,	Skale,
Chudoff,	Hunter,	Myhan,	Snider,
Cohen,	Jones,	Nagel,	Stank,
Coleman,	Kirley,	O'Brien,	Swope,
Corrigan,	Kolankiewicz,	O'Donnell,	Tate,
Coyle,	Komorofski,	O'Neill,	Varallo,
Cullen,	Lane,	Owens,	Verona,
Dougherty,	Leonard,	Pentrack,	Welsh,
Duffy,	Longo,	Petrosky,	White,
Elish,	Lopez,	Pettigrew,	Wright,
Finnerty,	Lovett,	Polen,	Yester,
Gaffney,			

NOT VOTING—13

Bentley,	Hoggard,	Mihm,	Reese, R. E.,
Brothers,	Hoopes,	Mills,	Trachtman,
Dillon,	Levy,	Polaski,	Trent,
Herman,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILLS PASSED OVER

There being no objection

House Bill No. 181, Printer's No. 195, and

House Bill No. 183, Printer's No. 196,

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 933, as follows:

An Act to add section one thousand six hundred fifteen to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for the release of pupils from the public schools for religious instruction

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shal be administered and prescribing penaties for the violation thereof provding revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" is hereby amended by adding after section one thousand six hundred fourteen a new section to read as follows

Section 1615 Release of Pupils for Religious Instruction Any board of school directors of any school district shall have power to enter into suitable arrangement with a religious group or organization of responsible citizens resident in the school district who are interested in organizing part-time weekday religious education for school pupils In such cases the board of school directors shall have power to adopt such rules and regulations for the release from school sessions of those pupils whose parents or surviving parent or guardian or other person having legal custody of such pupil desires to have them attend a class to receive religious education in accordance with their religious faith for not more than one hour a week subject however to such conditions and the keeping of such records of attendance at such classes and other records for the inspection of school authorities as the board shall deem proper No part of the cost and expense of such religious instruction shall be paid out of public school funds

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Andrews,	Fullerton,	Madden,	Reynolds,
Baker,	Gaffney,	Madigan,	Riley,
Barrett,	Gallagher,	Mahany,	Robertson,
Barton,	Gardner,	Matthews,	Root,
Baumunk,	Getchey,	McAtee,	Rose,
Bentzel,	Gibson,	McClester,	Royer,
Boies,	Goodling,	McCormack,	Rudisill,
Bonawitz,	Gore,	McDowell,	Salus,
Boney,	Grant,	McKinney,	Scanlon,
Boorse,	Green,	McLanahan,	Schuster,
Boory,	Greenwood,	McMillen,	Serrill,
Bower,	Greer,	McNair,	Shaffer,
Brancato,	Guthrie,	McNally,	Shoemaker,
Breisch,	Gyger,	Mikula,	Skale,
Brice,	Haberlen,	Miller,	Sloan,
Brown,	Hall,	Milliken,	Smith,
Brunner, C. H.,	Hamilton,	Mills,	Snider,
Brunner, P. A.,	Hare,	Modell,	Snyder,
Burns,	Haudenshield,	Mooney,	Sollenberger,
Cadwalader,	Heatherington,	Moore, C. E.,	Sorg,
Chudoff,	Helm,	Moore, W. J.,	Stank,
Cohen,	Hennihan,	Moran,	Stockham,
Coleman,	Hering,	Moser,	Stonier,
Cook,	Hersch,	Munley,	Stuart,
Cooper,	Hewitt,	Murray, M. L.,	Swope,

Corrigan,	Hoffman,	Murray, P. G.,	Tahl,
Costa,	Hoggard,	Myhan,	Tate,
Coulson,	Howells,	Nagel,	Tittle,
Coyle,	Hunter,	Nelson,	Trachtman,
Cullen,	Huntley,	O'Brien,	Trent,
Dague,	James,	O'Connor,	Trout,
Dalrymple,	Jones,	O'Dare,	Turbett,
Dennison,	Kennedy,	O'Donnell,	Turner,
Depuy,	Kirley,	O'Neill,	Varallo,
Dillon,	Kline,	Owens,	Verona,
Dix,	Kolankiewicz,	Pentrack,	Wachhaus,
Dougherty,	Komorofski,	Petrosky,	Wagner,
Duffy,	Kurtz,	Pettigrew,	Waterhouse,
Dye,	Lane,	Pickens,	Watkins,
Elder,	Laughner,	Polaski,	Weiss,
Elish,	Lee,	Polen,	Wescott,
Erb,	Leisey,	Powers,	White,
Ewing,	Leonard,	Propert,	Wood, L. H.,
Finnerty,	Levy,	Readinger,	Wood, N.,
Flack,	Lichtenwalter,	Reagan,	Worley,
Fleming,	Loftus,	Reese, D P.,	Wright,
Foor,	Longo,	Reese, R. E.,	Yeakel,
Fox,	Lopez,	Regan,	Yester,
Freed,	Lovett,	Reidenbach,	Fiss,
Frost,	Lyons,	Reilly,	Speaker.

NAYS—1

Welsh,

NOT VOTING—5

Bentley,	Herman,	Hoopes,	Mihm,
Brothers,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1014, as follows:

An Act authorizing township supervisors to declare dogs running at large in packs a nuisance and directing the killing of such dogs

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The township supervisors of any township are hereby authorized to declare the running of dogs in packs a nuisance whether or not such dogs bear the license tags required by the provisions of the "Dog Law of 1921" when it appears to such township supervisors that the pack of dogs is menacing the inhabitants of such township

The township supervisors shall upon declaring such a nuisance post notice thereof in five different places throughout the township or part thereof where such dogs in packs have been seen to run Thereafter the constable supervisors and the police of such township shall kill such dogs on sight and without liability or responsibility of any nature for such killing

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. BARTON. Mr. Speaker, I should like to interrogate the sponsor of this bill.

The SPEAKER pro tempore. Will the gentleman from Fayette, Mr. Burns, permit himself to be interrogated?

Mr. BURNS. I shall, Mr. Speaker.

Mr. BARTON. Will the gentleman explain to the House how many dogs are in a pack.

Mr. BURNS. Two or more, Mr. Speaker.

Mr. BARTON. Will the sponsor of this bill tell the House how this bill will affect hunters who are training their dogs according to the provisions of the Game Code.

Mr. BURNS. Mr. Speaker, it would have no effect at all upon the hunters who are out training their dogs, unless they do as the bill says, run at large and cause damage of some sort or other.

Mr. BARTON. Mr. Speaker, does the sponsor of this bill know that hunters when they are training dogs, the dogs are running at large?

Mr. BURNS. Well, Mr. Speaker, the bill simply says "When it appears to such township supervisors that the pack of dogs is menacing the inhabitants of such township." In the matter of the training, unless the dogs are running at large it would have no effect under this bill.

Mr. BARTON. Mr. Speaker, will the sponsor of this bill tell us of any condition of which he knows which warrants the passage of this bill or any such legislation?

Mr. BURNS. I will, Mr. Speaker. This is a very serious bill, and I think the Members of this House should take the matter into consideration, because in my county, in which this bill originated, Fayette County, it was proposed and suggested by the supervisors because on several occasions school children have been attacked by these dogs that are running lose.

Also we have at the present time a young lady who has been confined to the hospital for the past couple months. She is in bad condition at the present time because of dogs that attacked her, and she will be disfigured for life.

Also, Mr. Speaker, you will find that the supervisors tried to have this condition remedied, but in the second class township code there is nothing that states that they have the authority, and that is the purpose of this bill.

Mr. BARTON. Mr. Speaker, will the sponsor of the bill tell us if the dog law of 1921 would not cover in every respect all that would be required to clean up the conditions?

Mr. BURNS. No, Mr. Speaker, they will not, because we have tried. We have appealed to the Agriculture Department and we have appealed to the dog catchers of the county but as yet there has nothing been done about it. As yet there has been nothing done. That again is the purpose of this bill.

Mr. BARTON. I thank the sponsor of the bill.

Mr. Speaker, this might be good legislation but it doesn't make sense to me. We have a dog law now which is not too well enforced, and I don't see why we should drag the supervisors of any township into the matter of enforcing the dog law.

I do not see anything in this bill to prevent valuable hunting dogs from being shot promiscuously by the supervisor, by the constable or by the police officer of the township where this is put into effect. All that any hunter would have in the way of notice would be five notices posted over a township. How would a hunter travel all over a township to see those five notices to keep his dogs off that land? Even in training dogs the dogs are bound to get away, and I don't see any reason for passing any legislation or even spending any time in debating legislation of this kind. I hope the Members

will not put another dog law on the statute books of this Commonwealth that will not be enforced.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—84

Andrews,	Elish,	Kolankiewicz,	Readinger,
Baker,	Erb,	Komorofski,	Reese, R. E.,
Barrett,	Finnerty,	Leonard,	Reidenbach,
Bentzel,	Gaffney,	Levy,	Rudisill,
Boies,	Gallagher,	Longo,	Schuster,
Boney,	Goodling,	Madden,	Shaffer,
Boory,	Gore,	Madigan,	Snider,
Brancato,	Grant,	Matthews,	Sorg,
Brice,	Green,	McKinney,	Stank,
Brown,	Greer,	McNair,	Swope,
Brunner, P. A.,	Guthrie,	Moore, W. J.,	Tate,
Burns,	Haberlen,	Moran,	Trachtman,
Chudoff,	Hamilton,	Murray, M. L.,	Trent,
Cohen,	Hare,	Myhan,	Varallo,
Coleman,	Hering,	Nagel,	Verona,
Cook,	Hersch,	Owens,	Watkins,
Coyle,	Hunter,	Pentrack,	Weiss,
Dalrymple,	Jones,	Petrosky,	Welsh,
Dillon,	Kennedy,	Pettigrew,	Wright,
Dougherty,	Kirley,	Polen,	Yester,
Duffy,	Kline,	Powers,	

NAYS—83

Barton,	Gibson,	McClester,	Salus,
Baumunk,	Gyger,	McDowell,	Serrill,
Bonawitz,	Hall,	McMillen,	Shoemaker,
Boorse,	Haudenshield,	McNally,	Sloan,
Breisch,	Heatherington,	Mikula,	Smith,
Brunner, C. H.,	Hennihan,	Miller,	Stockham,
Cadwalader,	Hewitt,	Milliken,	Stonier,
Costa,	Hoffman,	Modell,	Stuart,
Cullen,	Howells,	Mooney,	Tahl,
Dague,	Huntley,	Moore, C. E.,	Tittle,
Dennison,	James,	Murray, P. G.,	Trout,
Depuy,	Kurtz,	Nelson,	Turner,
Dix,	Laughner,	O'Connor,	Wachhaus,
Elder,	Lee,	O'Dare,	Waterhouse,
Ewing,	Leisey,	Pickens,	White,
Flack,	Lichtenwalter,	Propert,	Wood, L. H.,
Foor,	Loftus,	Reilly,	Wood, N.,
Fox,	Lovett,	Riley,	Worley,
Freed,	Lyons,	Robertson,	Yeakel,
Frost,	Mahany,	Root,	Fiss,
Fullerton,	McAtee,	Royer,	Speaker.

NOT VOTING—38

Bentley,	Greenwood,	Mills,	Reynolds,
Bower,	Helm,	Moser,	Rose,
Brothers,	Herman,	Munley,	Scanlon,
Cooper,	Hoggard,	O'Brien,	Skale,
Corrigan,	Hoopes,	O'Donnell,	Snyder,
Coulson,	Lane,	O'Neill,	Sollenberger,
Dye,	Lopez,	Polaski,	Turbett,
Fleming,	McCormack,	Reagan,	Wagner,
Gardner,	McLanahan,	Reese, D. P.,	Wescott,
Getchey,	Mihm,	Regan,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILL PASSED OVER

There being no objection

House Bill No. 149, Printer's No. 462

was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 217, as follows:

An Act to further amend the title and the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 176) entitled as amended "An act requiring cities of the second second A and third class to allow members of the police departments twenty-four consecutive hours of rest each week and fourteen days vacation each year except in emergency cases" extending the provisions of said act to cities boroughs incorporated towns and townships

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 176) entitled as amended "An act requiring cities of the second second A and third class to allow members of the police departments twenty-four consecutive hours of rest each week and fourteen days vacation each year except in emergency cases" as amended by the act approved the first day of May one thousand nine hundred thirty-nine (P. L. 40) are hereby further amended to read as follows

An Act requiring [cities of the second second A and third class] cities boroughs incorporated towns and townships to allow members of the police departments bureaus or forces twenty-four consecutive hours of rest each week and fourteen days vacation each year except in emergency cases and to furnish them with transportation and insurance coverage while engaged on special duty

Section 1 Be it enacted &c That any [city of the second second A and third class] city borough incorporated town or township having a police department bureau or force shall allow and permit every member of such police department to have at least twenty-four consecutive hours of rest in every calendar week except in emergency cases for the suppression of riots or tumults or the preservation of the public peace in times of war riot conflagration or public celebrations and to have an annual vacation of not less than fourteen days without diminution of the salary or compensation fixed by ordinance or resolution of such city borough incorporated town or township

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Andrews,	Gaffney,	Madigan,	Riley,
Baker,	Gallagher,	Mahany,	Robertson,
Barrett,	Gardner,	Matthews,	Root,
Barton,	Getchey,	McAtee,	Rose,
Baumunk,	Gibson,	McClester,	Royer,
Bentzel,	Goodling,	McCormack,	Rudisill,
Boies,	Gore,	McDowell,	Salus,
Bonawitz,	Grant,	McKinney,	Scanlon,
Boney,	Green,	McLanahan,	Schuster,
Boorse,	Greenwood,	McMillen,	Serrill,
Boory,	Greer,	McNair,	Shaffer,
Bower,	Guthrie,	McNally,	Shoemaker,
Brancato,	Gyger,	Mikula,	Skale,
Breisch,	Haberlen,	Miller,	Sloan,
Brice,	Hall,	Milliken,	Smith,
Brown,	Hamilton,	Mills,	Snider,
Brunner, C. H.,	Hare,	Modell,	Snyder,
Brunner, P. A.,	Haudenshield,	Mooney,	Sollenberger,
Burns,	Heatherington,	Moore, C. E.,	Sorg,
Cadwalader,	Helm,	Moore, W. J.,	Stank,
Chudoff,	Hennihan,	Moran,	Stockham,
Cohen,	Hering,	Moser,	Stonier,
Coleman,	Hersch,	Munley,	Stuart,
Cook,	Hewitt,	Murray, M. L.,	Swope,
Cooper,	Hoffman,	Murray, P. G.,	Tahl,
Corrigan,	Hoggard,	Myhan,	Tate,

Costa,	Howells,	Nagel,	Tittle,
Coulson,	Hunter,	Nelson,	Trachtman,
Coyle,	Huntley,	O'Brien,	Trent,
Cullen,	James,	O'Connor,	Trout,
Dague,	Jones,	O'Dare,	Turbett,
Dalrymple,	Kennedy,	O'Donnell,	Turner,
Dennison,	Kirley,	O'Neill,	Varallo,
Depuy,	Kline,	Owens,	Verona,
Dillon,	Kolankiewicz,	Pentrack,	Wachhaus,
Dix,	Komorofski,	Petrosky,	Wagner,
Dougherty,	Kurtz,	Pettigrew,	Waterhouse,
Duffy,	Lane	Pickens,	Watkins,
Dye,	Laughner,	Polaski,	Weiss,
Elder,	Lee,	Polen,	Welsh,
Elish,	Leisey,	Powers,	Wescott,
Erb,	Leonard,	Propert,	White,
Ewing,	Levy,	Readinger,	Wood, L. H.,
Finnerty,	Lichtenwalter,	Reagan,	Wood, N.,
Flack,	Loftus,	Reese, D P.,	Worley,
Fleming,	Longo,	Reese, R. E.,	Wright,
Foor,	Lopez,	Regan,	Yeakel,
Fox,	Lovett,	Reidenbach,	Yester,
Freed,	Lyons,	Reilly,	Fiss,
Frost,	Madden,	Reynolds,	Speaker.
Fullerton,			

NAYS—0

NOT VOTING—5

Bentley,	Herman,	Hoopes,	Mihm,
Brothers,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 641, as follows:

An Act to reenact and amend the title and Sections one two three and four of the act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 797) entitled "An act relating to the release reduction or limitation of powers of appointment by extending the terms of such act to cover a power of consumption and by providing for the release and disclaimer of any power of appointment whether general or special other than a power in trust which is imperative and of any interest in to or over real or personal property or the income therefrom held or owned outright or in trust or in any other manner reserved or given to any person by deed will or otherwise howsoever and irrespective of any limitations of such power or interest by virtue of any restriction in the nature of a so-called spendthrift trust provision or similar provision and providing for the execution delivery and recording of such release or disclaimer

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 797) entitled "An act relating to the release reduction or limitation of powers of appointment" is hereby amended to read as follows

An Act relating to the release disclaimer reduction or limitation of a power of appointment including a power of consumption whether general or special other than a power in trust which is imperative and of any interest in to or over real or personal property or the income therefrom held or owned outright or in trust or in any manner reserved or given to any person by deed will or otherwise howsoever and irrespective of any limitation of any power or interest by virtue of any restriction in the nature of a spendthrift trust provision or similar provision and providing for the execution delivery and recording of such release or disclaimer

Section 2 Section one of the act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 797) is hereby amended to read as follows

Section 1 [Any power of appointment over real or personal property which is exercisable by deed by will by deed or will or otherwise whether general or special other than a power in trust which is imperative is releasable either with or without consideration by written instrument signed by the person possessing the power and delivered as hereinafter provided] Any power of appointment including any power of consumption whether general or special other than a power in trust which is imperative and any interest in to or over real is imperative and any interest in to or over real or personal property or the income therefrom held or owned outright or in trust or in any other manner which is reserved or given to any person by deed will or otherwise howsoever and irrespective of any limitation of such power or interest by virtue of any restriction in the nature of a so-called spendthrift trust provision or similar provision may be released or disclaimed either with or without consideration by written instrument signed by the person possessing the power or the interest and delivered as hereinafter provided

Section 3 Section two of the act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 797) is hereby amended to read as follows

Section 2 A power or interest which is releasable or disclaimable under Section one hereof may be released or disclaimed either absolutely or conditionally and may also be released or disclaimed with respect to the whole or any part of the property subject to such power or interest and may also be released or disclaimed in such manner as to reduce or limit the persons or objects or classes of persons or objects in whose favor such power or interest would otherwise be exercisable except that no power or interest subject to a spendthrift trust provision or similar provision may be released or disclaimed except in favor of a remainderman No release or disclaimer of a power or of an interest shall be deemed to make imperative a power or interest which was not imperative prior to such release or disclaimer unless the instrument of release or disclaimer expressly so provides

Section 4 Section three of the act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 797) is hereby amended to read as follows

Section 3 Such release or disclaimer may be delivered to any of the following

(a) Any person specified for such purpose in the instrument creating the power or interest

(b) Any trustee of the property to which the power or interest relates

(c) Any person other than the person possessing the power or interest who could be adversely affected by an exercise of the power or interest

(d) The recorder of deeds of the county in which the person possessing the power or interest resides or has a place of business or in which the deed will or other instrument creating the power or interest is recorded or filed

Section 5 Section four of the act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 797) is hereby amended to read as follows

Section 4 This act shall apply to releases and disclaimers heretofore and hereafter delivered

Section 6 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Andrews,	Gaffney,	Madigan,	Riley,
Baker,	Gallagher,	Mahany,	Robertson,
Barrett,	Gardner,	Matthews,	Root,
Barton,	Getchey,	McAtee,	Rose,
Baumunk,	Gibson,	McClester,	Royer,
Bentzel,	Goodling,	McCormack,	Rudisill,
Bonawitz,	Gore,	McDowell,	Salus,
Boies,	Grant,	McKinney,	Scanlon,
Boney,	Green,	McLanahan,	Schuster,
Boorse,	Greenwood,	McMillen,	Serrill,
Boory,	Greer,	McNair,	Shaffer,
Bower,	Guthrie,	McNally,	Shoemaker,
Brancato,	Gyger,	Mikula,	Skale,
Breisch,	Haberlen,	Miller,	Sloan,
Brice,	Hall,	Milliken,	Smith,
Brown,	Hamilton,	Mills,	Snider,
Brunner, C. H.,	Hare,	Modell,	Snyder,
Brunner, P. A.,	Haudenshield,	Mooney,	Sollenberger,
Burns,	Heatherington,	Moore, C. E.,	Sorg,
Cadwalader,	Helm,	Moore, W. J.,	Stank,
Chudoff,	Hennihan,	Moran,	Stockham,
Cohen,	Hering,	Moser,	Stonier,
Coleman,	Hersch,	Munley,	Stuart,
Cook,	Hewitt,	Murray, M. L.,	Swope,
Cooper,	Hoffman,	Murray, P. G.,	Tahl,
Corrigan,	Hoggard,	Myhan,	Tate,
Costa,	Howells,	Nagel,	Tittle,
Coulson,	Hunter,	Nelson,	Trachtman,
Coyle,	Huntley,	O'Brien,	Trent,
Cullen,	James,	O'Connor,	Trout,
Dague,	Jones,	O'Dare,	Turbett,
Dalrymple,	Kennedy,	O'Donnell,	Turner,
Dennison,	Kirley,	O'Neill,	Varallo,
Depuy,	Kline,	Owens,	Verona,
Dillon,	Kolankiewicz,	Pentrack,	Wachhaus,
Dix,	Komorofski,	Petrosky,	Wagner,
Dougherty,	Kurtz,	Pettigrew,	Waterhouse,
Duffy,	Lane,	Pickens,	Watkins,
Dye,	Laughner,	Polaski,	Weiss,
Elder,	Lee,	Polen,	Welsh,
Elish,	Leisey,	Powers,	Wescott,
Erb,	Leonard,	Propert,	White,
Ewing,	Levy,	Readinger,	Wood, L. H.,
Finnerty,	Lichtenwalter,	Reagan,	Wood, N.,
Flack,	Loftus,	Reese, D. P.,	Worley,
Fleming,	Longo,	Reese, R. E.,	Wright,
Foor,	Lopez,	Regan,	Yeakel,
Fox,	Lovett,	Reidenbach,	Yester,
Freed,	Lyons,	Reilly,	Fiss,
Frost,	Madden,	Reynolds,	Speaker.
Fullerton,			

NAYS—0

NOT VOTING—5

Bentley,	Herman,	Hoopes,	Mihm,
Brothers,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1010, as follows:

An Act to add clause (k) to section one thousand three hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the organization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by providing for further regulation of secondary education and placing additional duties upon the Department of Public Instruction and secondary schools

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand three hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" is hereby amended by adding clause (k) to read as follows

Section 1302 Public Schools The Department of Public Instruction shall have the power and its duty shall be

* * * * *

(k) To hold examinations in secondary school subjects at suitable times and places to be designated by the Superintendent of Public Instruction for the determination of the fitness of applicants unable to present satisfactory certificates showing completion of secondary school courses and to issue such certificates to those found proficient provided that admission to such examinations shall be denied any applicant eighteen years of age or under regularly enrolled in an accredited secondary school and no applicant eighteen years of age or under not enrolled in an accredited secondary school shall be allowed to obtain more units of secondary school credits through such examinations during any year than could be carried during any year through enrollment in an accredited secondary school and to authorize accredited secondary schools to hold similar examinations and grant similar certificates under rules regulations and standards issued by the Department of Public Instruction

To establish and publish standards whereby the secondary education of any resident of Pennsylvania who has not fully completed his or her studies in an accredited secondary school but has otherwise completed educational studies of an equivalent standard may be determined and evaluated The department may under rules and regulations issued by it grant credits certificates or diplomas for secondary school education for educational courses offered by

(1) The military naval or merchant marine services

(2) The A S T P the Army Institute

(3) Evening or extension courses established by schools and colleges accredited or approved by the State Council of Education or the Department of Public Instruction

(4) Institutions maintained by the Commonwealth

The Department of Public Instruction may under rules

and regulations issued by it authorize accredited secondary schools to determine and evaluate secondary school subjects grant credits certificates and diplomas in like manner

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Andrews,	Gaffney,	Madigan,	Riley,
Baker,	Gallagher,	Mahany,	Robertson,
Barrett,	Gardner,	Matthews,	Root,
Barton,	Getchey,	McAtee,	Rose,
Baumunk,	Gibson,	McClester,	Royer,
Bentzel,	Goodling,	McCormack,	Rudisill,
Boies,	Gore,	McDowell,	Salus,
Bonawitz,	Grant,	McKinney,	Scanlon,
Boney,	Green,	McLanahan,	Schuster,
Boorse,	Greenwood,	McMillen,	Serrill,
Boory,	Greer,	McNair,	Shaffer,
Bower,	Guthrie,	McNally,	Shoemaker,
Brancato,	Gyger,	Mikula,	Skale,
Breisch,	Haberlen,	Miller,	Sloan,
Brice,	Hall,	Milliken,	Smith,
Brown,	Hamilton,	Mills,	Snider,
Brunner, C. H.,	Hare,	Modell,	Snyder,
Brunner, P. A.,	Haudenshield,	Mooney,	Sollenberger,
Burns,	Heatherington,	Moore, C. E.,	Sorg,
Cadwalader,	Helm,	Moore, W. J.,	Stank,
Chudoff,	Hennihan,	Moran,	Stockham,
Cohen,	Hering,	Moser,	Stonier,
Coleman,	Hersch,	Munley,	Stuart,
Cook,	Hewitt,	Murray, M. L.,	Swope,
Cooper,	Hoffman,	Murray, P. G.,	Tahl,
Corrigan,	Hoggard,	Myhan,	Tate,
Costa,	Howells,	Nagel,	Tittle,
Coulson,	Hunter,	Nelson,	Trachtman,
Coyle,	Huntley,	O'Brien,	Trent,
Cullen,	James,	O'Connor,	Trout,
Dague,	Jones,	O'Dare,	Turbett,
Dalrymple,	Kennedy,	O'Donnell,	Turner,
Dennison,	Kirley,	O'Neill,	Varallo,
Depuy,	Kline,	Owens,	Verona,
Dillon,	Kolankiewicz,	Pentrack,	Wachhaus,
Dix,	Komorofski,	Petrosky,	Wagner,
Dougherty,	Kurtz,	Pettigrew,	Waterhouse,
Duffy,	Lane,	Pickens,	Watkins,
Dye,	Laughner,	Polaski,	Weiss,
Elder,	Lee,	Polen,	Welsh,
Elish,	Leisey,	Powers,	Wescott,
Erb,	Leonard,	Propert,	White,
Ewing,	Levy,	Readinger,	Wood, L. H.,
Finnerty,	Lichtenwalter,	Reagan,	Wood, N.,
Flack,	Loftus,	Reese, D. P.,	Worley,
Fleming,	Longo,	Reese, R. E.,	Wright,
Foor,	Lopez,	Regan,	Yeakel,
Fox,	Lovett,	Reidenbach,	Yester,
Freed,	Lyons,	Reilly,	Fiss,
Frost,	Madden,	Reynolds,	Speaker.
Fullerton,			

NAYS—0

NOT VOTING—5

Bentley,	Herman,	Hoopes,	Milhm,
Brothers,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1036, as follows:

An Act relating to the rate of pay for policemen firemen and park guards in cities of the first class providing for a system whereby policemen firemen and park guards of cities of the first class who shall enter or who shall have entered the military service during the present hostilities shall be paid upon honorable discharge and re-entry into the police fire or park guard service at the same rate of pay as if they had actually served on the police force fire bureau or park guard force of cities of the first class during the years months or days they were in the military service

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In order that policemen firemen and park guards of cities of the first class who after their appointment to such position have entered the armed forces of the United States during the present hostilities shall not be put to a disadvantage because of such service after the effective date of this act the rate of pay accorded to such policemen firemen or park guards in cities of the first class shall be the same at the time of their honorable discharge from the armed services and their re-entry into the police fire or park guard service as it would have been had such policemen firemen or park guards in the cities of the first class been continuously employed as policemen firemen or park guards for the days months or years they served in the armed forces of the United States

Section 2 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Andrews,	Fullerton,	Madden,	Reynolds,
Baker,	Gaffney,	Madigan,	Riley,
Barrett,	Gallagher,	Mahany,	Robertson,
Barton,	Gardner,	Matthews,	Root,
Baumunk,	Getchey,	McAtee,	Rose,
Bentzel,	Gibson,	McClester,	Royer,
Boies,	Goodling,	McCormack,	Rudisill,
Bonawitz,	Gore,	McDowell,	Salus,
Boney,	Grant,	McKinney,	Scanlon,
Boorse,	Green,	McLanahan,	Schuster,
Boory,	Greenwood,	McMillen,	Serrill,
Bower,	Greer,	McNair,	Shaffer,
Brancato,	Guthrie,	McNally,	Shoemaker,
Breisch,	Gyger,	Mikula,	Skale,
Brice,	Haberlen,	Miller,	Sloan,
Brown,	Hall,	Milliken,	Smith,
Brunner, C. H.,	Hamilton,	Mills,	Snider,
Brunner, P. A.,	Hare,	Modell,	Snyder,
Burns,	Haudenshield,	Mooney,	Sollenberger,
Cadwalader,	Heatherington,	Moore, C. E.,	Sorg,
Chudoff,	Helm,	Moore, W. J.,	Stank,
Cohen,	Hennihan,	Moran,	Stockham,
Coleman,	Hering,	Moser,	Stonier,
Cook,	Hersch,	Munley,	Stuart,
Cooper,	Hewitt,	Murray, M. L.,	Swope,
Corrigan,	Hoffman,	Murray, P. G.,	Tahl,
Costa,	Hoggard,	Myhan,	Tate,
Coulson,	Howells,	Nagel,	Tittle,
Coyle,	Hunter,	Nelson,	Trachtman,
Cullen,	Huntley,	O'Brien,	Trent,
Dague,	James,	O'Connor,	Trout,
Dalrymple,	Jones,	O'Dare,	Turbett,
Dennison,	Kennedy,	O'Donnell,	Turner,
Depuy,	Kirley,	O'Neill,	Varallo,
Dillon,	Kline,	Owens,	Verona,
Dix,	Kolankiewicz,	Pentrack,	Wachhaus,
Dougherty,	Komorofski,	Petrosky,	Wagner,
Duffy,	Kurtz,	Pettigrew,	Waterhouse,
Dye,	Lane,	Pickens,	Watkins,
Elder,	Laughner,	Polaski,	Weiss,
Elish,	Lee,	Polen,	Welsh,
Erb,	Leisey,	Powers,	Wescott,

Ewing,	Leonard,	Propert,	White,
Finnerty,	Levy,	Readinger,	Wood, L. H.,
Flack	Lichtenwalter,	Reagan,	Wood, N.,
Fleming,	Loftus,	Reese, D. P.,	Worley,
Foor,	Longo,	Reese, R. E.,	Wright,
Fox,	Lopez,	Regan,	Yeakel,
Freed,	Lovett,	Reidenbach,	Yester,
Frost,	Lyons,	Reilly,	Fiss,
			Speaker.

NAYS—0

NOT VOTING—5

Bentley,	Herman,	Hoopes,	Mihm,
Brothers,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1119, as follows:

An Act to add subsection (d) to section eight of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 363) entitled "An act relating to the organization jurisdiction and procedure of the orphans' courts the powers and duties of the judges thereof and appeals therefrom" authorizing the clerk of the orphans' court to invest certain moneys in the custody of the court

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eight of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 363) entitled "An act relating to the organization jurisdiction and procedure of the orphans' courts the powers and duties of the judges thereof and appeals therefrom" is hereby amended by adding at the end thereof a new subsection to read as follows

Section 8 * * * * *

(d) Whenever because of the existence of a state of war assets subject to the jurisdiction of the Orphans' court are awarded to aliens and cannot be distributed but are paid into court the clerk of the orphans' court is authorized to invest such funds in such securities as are authorized by law for the investment of trust funds and to keep the same so invested until such funds can be distributed or are otherwise disposed of by order of the court

Section 2 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Andrews,	Fullerton,	Madden,	Reynolds,
Baker,	Gaffney,	Madigan,	Riley,
Barrett,	Gallagher,	Mahany,	Robertson,
Barton,	Gardner,	Matthews,	Root,
Baumunk,	Getchey,	McAtee,	Rose,
Bentzel,	Gibson,	McClester,	Royer,
Boies,	Goodling,	McCormack,	Rudisill,
Bonawitz,	Gore,	McDowell,	Salus,
Boney,	Grant,	McKinney,	Scanlon,
Boorse,	Green,	McLanahan,	Schuster,
Boory,	Greenwood,	McMillen,	Serrill,
Bower,	Greer,	McNair,	Shaffer,
Brancato,	Guthrie,	McNally,	Shoemaker,
Breisch,	Gyger,	Mikula,	Skale,
Brice,	Haberlen,	Miller,	Sloan,
Brown,	Hall,	Milliken,	Smith,
Brunner, C. H.,	Hamilton,	Mills,	Snider,
Brunner, P. A.,	Hare,	Modell,	Snyder,
Burns,	Haudenshield,	Mooney,	Sollenberger,
Cadwalader,	Heatherington,	Moore, C. E.,	Sorg,
Chudoff,	Helm,	Moore, W. J.,	Stank,
Cohen,	Hennihan,	Moran,	Stockham,
Coleman,	Hering,	Moser,	Stonier,
Cook,	Hersch,	Munley,	Stuart,
Cooper,	Hewitt,	Murray, M. L.,	Swope,
Corrigan,	Hoffman,	Murray, P. G.,	Tahl,
Costa,	Hoggard,	Myhan,	Tate,
Coulson,	Howells,	Nagel,	Tittle,
Coyle,	Hunter,	Nelson,	Trachtman,
Cullen,	Huntley,	O'Brien,	Trent,
Dague,	James,	O'Connor,	Trout,
Dalrymple,	Jones,	O'Dare,	Turbett,
Dennison,	Kennedy,	O'Donnell,	Turner,
Depuy,	Kirley,	O'Neill,	Varallo,
Dillon,	Kline,	Owens,	Verona,
Dix,	Kolankiewicz,	Pentrack,	Wachhaus,
Dougherty,	Komorofski,	Petrosky,	Wagner,
Duffy,	Kurtz,	Pettigrew,	Waterhouse,
Dye,	Lane,	Pickens,	Watkins,
Elder,	Laughner,	Polaski,	Weiss,
Elish,	Lee,	Polen,	Welsh,
Erb,	Leisey,	Powers,	Wescott,
Ewing,	Leonard,	Propert,	White,
Finnerty,	Levy,	Readinger,	Wood, L. H.,
Flack,	Lichtenwalter,	Reagan,	Wood, N.,
Fleming,	Loftus,	Reese, D. P.,	Worley,
Foor,	Longo,	Reese, R. E.,	Wright,
Fox,	Lopez,	Regan,	Yeakel,
Freed,	Lovett,	Reidenbach,	Yester,
Frost,	Lyons,	Reilly,	Fiss,
			Speaker.

NAYS—0

NOT VOTING—5

Bentley,	Herman,	Hoopes,	Mihm,
Brothers,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1195, as follows:

An Act to amend section ten of the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 886) entitled "An act creating a Municipal Employes' Retirement System for the payment of retirement allowances to officers and employes of political subdivisions and institutions supported and maintained by them and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor imposing certain duties on the State Employes' Retirement Board and the actuary thereof providing the procedure whereby political subdivisions may join such system and imposing certain liabilities and obligations on such political subdivisions in connection therewith and as to certain existing retirement and pension systems and upon officers and employes of such political subdivisions and institutions supported and maintained by them providing certain exemptions from taxation execution attachment levy and sale and making an appropriation" including any service as a member of the General Assembly in the period of service of a contributor upon his making certain back payments

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section ten of the act approved the fourth day of June one thousand nine hundred forty-three (P.

L. 886) entitled "An act creating a Municipal Employes' Retirement System for the payment of retirement allowances to officers and employes of political subdivisions and institutions supported and maintained by them and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor imposing certain duties on the State Employes' Retirement Board and the actuary thereof providing the procedure whereby political subdivisions may join such system and imposing certain liabilities and obligations on such political subdivisions in connection therewith and as to certain existing retirement and pension systems and upon officers and employes of such political subdivisions and institutions supported and maintained by them providing certain exemptions from taxation execution attachment levy and sale and making an appropriation" is hereby amended to read as follows

Section 10 Service Allowance In computing the length of service of a contributor for retirement purposes full credit shall be given to each original member for each year of service rendered to the municipality prior to the time the municipality joined the retirement system established by this act whether or not such service was continuous

As soon as practicable the board shall issue to each original member a certicate certifying the aggregate length of service rendered to the municipality prior to the time it joined the retirement system

Such certificate shall be final and conclusive as to his prior service unless thereafter modified by the board upon application of the member

In the case of a contributor who has at any time prior to his becoming a municipal employe as defined in this act been a member of the General Assembly of this Commonwealth the period of his service as such member shall be included in computing the period of service of such contributor provided he shall have paid to the retirement fund in such manner as may be agreed upon by such person and the board a sum equal to all the back payments which he would have made if a member of the retirement system during the entire period

The time during which a member was absent from service without pay shall not be counted in computing the service of a contributor in his certificate or upon retirement unless specially allowed by the municipality with the approval of the board

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Andrews,	Gaffney,	Madigan,	Riley,
Baker,	Gallagher,	Mahany,	Robertson,
Barrett,	Gardner,	Matthews,	Root,
Barton,	Getchey,	McAtee,	Rose,
Baumunk,	Gibson,	McClester,	Royer,
Bentzel,	Goodling,	McCormack,	Rudisill,
Boies,	Gore,	McDowell,	Salus,
Bonawitz,	Grant,	McKinney,	Scanlon,
Boney,	Green,	McLanahan,	Schuster,
Boorse,	Greenwood,	McMillen,	Serrill,
Boory,	Greer,	McNair,	Shaffer,
Bower,	Guthrie,	McNally,	Shoemaker,
Brancato,	Gyger,	Mikula,	Skale,
Breisch,	Haberlen,	Miller,	Sloan,
Brice,	Hall,	Milliken,	Smith,
Brown,	Hamilton,	Mills,	Snider,
Brunner, C. H.,	Hare,	Modell,	Snyder,
Brunner, P. A.,	Haudenshield,	Mooney,	Sollenberger,
Burns,	Heatherington,	Moore, C. E.,	Sorg,
Cadwalader,	Helm,	Moore, W. J.,	Stank,
Chudoff,	Hennihan,	Moran,	Stockham,
Cohen,	Hering,	Moser,	Stonier,
Coleman,	Hersch,	Munley,	Stuart,
Cook,	Hewitt,	Murray, M. L.,	Swope,
Cooper,	Hoffman,	Murray, P. G.,	Tahl,
Corrigan,	Hoggard,	Myhan,	Tate,
Costa,	Howells,	Nagel,	Tittle,
Coulson,	Hunter,	Nelson,	Trachtman,
Coyle,	Huntley,	O'Brien,	Trent,
Cullen,	James,	O'Connor,	Trout,
Dague,	Jones,	O'Dare,	Turbett,
Dalrymple,	Kennedy,	O'Donnell,	Turner,
Dennison,	Kirley,	O'Neill,	Varallo,
Depuy,	Kline,	Owens,	Verona,
Dillon,	Kolankiewicz,	Pentrack,	Wachhaus,
Dix,	Komorofski,	Petrosky,	Wagner,
Dougherty,	Kurtz,	Pettigrew,	Waterhouse,
Duffy,	Lane,	Pickens,	Watkins,
Dye,	Laughner,	Polaski,	Weiss,
Elder,	Lee,	Polen,	Welsh,
Elish,	Leisey,	Powers,	Wescott,
Erb,	Leonard,	Propert,	White,
Ewing,	Levy,	Readinger,	Wood, L. H.,
Finnerty,	Lichtenwalter,	Reagan,	Wood, N.,
Flack	Loftus,	Reese, D. P.,	Worley,
Fleming,	Longo,	Reese, R. E.,	Wright,
Foor,	Lopez,	Regan,	Yeakel,
Fox,	Lovett,	Reidenbach,	Yester,
Freed,	Lyons,	Reilly,	Fiss,
Frost,	Madden,	Reynolds,	Speaker.
Fullerton,			

NAYS—0

NOT VOTING—5

Bentley,	Herman,	Hoopes,	Mihm,
Brothers,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 172, as follows:

An Act providing for the appointment of guardians in inter vivos gifts or under insurance or annuity policies

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Any person who hereafter makes a deed or gift inter vivos or exercises a right under an insurance or annuity policy to designate the beneficiary to receive the proceeds of such policy may in such deed or in the instrument creating such gift or designating such beneficiary appoint a guardian of the estate or interest of each beneficiary named therein who shall be a minor or otherwise incompetent Payment by an insurance company to the guardian of such beneficiary so appointed shall discharge the insurance company to the extent of such payment to the same effect as payment to an otherwise duly appointed and qualified guardian

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Andrews,	Gaffney,	Madigan,	Riley,
Baker,	Gallagher,	Mahany,	Robertson,
Barrett,	Gardner,	Matthews,	Root,
Barton,	Getchey,	McAtee,	Rose,
Baumunk,	Gibson,	McClester,	Royer,
Bentzel,	Goodling,	McCormack,	Rudisill,
Boies,	Gore,	McDowell,	Salus,
Bonawitz,	Grant,	McKinney,	Scanlon,
Boney,	Green,	McLanahan,	Schuster,
Boorse,	Greenwood,	McMillen,	Serrill,
Boory,	Greer,	McNair,	Shaffer,

Bower,	Guthrie,	McNally,	Shoemaker,
Brancato,	Gyger,	Mikula,	Skale,
Breisch,	Haberlen,	Miller,	Sloan,
Brice,	Hall,	Milliken,	Smith,
Brown,	Hamilton,	Mills,	Snider,
Brunner, C. H.,	Hare,	Modell,	Snyder,
Brunner, P. A.,	Haudenshield,	Mooney,	Sollenberger,
Burns,	Heatherington,	Moore, C. E.,	Sorg,
Cadwalader,	Helm,	Moore, W. J.,	Stank,
Chudoff,	Hennihan,	Moran,	Stockham,
Cohen,	Hering,	Moser,	Stonier,
Coleman,	Hersch,	Munley,	Stuart,
Cook,	Hewitt,	Murray, M. L.,	Swope,
Cooper,	Hoffman,	Murray, P. G.,	Tahl,
Corrigan,	Hoggard,	Myhan,	Tate,
Costa,	Howells,	Nagel,	Tittle,
Coulson,	Hunter,	Nelson,	Trachtman,
Coyle,	Huntley,	O'Brien,	Trent,
Cullen,	James,	O'Connor,	Trout,
Dague,	Jones,	O'Dare,	Turbett,
Dalrymple,	Kennedy,	O'Donnell,	Turner,
Dennison,	Kirley,	O'Neill,	Varallo,
Depuy,	Kline,	Owens,	Verona,
Dillon,	Kolankiewicz,	Pentrack,	Wachhaus,
Dix,	Komorofski,	Petrosky,	Wagner,
Dougherty,	Kurtz,	Pettigrew,	Waterhouse,
Duffy,	Lane,	Pickens,	Watkins,
Dye,	Laughner,	Polaski,	Weiss,
Elder,	Lee,	Polen,	Welsh,
Elish,	Leisey,	Powers,	Wescott,
Erb,	Leonard,	Propert,	White,
Ewing,	Levy,	Readinger,	Wood, L. H.,
Finnerty,	Lichtenwalter,	Reagan,	Wood, N.,
Flack,	Loftus,	Reese, D. P.,	Worley,
Fleming,	Longo,	Reese, R. E.,	Wright,
Foor,	Lopez,	Regan,	Yeakel,
Fox,	Lovett,	Reidenbach,	Yester,
Freed,	Lyons,	Reilly,	Fiss,
Frost,	Madden,	Reynolds,	Speaker.
Fullerton,			

NAYS—0

NOT VOTING—5

Bentley,	Herman,	Hoopes,	Mihm,
Brothers,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 300, as follows:

An Act to further amend sections twenty-five twenty-six and thirty-six of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1237 entitled "An act affecting marital relations prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages and amend- and revising and consolidating the law relating thereto" by providing that libels in divorce may be presented subpoenas awarded and masters appointed by a judge at chambers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twenty-five of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1237) entitled "An act affecting martial relations prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages and amending revising and consolidating the law relating thereto" as amended by the act approved the thirteenth day of April one thousand nine hundred forty-three (P. L. 46) is hereby further amended to read as follows

Section 25 Presentation of Libel Contests Affidavit Any spouse may have his or her petition or libel in divorce presented to the court of common pleas when in session [or during vacation to a judge thereof at chambers] or to a judge thereof at chambers The petition or libel shall set forth therein particularly and specifically the cause of his or her complaint and shall be accompanied with an affidavit on oath or affirmation taken before one of the said judges or the prothontary or clerk of the court of common pleas or any person in any county of the Commonwealth legally authorized to take acknowledgment that the facts contained in said petition or libel are true to the best of his or her knowledge and belief and that the said complaint is not made out of levity or by collusion between the said husband and wife and for the mere purpose of being freed and separated from each other but in sincerity and truth for the causes mentioned

In the case of any spouse on active duty in the armed service of the United States in time of war the affidavit accompanying his or her libel in divorce may be taken within or without the Commonwealth before any officer commissioned in the armed forces of the United States authorized by law to take affidavits and acknowledgments

In cases where the respondent is a hopeless lunatic or non compos mentis the fact of lunacy of the respondent and such circumstances as may be sufficient to satisfy the mind of the court as to the truth of the allegation shall be set forth in the petition or libel and affidavit required by this section shall be taken by the petitioner

In cases where the libellant is a minor the libel shall be presented by a relative or next friend and the affidavit thereto shall be taken by such minor libellant

The court may allow any libel to be amended so as to include additional grounds or causes for divorce including such as arose subsequent to the awarding of the subpoena Notice of any such amendment shall be served on the respondent in such manner as the court may direct in its order allowing the amendment

Section 2 Section twenty-six of said act as amended by the act approved the twentieth day of June one thousand nine hundred thirty-nine (P. L. 467) is hereby further amended to read as follows

Section 26 Awarding Subpoena When Returnable Upon the presentation of the petition or libel a subpoena may be awarded by the said court [or a judge thereof in vacation] when in session or by a judge thereof at chambers signed by the prothonotary and directed to the party so complained against commanding him or her to appear which subpoena shall be returnable not less than thirty days after the award thereof either to the next or subsequent term or to such next or subsequent term or to such next or subsequent monthly or intermediate return day as shall have been or may be established for such court of common pleas either by statute or rule of court or both

Section 3 Section thirty-six of said act is hereby amended to read as follows

Section 36 Appointment of Master Powers When neither of the parties takes a rule for a jury trial or when after hearing the rule is discharged the court may proceed to hear the cause or may upon motion of either party made to the court of common pleas or to a judge thereof at chambers appoint a master to take testimony and return the same to the court

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Andrews,	Gaffney,	Madigan,	Riley,
Baker,	Gallagher,	Mahany,	Robertson,
Barrett,	Gardner,	Matthews,	Root,
Barton,	Getchey,	McAtee,	Rose,
Baumunk,	Gibson,	McClester,	Royer,
Bentzel,	Goodling,	McCormack,	Rudisill,
Boies,	Gore,	McDowell,	Salus,
Bonawitz,	Grant,	McKinney,	Scanlon,
Boney,	Green,	McLanahan,	Schuster,
Boorse,	Greenwood,	McMillen,	Serrill,
Boory,	Greer,	McNair,	Shaffer,
Bower,	Guthrie,	McNally,	Shoemaker,
Brancato,	Gyger,	Mikula,	Skale,
Breisch,	Haberlen,	Miller,	Sloan,
Brice,	Hall,	Milliken,	Smith,
Brown,	Hamilton,	Mills,	Snider,
Brunner, C. H.,	Hare,	Modell,	Snyder,
Brunner, P. A.,	Haudenshield,	Mooney,	Sollenberger,
Burns,	Heatherington,	Moore, C. E.,	Sorg,
Cadwalader,	Helm,	Moore, W. J.,	Stank,
Chudoff,	Hennihan,	Moran,	Stockham,
Cohen,	Hering,	Moser,	Stonier,
Coleman,	Hersch,	Munley,	Stuart,
Cook,	Hewitt,	Murray, M. L.,	Swope,
Cooper,	Hoffman,	Murray, P. G.,	Tahl,
Corrigan,	Hoggard,	Myhan,	Tate,
Costa,	Howells,	Nagel,	Tittle,
Coulson,	Hunter,	Nelson,	Trachtman,
Coyle,	Huntley,	O'Brien,	Trent,
Cullen,	James,	O'Connor,	Trout,
Dague,	Jones,	O'Dare,	Turbett,
Dalrymple,	Kennedy,	O'Donnell,	Turner,
Dennison,	Kirley,	O'Neill,	Verona,
Depuy,	Kline,	Owens,	Varallo,
Dillon,	Kolankiewicz,	Pentrack,	Wachhaus,
Dix,	Komorofski,	Petrosky,	Wagner,
Dougherty,	Kurtz,	Pettigrew,	Waterhouse,
Duffy,	Lane,	Pickens,	Watkins,
Dye,	Laughner,	Polaski,	Weiss,
Elder,	Lee,	Polen,	Welsh,
Elish,	Leisey,	Powers,	Wescott,
Ewing,	Leonard,	Propert,	White,
Erb,	Levy,	Readinger,	Wood, L. H.,
Finnerty,	Lichtenwalter,	Reagan,	Wood, N.,
Flack,	Loftus,	Reese, D. P.,	Worley,
Fleming,	Longo,	Reese, R. E.,	Wright,
Foor,	Lopez,	Regan,	Yeakel,
Fox,	Lovett,	Reidenbach,	Yester,
Freed,	Lyons,	Reilly,	Fiss,
Frost,	Madden,	Reynolds,	Speaker.
Fullerton,			

NAYS—0

NOT VOTING—5

Bentley,	Herman,	Hoopes,	Mihm,
Brothers,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1017, entitled:

An Act to protect the public health and safety by requiring registration with and the securing of permits from the State Board of Pharmacy by persons, copartnerships associations and corporations engaged in the manufacture or production of drugs and medical supplies regulating the manufacture of drugs and medical supplies as herein defined prohibiting the manufacture possession or sale of adultered or misbranded drugs and medical supplies prescribing permits providing for inspections and the suspension and revocation of permits conferring powers on the State Board of Pharmacy and courts and providing penalties.

On the question,

Will the House agree to the bill on third reading?

Mr. KENNEDY. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend Sec. 1, page 2, line 15, by striking out the word "feeds" and inserting in lieu thereof: "foods".

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILL PASSED OVER

There being no objection

House Bill No. 936, Printer's No. 363,

was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1050, as follows:

An Act to further amend clause I of section three of article XIX of the act approved the seventh day of March one thousand nine hundred one (P. L. 20) entitled "An act for the government of cities of the second class" making the real estate of public service companies subject to taxation and providing certain exceptions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause I of section three of article XIX of the act approved the seventh day of March one thousand nine hundred one (P. L. 20) entitled "An act for the government of cities of the second class" as last amended by the act approved the twelfth day of May one thousnine hundred eleven (P. L. 287) is hereby further amended to read as follows

Article XI

Corporate Powers

* * * * *

Section 3 Every city of the second class in its corporate capacity is authorized and empowered to enact ordinances for the following purposes in addition to the other powers granted by this act

I To levy and collect taxes for general revenue purposes on all persons real and personal and mixed property within the limits of said city taxable according to the laws of the State of Pennsylvania for city or county purposes except machinery of all kinds and on all real estate owned or possessed by any public service company except the superstructure of the roads of railroads and street railway companies and the rights of way upon which the same are located and except the lines and pipelines of companies used for the transmission of water electric power messages or natural or artificial gas and the rights of way upon which the same are located the valuation of such property to be assessed as hereinbefore provided

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Messrs. Andrews, Cohen and Coleman asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—67

Andrews,	Gore,	McLanahan,	Reidenbach,
Baker,	Grant,	McNally,	Reynolds,
Barrett,	Green,	Modell,	Root,
Boies,	Hamilton,	Mooney,	Rudisill,
Boory,	Haudenshield,	Moore, W. J.,	Salus,
Brancato,	Heatherington,	Moran,	Schuster,
Brown,	Hunter,	Murray, M. L.,	Serrill,
Burns,	Jones,	Myhan,	Shaffer,
Cohen,	Kirley,	O'Connor,	Skale,
Coleman,	Komorofski,	O'Dare,	Snider,
Cooper,	Laughner,	O'Donnell,	Stuart,
Cullen,	Lee,	O'Neill,	Trachtman,
Dalrymple,	Leonard,	Owens,	Trent,
Elish,	Levy,	Pentrack,	Verona,
Ewing,	Lopez,	Petrosky,	Weiss,
Fleming,	Lovett,	Powers,	Yester,
Gaffney,	Mahany,	Reese, R. E.,	

NAYS—108

Barton,	Fullerton,	Leisey,	Royer,
Bentzel,	Gallagher,	Lichtenwalter,	Scanlon,
Bonawitz,	Gardner,	Longo,	Shoemaker,
Boorse,	Getchey,	Lyons,	Sloan,
Bower,	Gibson,	McAtee,	Snyder,
Breisch,	Goodling,	McClester,	Sollenberger,
Brice,	Greenwood,	McDowell,	Sorg,
Brunner, C. H.,	Greer,	McKinney,	Stank,
Brunner, P. A.,	Guthrie,	McMillen,	Stockham,
Cadwalader,	Gyger,	McNair,	Stonier,
Cook,	Haberlen,	Mikula,	Swope,
Coulson,	Hall,	Miller,	Tate,
Dague,	Hare,	Milliken,	Tittle,
Dennison,	Helm,	Moore, C. E.,	Trout,
Depuy,	Hennihan,	Moser,	Turbett,
Dix,	Hering,	Murray, P. G.,	Turner,
Dougherty,	Hersch,	Nagel,	Varallo,
Duffy,	Hewitt,	Nelson,	Wagner,
Dye,	Hoffman,	O'Brien,	Watkins,
Elder,	Howells,	Pickens,	Welsh,
Erb,	Huntley,	Polen,	White,
Finnerty,	James,	Propert,	Wood, L. H.,
Flack,	Kennedy,	Readinger,	Wood N.,
Foor,	Kline,	Reagan,	Worley,
Fox,	Kolankiewicz,	Reese, D. P.,	Wright,
Freed,	Kurtz,	Reilly,	Yeakel,
Frost,	Lane,	Riley,	Fiss, Speaker.

NOT VOTING—30

Baumunk,	Dillon,	McCormack,	Robertson,
Bentley,	Herman,	Mihm,	Rose,
Boney,	Hoggard,	Mills,	Smith,
Brothers,	Hoopes,	Munley,	Tahl,
Chudoff,	Loftus,	Pettigrew,	Wachhaus,
Corrigan,	Madden,	Polaski,	Waterhouse,
Costa,	Madigan,	Regan,	Wescott,
Coyle,	Matthews,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

SENATE MESSAGES

The Clerk of the Senate, Mr. Steinfeld, being introduced, presented extracts from the Journal of the Senate which were laid on the table.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1190, entitled:

An Act empowering cities of the second class to levy, assess and collect, or to provide for the levying, assessment and collection of, certain additional taxes for general revenue purposes; authorizing the establishment of bureaus, and the appointment and compensation of officers and employes to assess and collect such taxes; and permitting penalties to be imposed and enforced.

On the question,

Will the House agree to the bill on third reading?

Mr. BAKER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend sec. 1, page 2, line 5, by inserting after the word "fee" the following: "nor to levy or assess a tax on wages, occupations or sales".

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection?

Mr. FLEMING. Mr. Speaker, I have no objection to the offering of the amendments, but I want to raise the point that we would like to have the amendments to the two sections read separately and considered separately.

The SPEAKER pro tempore. The Chair proposes to do that.

The Chair hears no objection and consent is granted.

On the question,

Will the House agree to the amendments?

Mr. FLEMING. Mr. Speaker, I would ask the Members, particularly on this side of the House, to vote for these amendments. They are clearly in line with the policy of the Republican organization in the City of Pittsburgh. We are equally opposed with the Democratic party to any imposition of a wage, occupation or sales tax, and we certainly welcome these amendments to the bill.

Mr. ANDREWS. Mr. Speaker, I would like to interrogate the gentleman from Allegheny, Mr. Fleming.

The SPEAKER pro tempore. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. FLEMING. I shall, Mr. Speaker.

Mr. ANDREWS. I wonder, and I would like to know when the gentleman found all that out about the position of his party. How come that he did not know it at the time he introduced his bill?

The SPEAKER pro tempore. Will the gentleman repeat his interrogation?

Mr. ANDREWS. Mr. Speaker, I would like to inquire when the gentleman found out that his organization was opposed to the wage tax and what happened that he made the discovery since he introduced his bill?

Mr. FLEMING. In answer to the gentleman's question, Mr. Speaker, I would say that the Republican organization in Allegheny County has always been opposed to the imposition of a wage, sales or occupation tax, but we are also firm believers in the principles of home rule, and when the officials of the City of Pittsburgh came before the Legislature and asked for permission to have the Sterling Act reenacted we agreed with them that it followed clearly the principle of home rule, and that those people who goven the city should be given the right to impose any taxes they saw fit upon the people. We

only did that which the City of Pittsburgh had asked us to do.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

Mr. BAKER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend sec. 4, page 3, lines 10 to 14, by striking out the words "and shall" in line 10, and all of lines 11 to 14, both inclusive.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. FLEMING. Mr. Speaker, I rise to oppose the amendments to section four and I ask the Members on this side of the House to vote them down.

Mr. BROWN. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Fleming.

The SPEAKER pro tempore. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. FLEMING. I shall, Mr. Speaker.

Mr. BROWN. The gentleman from Allegheny, Mr. Fleming, has asked us, Mr. Speaker, to oppose the amendments to section four. May 1 inquire of the gentleman why we should vote against these amendments?

Mr. FLEMING. Our reason, Mr. Speaker, is that in our judgment the members of Council of the City of Pittsburgh should be forced to tell the people in the City of Pittsburgh what new taxes they are going to levy, and we propose that they shall tell the people on what they are going to levy these taxes before election day in November.

Mr. BROWN. Am I correct, Mr. Speaker, then in saying that the only reason for opposing this amendment to section four is that the gentleman feels that the City Council of Pittsburgh before election should tell the people of Pittsburgh the taxes they are going to impose?

Mr. FLEMING. That is correct.

Mr. BROWN. Did not the gentleman say a minute ago that he was in favor of home rule?

Mr. FLEMING. I am, Mr. Speaker.

Mr. BROWN. Would the gentleman agree with the principle that the tax levying body in Pittsburgh should impose taxes without restraint from this Legislature?

Mr. FLEMING. I would, Mr. Speaker. Certainly this question is going to be aired very thoroughly back in the City of Pittsburgh within the next few months. There has been so much mismanagement of the City of Pittsburgh, it has become so rampant that we feel that the people in the City of Pittsburgh are certainly going to make a radical change in the government of that city.

We also feel that they are entitled to know what new taxes this administration proposes to place upon them.

Mr. BROWN. May I ask the gentleman, Mr. Speaker, whether or not he knows of any taxes that would be obnoxious to the people of the City of Pittsburgh that would not be covered by the amendments just concurred in by this House?

Mr. FLEMING. That is a rather far-flung question. I could probably think of a few. Possibly a tax on—may I correct myself, Mr. Speaker? The powers that we propose to give to the City of Pittsburgh permit them to place a tax on anything that the State does not now tax with the exception of wage, sales or occupation tax. Certainly there should be hundreds of things on which a tax could be imposed.

Mr. BROWN. I ask the gentleman, Mr. Speaker, if he can tell men any property or article that might be taxed that would be vicious and should not be taxed by the City Council of Pittsburgh.

Mr. FLEMING. Yes, Mr. Speaker, I would say a tax on washing machines would be particularly obnoxious.

Mr. BROWN. Would the gentleman then agree to put in his bill that the city council should not levy a tax on washing machines?

Mr. FLEMING. No, Mr. Speaker, I would not.

Mr. BROWN. I thank the gentleman from Allegheny, Mr. Fleming.

Mr. Speaker, Section 4 of House Bill 1190 is what can be termed "hatchet" legislation, and hatchet legislation is something that the law abhors and people generally condemn. It is that type of legislation that so gags or so binds someone that when the legislation is passed it is passed with the intention that you can not operate under it. If you operate it to the right you are damned: if you operate it to the left you are damned. Now, certainly if city council—and I am not a member of city council and I have no interest at this time in whatever the political outcome maybe—it is absolutely a reflection upon us that we passed legislation so important to a municipality, that it has to be passed tinged with the complexion of a political campaign.

That, I say, is absolutely untanable, unsound and should be defeated by this House. That is the only purpose of Section 4, to try here a political campaign, and we ought in no uncertain terms say to the people of Pennsylvania that we are not going to stoop to such tactics.

It may be that the city council ought to determine before October fifteen, but the gentleman from Allegheny knows, full well, that under the laws of this Commonwealth that body does not receive the amount of assessed value on real estate from the proper board that assesses real estate until November first, and he knows full well that sometimes it is even as late as a month and a half after November before the city gets its certification of assessed valuation.

The city cannot do any thing about it, and he knows full well that until Council of the City of Pittsburgh receives a certification from the proper tax assessing body as to the amount of real estate upon which the taxes can be levied, which is the backbone of the tax structure of this municipality and every other municipality, city council will not pass any new taxes.

It does seem to me where a section of a bill has no purpose at all except to gag and to place a hatchet over somebody's head, we ought to defeat that legislation. I call upon the Members of the House, upon the statement of the gentleman himself that the only reason to

keep Section 4 in the bill is for political purposes, to rise up and vote against these amendments, strike out this obnoxious feature for political purposes.

Mr. JAMES. Mr. Speaker, I am very much intrigued with the term "hatchet legislation." I find myself in a most uncomfortable position when I rise to disagree with my good friend from Allegheny, Mr. Brown, but I believe thoroughly that if we had more of this kind of hatchet legislation it would be a mighty splendid thing for the communities in the state of Pennsylvania. If the intent of city council and other tax levying bodies were made clear to the public before election the people would truly have representation for their taxation and they could go to the poles and vote for or against the people who laid down the tax program they intended to make effective. Finally I am just about one thousand and one percent sure that had there been this hatchet provision in the Sterling Act there never would have been a wage tax in Philadelphia.

On the question recurring,

Will the House agree to the amendment?

The yeas and nays were required by Mr. Brown and Mr. Baker and were as follows:

YEAS—85

Andrews,	Gore,	Mills,	Regan,
Baker,	Grant,	Modell,	Reidenbach,
Barrett,	Green,	Mooney,	Reynolds,
Bentzel,	Haberlen,	Moore, W. J.,	Rose,
Boles,	Hamilton,	Moran,	Scanlon,
Boney,	Heatherington,	Munley,	Schuster,
Boory,	Hennihan,	Murray, M. L.,	Shaffer,
Brancato,	Hering,	Myhan,	Skale,
Brown,	Hersch,	Nagel,	Snider,
Brunner, P. A.,	Hunter,	O'Brien,	Stank,
Burns,	Jones,	O'Connor,	Swope,
Chudoff,	Kirley,	O'Donnell,	Tate,
Cohen,	Komorofski,	O'Neill,	Trachtman,
Coleman,	Lane,	Owens,	Trent,
Corrigan,	Leonard,	Pentrack,	Varallo,
Coyle,	Levy,	Petrosky,	Verona,
Cullen,	Longo,	Pettigrew,	Weiss,
Duffy,	Lopez,	Polen,	Welsh,
Elish,	Lovett,	Powers,	White,
Finnerty,	Matthews,	Readinger,	Wright,
Gaffney,	McNally,	Reese, R. E.,	Yester,
Gallagher,			

NAYS—98

Barton,	Frost,	Madigan,	Sloan,
Bonawitz,	Gardner,	Mahany,	Smith,
Boorse,	Getchey,	McClester,	Snyder,
Bower,	Gibson,	McCormack,	Sollenberger,
Breisch,	Greer,	McDowell,	Sorg,
Brice,	Guthrie,	McKinney,	Stockham,
Brunner, C. H.,	Gyger,	Mikula,	Stonier,
Cadwalader,	Hall,	Miller,	Stuart,
Cook,	Hare,	Milliken,	Tahl,
Cooper,	Haudenshield,	Moore, C. E.,	Tittle,
Costa,	Helm,	Moser,	Trout,
Coulson,	Hewitt,	Murray, P. G.,	Turbett,
Dague,	Hoffman,	Nelson,	Turner,
Dennison,	Howells,	O'Dare,	Wachhaus,
Depuy,	Huntley,	Pickens,	Wagner,
Dix,	James,	Propert,	Waterhouse,
Dye,	Kennedy,	Reagan,	Watkins,
Elder,	Kline,	Reese, D. P.,	Wescott,
Erb,	Kurtz,	Reilly,	Wood, L. H.,
Ewing,	Laughner,	Riley,	Wood, N.,
Flack,	Leisey,	Robertson,	Worley,
Fleming,	Lichtenwalter,	Royer,	Yeakel,
Foor,	Loftus,	Salus,	Fiss,
Fox,	Lyons,	Serrill,	Speaker.
Freed,	Madden,	Shoemaker,	

NOT VOTING—22

Baumunk,	Fullerton,	Kolankiewicz,	McNair,
Bentley,	Goodling,	Lee,	Mihm,
Brothers,	Greenwood,	McAtee,	Polaski,
Dalrymple,	Herman,	McLanahan,	Root,
Dillon,	Hoggard,	McMillen,	Rudisill,
Dougherty,	Hoopes,		

So the question was determined in the negative and the amendment was not agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 53, entitled:

An Act concerning the ascertainment of principal and income and the apportionment of receipts and expenses among tenants and remaindermen; and to make uniform the law with reference thereto

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SKALE. Mr. Speaker, I should like to interrogate the Majority Floor Leader.

The SPEAKER pro tempore. Will the gentleman from Lehigh permit himself to be interrogated?

Mr. LICHTENWALTER. I yield to the gentleman from Elk, Mr. Sorg.

The SPEAKER pro tempore. Will the gentleman from Elk permit himself to be interrogated?

Mr. SORG. I shall, Mr. Speaker.

Mr. SKALE. Mr. Speaker, I should like to ask the gentleman whether or not Senate Bill 53 violates the rule in the Shelley's Case.

Mr. SORG. Mr. Speaker, I was very much afraid the gentleman was going to ask about the rule against perpetuities. That would be so much easier.

The SPEAKER pro tempore. The gentleman claims the question is too easy.

Mr. SKALE. In that case, Mr. Speaker, I will ask the gentleman to explain the rule against perpetuities.

POINT OF ORDER

Mr. TURNER. Mr. Speaker, I rise to a point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. TURNER. The gentleman is not talking on the bill.

The SPEAKER pro tempore. How does the gentleman from Delaware know that?

Mr. TURNER. By reason of the fact, Mr. Speaker, that nobody in the House knows anything about either the rule in Shelley's case or the rule against perpetuities.

The SPEAKER pro tempore. The Chair agrees with the gentleman from Delaware.

Mr. SKALE. Now, I will ask the gentleman to try to explain Senate Bill 53 and tell us what that is.

Mr. SORG. Mr. Speaker, my understanding of the purposes of the contents of Senate Bill 53 is to clarify the rule pertaining to those estates which involve life tenants and remaindermen.

It is, as the gentleman indicated, a very, very complicated and technical legal question giving rise to much litigation as to the proper distribution of principal or income between life tenants and remaindermen.

The purpose of the bill is to codify the precedents established by the courts and some that have not as yet been fully clarified, and to make uniform the law with reference to proper allocation of the property of an estate as to either its principal or income.

Mr. SKALE. Is that what this bill does, Mr. Speaker?

Mr. SORG. That is my understanding of the bill, Mr. Speaker.

Mr. SKALE. What affect would this bill have on the rule laid down, or the principle laid down in the Nirdlinger Case?

Mr. SORG. I am not familiar with that particular case, Mr. Speaker.

Mr. SKALE. Is the gentleman aware that the rule laid down in the Nirdlinger Case is now the accepted rule in Pennsylvania?

Mr. SORG. I am not aware of that, Mr. Speaker.

Mr. SKALE. Will the gentleman accept my word that the rule laid down in the Nirdlinger case is now the accepted rule in Pennsylvania?

Mr. SORG. I would accept the gentleman's word, if the gentleman tells me that that is the accepted rule for the proper subject covered in that particular case. I would accept his word. However, I would question whether the case itself would cover all the subjects that are involved in this particular piece of legislation.

Mr. SKALE. Is the gentleman aware of the fact that the judges of the Philadelphia Orphans' Court expressed their views in opposition to this bill in the hearing before the Senate?

Mr. SORG. Mr. Speaker, I am not aware of that.

Mr. SKALE. Will the gentleman accept my word that that was the expresssion of opinion made by the judges of the Philadelphia Orphans' Court in a hearing before the Senate?

Mr. SORG. Mr. Speaker, if the gentleman attended the hearing in the Senate, heard those statements made and makes that representation on the floor of this House, I will accept his word.

Mr. SKALE. Will the gentleman accept my word if I say I have it in writing from one of the judges?

Mr. SORG. I would accept that as the word of the judge who wrote the letter.

Mr. SKALE. I thank the gentleman.

Mr. Speaker, I now know as much about this bill as when we started, and I think everyone knows about as much as I.

Mr. SALUS. Mr. Speaker, this is a very important piece of legislation and it seems to be an orphan in the storm. Nobody seems to be able to predict it's effect; it upsets all the procedure in the Orphans' Court of Philadelphia and Pennsylvania in general, and I would suggest that this bill go over in order so that the sponsor may have an opportunity to enlighten the people and the Members here as to what this bill does. It is a very important piece of legislation and should not be passed without proper and thorough study.

I know what the gentleman from Philadelphia, Mr. Skale, is talking about in the Nirdlinger case. The Nirdinger case is a fundamental rule and the principle upon which estates are distributed throughout the Commonwealth of Pennsylvania.

I think this is a very important bill. If it has merit I would not like to see it defeated. As far as I am concerned I cannot see any merit in it, but my mind is subject to change and I would suggest that this bill be placed on the third reading postponed calendar in order that all the Members here might have an opportunity to know what it is all about. It is a very serious and important measure and should not be gone over lightly.

BILL POSTPONED

Mr. SALUS. Mr. Speaker, I move that this bill be placed on the postponed calendar.

On the question,

Will the House agree to the motion?

Mr. SORG. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Salus.

The SPEAKER pro tempore. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. SALUS. I shall, Mr. Speaker.

Mr. SORG. Mr. Speaker, does the gentleman offer his motion by reason of objections from the members of the Orphans' Court of Philadelphia?

Mr. SALUS. Mr. Speaker, I offer this motion on my own responsibility, and I have little ability as a lawyer. I think this bill needs a thorough explanation, and somebody, if anybody is interested in this bill, ought to bring somebody over here so that the Members will know what they are doing. I do not propose to take it upon myself to try to do it, but it is important legislation, very important legislation. It is either very good or it is very bad. The sponsor of this bill has placed it over here without a father or mother or anybody else, and the thing should be thoroughly ventilated.

This is upsetting the whole course of procedure in the Orphans' Courts of Pennsylvania, and I know what I am talking about.

My motion, if it is carried, will give the sponsor of this bill an opportunity to come before both the Democratic Caucus and the Republican Caucus to explain this bill, and that is the reason I am asking that it be put on the postponed calendar. If the merits are good—and I hope they are, there will be very little chance of this bill not going over, but if he doesn't do it I am satisfied the bill will get licked.

Mr. SORG. Mr. Speaker, I think the gentleman probably misunderstands my interrogation. I merely desired to ask him whether his objection was to the merits of the bill, due to lack of explanation, or whether he is objecting because of the attitude of members of the Orphans' Court of Philadelphia.

Mr. SALUS. Mr. Speaker, I have had no correspondence with the members of the Orphans' Court of Philadelphia nor any conference or communication with them. I have heard that some of the members of our Orphans' Court are not in favor of this bill. However, I personally have no knowledge on that subject at all.

Mr. SORG. I thank the gentleman, Mr. Speaker.

I simply wanted to state the fact, Mr. Speaker, that there have been amendments offered and made to this

bill by members of the Orphans' Court of Philadelphia, and that there is certainly no objection to the motion on our part if it is requested for the purpose of giving the matter further study. I merely wanted the record straight so that there might be no stigma on this bill until such time as it might be given further study. I probably could, if we wanted to be here until midnight, fully explain the technical ramifications involved in the distribution of principal and income in life estates and in remainders.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 210, as follows:

An Act to amend section seven of the act approved the sixteenth day of July one thousand nine hundred forty-one (P. L. 400) entitled "An act to protect the debtors obligors or guarantors of debts for which judgments are entered or may be entered and owners of real property affected thereby and others indirectly liable for the payment thereof by prescribing the method of fixing the fair market value of such property sold on execution and limiting the amount collectible thereafter on such judgments" providing for the discharge of obligations secured by the bond mortgage or other evidence of indebtedness on which real property is sold and for satisfaction of judgments entered thereon

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven of the act approved the sixteenth day of July one thousand nine hundred forty-one (P. L. 400) entitled "An act to protect the debtors obligors or guarantors of debts for which judgments are entered or may be entered and owners of real property affected thereby and others indirectly liable for the payment thereof by prescribing the method of fixing the fair market value of such property sold on execution and limiting the amount collectible thereafter on such judgments" is hereby amended to read as follows

Section 7 The plaintiff or plaintiffs shall file all petitions in accordance with section one and section two of this act not later than six months after the sale of any real property Provided however That if the sale occurred prior to the effective date of this act the plaintiff shall file such petition within six months after the effective date of this act In the event no petition is filed within such period the debtor obligor guarantor and any other person liable directly or indirectly to the plaintiff or plaintiffs for the payment of the debt shall be released and discharged of such liability to the plaintiff or plaintiffs If the judgment is entered on a bond or mortgage or other evidence of indebtedness that has heretofore been or shall hereafter be assigned to the plaintiff or plaintiffs as collateral security for the payment of a note or other indebtedness then the debtor obligor guarantor and any other person liable directly or indirectly to the plaintiff or plaintiffs for the payment of such note or other indebtedness shall likewise be released and discharged of liability to the plaintiff or plaintiffs on account of such note or other indebtedness and if judgment has been entered thereon may petition the court to have such judgment marked satisfied released and discharged in the same manner as provided by section seven point one of this act

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SORG. Mr. Speaker, I would like to interrogate the sponsor of this bill.

The SPEAKER pro tempore. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. CHUDOFF. I shall, Mr. Speaker.

Mr. SORG. I desire to inquire of the gentleman, Mr. Speaker, whether the purpose of this bill is to completely wipe out the obligation of the bond accompanying the mortgage?

Mr. CHUDOFF. In answer to the gentleman from Elk, this bill was sponsored by me in order to take care of the decision in the case of the Secretary of Banking against Greenburg, which was handed down by the Supreme Court of Pennsylvania on January 5, 1945. In that decision the Supreme Court held that when a promissory judgment note was given as collateral security for a mortgage loan and the mortgagee forecloses upon the real estate at Sheriff's sale he can proceed on a personal obligation on the note given as collateral security.

Mr. SORG. I desire to inquire further, Mr. Speaker, whether that decision was any extraordinary departure from previous law.

Mr. CHUDOFF. I should like to reply to the gentleman, Mr. Speaker, by saying that this decision set up an exception to the Deficiency Judgment Act, and it was my opionion that the Legislature in passing the Deficiency Judgment Act did not intend any mortgagee to buy in the property at Sheriff's sale and then proceed on the personal obligation. It was my thought that the Legislature intended that once the property was bought in, a procedure was set up under the Deficiency Act to file a petition to have a fair value of the property set within six months, otherwise discharge the obligation.

Mr. SORG. I would like further to inquire of the gentleman, Mr. Speaker, whether or not the passage of House Bill 210 would not completely eliminate the need for a bond accompanying a mortgage or any other documents taken on general credit.

Mr. CHUDOFF. I do not believe so, Mr. Speaker. The passage of House Bill 210 is simply to make the mortgagee proceed under the Deficiency Judgment Act by filing a petition to have the fair value set up within six months, and if he did not after buying at the Sheriff's sale, the obligation would be discharged.

Mr. SORG. Mr. Speaker, would the gentleman indicate to me the section of the bill where that particular provision protects the mortgagee?

Mr. CHUDOFF. Mr. Speaker, if the gentleman from Elk will turn to page two of the bill and follow me, I believe that I can indicate the information he desires. Does the gentleman have a copy of the bill? It is Printer's No. 463 in the House binder.

Mr. SORG. I have a copy, Mr. Speaker.

Mr. CHUDOFF. Page 2, line 10. This bill is an amendment to Section 7 of the Deficiency Judgment Act and sets forth the procedure for filing a petition to set the fair value of property within six months of the date of the Sheriff's sale.

If the gentleman from Elk will go down to line 21 he will read:

If the judgment is entered on a bond or mortgage or other evidence of indebtedness that has heretofore

been or shall hereafter be assigned to the plaintiff or plaintiffs as collaterial security for the payment of a note or other indebtedness then the debtor obligor guarantor and any other person liable directly or indirectly to the plaintiff or plaintifffs for the payment of such note or other indebtedness shall likewise be released and discharged of liability to the plaintiff or plaintiffs on account of such note or other indebtedness and if judgment has been entered thereon may petition the court to have such judgment marked satisfied released and discharged in the same manner as provided by section seven point one of this act.

Mr. SORG. Mr. Speaker, I am interested in the provision where the plaintiff is required to take advantage of the Deficiency Judgment Act itself. I understand that the effect of this particular provision lined is to make all plaintiffs, to give them the liability of complete relief on the part of any mortgagor, but I am not as thoroughly familiar with the provision that will give them them the opportunity to save the obligation of the general credit type.

Mr. CHUDOFF. Mr. Speaker, I did not understand whether the gentleman was making a statement or asking a question.

Mr. SORG. I am asking the gentleman to explain or to indicate to me that provision wherein the judgment creditor might pay the obligation of the note or the bond after a sale under the mortgage.

Mr. CHUDOFF. In section 7-1 of the Deficiency Judgment Act the creditor has the right, if the property is not worth the mortgage, to file a petition in the Court of Common Pleas and ask the Court of Common Pleas to set the fair valuation of the property. If the Court of Common Pleas sets a fair value less than the obligation then the plaintiff or the creditor has his right to a deficiency judgment. That is the difference between the fair value of the property and the original obligation.

Mr. SORG. I thank the gentleman, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—90

Andrews,	Gore,	McNally,	Root,
Baker,	Grant,	Modell,	Rose
Barrett,	Green,	Mooney,	Rudisill,
Bentzel,	Haberlen,	Moore, W. J.,	Salus,
Boory,	Hamilton,	Moran,	Scanlon,
Brancato,	Heatherington,	Munley,	Shaffer,
Brown,	Hennihan,	Murray, M. L.,	Skale,
Brunner, P. A.,	Hering,	Myhan,	Smith,
Burns,	Hersch,	Nagel,	Snider,
Chudoff,	Hunter,	O'Brien,	Stank,
Cohen,	Jones,	O'Connor,	Swope,
Coleman,	Kirley,	O'Dare,	Tahl,
Corrigan,	Komorofski,	O'Donnell,	Tate,
Coyle,	Lane,	O'Neill,	Trachtman,
Cullen,	Lee,	Owens,	Trent,
Dalrymple,	Leonard,	Petrosky,	Varallo,
Dennison,	Levy,	Pettigrew,	Verona,
Duffy,	Lopez,	Powers,	Weiss,
Dye,	Lovett,	Readinger,	Welsh,
Elish,	Madden,	Reidenbach,	White,
Finnerty,	Matthews,	Reynolds,	Wright,
Gaffney,	McKinney,	Robertson,	Yester,
Gallagher,	McNair,		

NAYS—63

Barton,	Hall,	Moore, C. E.,	Stockham,
Boorse,	Hare,	Moser,	Stonier,
Bower,	Helm,	Murray, P. G.,	Stuart,
Breisch,	Hoffman,	Nelson,	Tittle,
Brunner, C. H.,	Howells,	Pickens,	Trout,
Cadwalader,	Huntley,	Propert,	Turbett,
Coulson,	Kennedy,	Reagan,	Wachhaus,
Dix,	Kline,	Reese, D. P.,	Wagner,
Elder,	Kurtz,	Reilly,	Waterhouse,
Frost,	Leisey,	Riley,	Watkins,
Gardner,	Lichtenwalter,	Royer,	Wescott,
Getchey,	Lyons,	Shoemaker,	Wood, L. E.,
Gibson,	McClester,	Sloan,	Worley,
Greer,	McCormack,	Snyder,	Yeakel,
Guthrie,	McDowell,	Sollenberger,	Fiss,
Gyger,	Miller,	Sorg,	Speaker.

NOT VOTING—52

Baumunk,	Dougherty,	Hewitt,	Mihm,
Bentley,	Erb,	Hoggard,	Mikula,
Boles,	Ewing,	Hoopes,	Milliken,
Bonawitz,	Flack,	James,	Mills,
Boney,	Fleming,	Kolankiewicz,	Pentrack,
Brice,	Foor,	Laughner,	Polaski,
Brothers,	Fox,	Loftus,	Polen,
Cook,	Freed,	Longo,	Reese, R. E.,
Cooper,	Fullerton,	Madigan,	Regan,
Costa,	Goodling,	Mahany,	Schuster,
Dague,	Greenwood,	McAtee,	Serrill,
Depuy,	Haudenshield,	McLanahan,	Turner,
Dillon,	Herman,	McMillen,	Wood, N.,

Less then the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1175, as follows:

A Supplement to the act approved the fourth day of June one thousand nine hundred forty-three (Appropriation Acts page 59) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-three" providing for a deficiency in an appropriation made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred forty-five

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following sum or as much thereof as may be necessary for a deficiency in an appropriation made to the Department of Forests and Waters by the act to which this is a supplement is hereby appropriated to that department as follows

To the Department of Forests and Waters

For the payment of the deficiency in the appropriation for the payment of expenses incurred for the extinction and control of forest fires the sum of seventy-five thousand dollars ($75,000)

Section 2 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Andrews,	Fullerton,	Madden,	Reynolds,
Baker,	Gaffney,	Madigan,	Riley,
Barrett,	Gallagher,	Mahany,	Robertson,
Barton,	Gardner,	Matthews,	Root,

Baumunk,	Getchey,	McAtee,	Rose,
Bentzel,	Gibson,	McClester,	Royer,
Boies,	Goodling,	McCormack,	Rudisill,
Bonawitz,	Gore,	McDowell,	Salus,
Boney,	Grant,	McLanahan,	Scanlon,
Boorse,	Green,	McKinney,	Schuster,
Boory,	Greenwood,	McMillen,	Serrill,
Bower,	Greer,	McNair,	Shaffer,
Brancato,	Guthrie,	McNally,	Shoemaker,
Breisch,	Gyger,	Mikula,	Skale,
Brice,	Haberlen,	Miller,	Sloan,
Brown,	Hall,	Milliken,	Smith,
Brunner, C. H.,	Hamilton,	Mills,	Snider,
Brunner, P. A.,	Hare,	Modell,	Snyder,
Burns,	Haudenshield,	Mooney,	Sollenberger,
Cadwalader,	Heatherington,	Moore, C. E.,	Sorg,
Chudoff,	Helm,	Moore, W. J.,	Stank,
Cohen,	Hennihan,	Moran,	Stockham,
Coleman,	Hering,	Moser,	Stonier,
Cook,	Hersch,	Munley,	Stuart,
Cooper,	Hewitt,	Murray, M. L.,	Swope,
Corrigan,	Hoffman,	Murray, P. G.,	Tahl,
Costa,	Hoggard,	Myhan,	Tate,
Coulson,	Howells,	Nagel,	Tittle,
Coyle,	Hunter,	Nelson,	Trachtman,
Cullen,	Huntley,	O'Brien,	Trent,
Dague,	James,	O'Connor,	Trout,
Dalrymple,	Jones,	O'Dare,	Turbett,
Dennison,	Kennedy,	O'Donnell,	Turner,
Depuy,	Kirley,	O'Neill,	Varallo,
Dillon,	Kline,	Owens,	Verona,
Dix,	Kolankiewicz,	Pentrack,	Wagner,
Dougherty,	Komorofski,	Petrosky,	Wachhaus,
Duffy,	Kurtz,	Pettigrew,	Waterhouse,
Dye,	Lane,	Pickens,	Watkins,
Elder,	Laughner,	Polaski,	Weiss,
Elish,	Lee,	Polen,	Welsh,
Erb,	Leisey,	Powers,	Wescott,
Ewing,	Leonard,	Propert,	White,
Finnerty,	Levy,	Readinger,	Wood, L. H.,
Flack,	Lichtenwalter,	Reagan,	Wood, N.,
Fleming,	Loftus,	Reese, D. P.,	Worley,
Foor,	Longo,	Reese, R. E.,	Wright,
Fox,	Lopez,	Regan,	Yeakel,
Freed,	Lovett,	Reidenbach,	Yester,
Frost,	Lyons,	Reilly,	Fiss, Speaker.

NAYS—0

NOT VOTING—5

Bentley,	Herman,	Hoopes,	Mihm,
Brothers,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 303, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Allentown State Hospital to acquire a certain tract of land for the use of said hospital and making an appropriation therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Allentown State Hospital is hereby authorized to purchase in the name of the Commonwealth of Pennsylvania any or all of the following described tracts of real estate in Allen and East Allen Townships in the County of Northampton Pennsylvania

(1) Tract in Allen Township in said County known as the J W Fuller Estate property consisting of seventy-seven acres more or less bounded on the North and West by property of the Universal Atlas Cement Company on the East by property of the Commonwealth of Pennsylvania and on the South by a section of the Willow Brook Farm

(2) Tract in Allen Township in said County now the property of the Universal Atlas Cement Company consisting of one hundred and thirty-six acres more or less situate along the road leading from Howerton to Bethlehem and bounded by the Miller tract and the Lilly tract

(3) The Fehr tract in Allen Township in said County consisting of eight acres more or less and bounded on the North and East by property of the Commonwealth of Pennsylvania on the West by properties of Howard Lilly Henry Long Frank Hahn Harvey Kock and Sylvester Jones and on the South by property of the Patriotic Order of Sons of America

(4) Two tracts of the Edward Fatzinger Estate situate in Allen and East Allen Township in said County one tract bounded on two sides by the property of the Allentown State Hospital on another side by the Fehr tract and on the other by a public road consisting of seventeen acres more or less and the other tract bounded by properties of the Universal Atlas Cement Company the Fehr tract the Commonwealth of Pennsylvania and a public road consisting of seventeen acres more or less

Section 2 Said tract or tracts of land when purchased shall be added to the lands of the Allentown State Hospital The deeds of conveyance shall be deposited with the Secretary of Internal Affairs

Section 3 The said lands shall not be acquired until the titles thereto have been approved by the Department of Justice

Section 4 The sum of thirty-five thousand dollars ($35,000) or so much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the payment of the purchase price of said tract or tracts of land and the expenses incidental thereto including title searches

Section 5 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Andrews,	Fullerton,	Madden,	Reynolds,
Baker,	Gaffney,	Madigan,	Riley,
Barrett,	Gallagher,	Mahany,	Robertson,
Barton,	Gardner,	Matthews,	Root,
Baumunk,	Getchey,	McAtee,	Rose,
Bentzel,	Gibson,	McClester,	Royer,
Boies,	Goodling,	McCormack,	Rudisill,
Bonawitz,	Gore,	McDowell,	Salus,
Boney,	Grant,	McKinney,	Scanlon,
Boorse,	Green,	McLanahan,	Schuster,
Boory,	Greenwood,	McMillen,	Serrill,
Bower,	Greer,	McNair,	Shaffer,
Brancato,	Guthrie,	McNally,	Shoemaker,
Breisch,	Gyger,	Mikula,	Skale,
Brice,	Haberlen,	Miller,	Sloan,
Brown,	Hall,	Milliken,	Smith,
Brunner, C. H.,	Hamilton,	Mills,	Snider,
Brunner, P. A.,	Hare,	Modell,	Snyder,
Burns,	Haudenshield,	Mooney,	Sollenberger,
Cadwalader,	Heatherington,	Moore, C. E.,	Sorg,
Chudoff,	Helm,	Moore, W. J.,	Stank,
Cohen,	Hennihan,	Moran,	Stockham,
Coleman,	Hering,	Moser,	Stonier,
Cook,	Hersch,	Munley,	Stuart,
Cooper,	Hewitt,	Murray, M. L.,	Swope,
Corrigan,	Hoffman,	Murray, P. G.,	Tahl,
Costa,	Hoggard,	Myhan,	Tate,
Coulson,	Howells,	Nagel,	Tittle,
Coyle,	Hunter,	Nelson,	Trachtman,
Cullen,	Huntley,	O'Brien,	Trent,
Dague,	James,	O'Connor,	Trout,
Dalrymple,	Jones,	O'Dare,	Turbett,

Dennison,	Kennedy,	O'Donnell,	Turner,
Depuy,	Kirley,	O'Neill,	Varallo,
Dillon,	Kline,	Owens,	Verona,
Dix,	Kolankiewicz,	Pentrack,	Wachhaus,
Dougherty,	Komorofski,	Petrosky,	Wagner,
Duffy,	Kurtz,	Pettigrew,	Waterhouse,
Dye,	Lane,	Pickens,	Watkins,
Elder,	Laughner,	Polaski,	Weiss,
Elish,	Lee,	Polen,	Welsh,
Erb,	Leisey,	Powers,	Wescott,
Ewing,	Leonard,	Propert,	White,
Finnerty,	Levy,	Readinger,	Wood, L. H.,
Flack,	Lichtenwalter,	Reagan,	Wood, N.,
Fleming,	Loftus,	Reese, D. P.,	Worley,
Foor,	Longo,	Reese, R. E.,	Wright,
Fox,	Lopez,	Regan,	Yeakel,
Freed,	Lovett,	Reidenbach,	Yester,
Frost,	Lyons,	Reilly,	Fiss,
			Speaker.

NAYS—0

NOT VOTING—5

Bentley,	Herman,	Hoopes,	Mihm,
Brothers,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passsed the same without amendment.

TIME EXTENDED ON BILLS

Mr. SKALE. Mr. Speaker, I move that the time on House Bill No. 648, Printer's No. 389, entitled:

An Act to further amend section four of the act approved the sixteenth day of May one thousand nine hundred twenty-nine (P. L. 1780) entitled "An act to fix the salaries and compensation of the judges of Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the municipal court of Philadelphia and the judges of the county court of Allegheny County" by increasing the salaries of judges of common pleas of the first and fifth judicial districts

on page 10 of today's calendar, bills on second reading postponed, be extended five days.

The motion was agreed to.

Mr. SKALE. Mr. Speaker, I move that the time on House Bill No. 649, Printer's No. 395, entitled:

An Act to amend section seven of the act approved the sixteenth day of May one thousand nine hundred twenty-nine (P. L. 1780) entitled "An act to fix the salaries and compensation of the judges of Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the municipal court of Philadelphia and the judges of the county court of Allegheny County" by increasing the salaries of judges of the municipal court of Philadelphia

on page 10 of today's calendar, bills on second reading postponed, be extended five days.

The motion was agreed to.

RECONSIDERATION OF VOTE

Mr. SCANLON. Mr. Speaker, I move that the vote by which House Bill No. 581, Printer's No. 380, entitled:

An Act relating to the imposition of costs in criminal cases in counties of the first and second classes providing for such costs to be borne by the Commonwealth in certain cases and imposing duties upon counties and upon the Commonwealth in connection with the costs in criminal cases

was defeated on final passage on Thursday, April 3, 1945, be reconsidered.

Mr. POWERS. Mr. Speaker, I second the motion.

The SPEAKER pro tempore. How did the gentleman from Philadelphia, Mr. Scanlon vote on the final passage of this bill?

Mr. SCANLON. Mr. Speaker, I voted in the majority.

The SPEAKER pro tempore. How did the gentleman from Allegheny, Mr. Powers vote on the final passage of this bill?

Mr. POWERS. Mr. Speaker, I voted in the majority.

On the question,

Will the House agreed to the motion?

Mr. BROWN. Mr. Speaker, House Bill 581, Printer's No. 380 was called for a vote on final passage last week. There was some confusion as to the purpose of the bill. I sincerely ask the Members of the House to reconsider the vote so that we may place the bill back on the calendar and take a vote at some later date on the merits of the bill, which is the reason we are asking for a reconsideration of the vote.

On the question recurring,

Will the House agree to the motion?

The SPEAKER pro tempore declared the ayes appeared to have it.

Whereupon, a division was called for, ninety-eight Members having voted in the affirmative and forty-five in the negative the question was determined in the affirmative and the motion was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. BROWN. Mr. Speaker, I move that this bill be placed on the postponed calendar.

The motion was agreed to.

PERMISSION TO ADDRESS HOUSE

Mr. GRANT asked and obtained unanimous consent to address the House.

Mr. Speaker, four weeks ago I brought to the attention of the Members of this House that there were three bills in the Liquor Control Committee that I would like to have the Members of the Liquor Control Committee given the opportunity to consider. At that time I made known to the Chairman of the Liquor Control Committee that unless the members of the Committee were given an opportunity, which was all I was asking, to consider these bills, I would be constrained to take the proper steps to give the Committee an opportunity to consider these bills, if not in the Committee then on this floor.

These bills that I have in mind are first, House Bill 275, which was sponsored by the Vice Chairman of the Liquor Control Committee, Mr. Depuy, and Albert Readinger, my colleague from Berks.

The bill is a very simple bill. All the bill provides is that the county courts be given an opportunity upon hear-

ing de novo to sustain, reject, alter or modify findings, conclusions and penalties of the board.

The other bills that I requested that the Chairman of the Liquor Control Committee give the members of the Committee—that is all I wanted, an opportunity to consider, was House Bill 236 which was sponsored by Mr. Freed of Lehigh. All that bill provides is that when the holder of a malt beverage license which was issued by the Liquor Control Board filed an application for a liquor license, that the same would not be considered as a new application for a license and be included, as it presently is, in the quota law.

The other bill was a bill that was presented by Mr. McAtee from Berks, and myself which is House Bill 626, which is merely doing something that it was the original intention of this House to do, and that is to exclude clubs from the quota law.

Now, Mr. Speaker, I am hesitant to file a resolution to discharge a Committee because I realize the effect that such a resolution has upon Chairmen of Committees, and I know the effect that it has upon the policy of this House. I would like to get this thought across to the Members of this House at this time; if there were any other parliamentary procedure that I could adopt I would not present certain resolutions that I intend to present. My only purpose in presenting these resolutions is because of the fact that I have given the Chairman of this Committee every opportunity to give the Committee of which he is the Chairman an opportunity to consider these bills. If that opportunity had been given I would have been satisfied, and would not be presenting this resolution to discharge this Committee at this time. My only purpose in presenting the resolution that I intend to present is for the purpose of giving the Committee an opportunity to consider these bills. If the Committee had had an opportunity to consider these bills I would not be presenting the resolutions that intend to present immediately after this.

Mr. Speaker, I wish to offer the following resolutions.

The SPEAKER pro tempore. The Chair would suggest that the gentleman send all the resolutions to the desk at one time so that they can be considered at the same time. If the Chair hears no objection we will proceed in that manner. The Chair hears none.

RESOLUTION TO DISCHARGE COMMITTEE

Mr. GRANT offered a resolution which was read by the Clerk as follows:

In the House of Representatives, April 10, 1945.

Resolved, That the committee on Liquor Control to which Committee there was referred on January 24, 1945, House Bill No. 236 entitled, "An act to amend section four hundred three of the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (1933-34 P. L. 15) entitled as amended, 'Pennsylvania Liquor Control' by providing that an application for a license under this act by the holder of a license under the Malt Beverage Law of this Commonwealth for premises already licensed shall not be deemed as application for a new license"

That the Committee on Liquor Control to which Committee there was referred on January 29, 1945; House Bill No. 275, entitled "An act to further amend section four hundred ten of the act approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15 1933-34) entitled as amended 'Pennsylvania Liquor Control Act,' providing that the Court of Quarter Sessions shall sustain, reject or modify the findings, conclusions and penalties of the Board upon appeal from the suspension and revocation of licenses"

That the Committee on Liquor Control to which committee there was referred on February 19, 1945, House Bill No. 626, entitled "An act to amend sections one and two of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 806), entitled 'An act limiting the number of licenses for the retail sale of liquor, malt or brewed beverages, or malt and brewed beverages, to be issued by the Pennsylvania Liquor Control Board; defining hotels, and prescribing the accommodations required of hotels in certain municipalities,' by exempting certain clubs from such limitation"

be discharged from further consideration of said bills.

On the question,

Will the House adopt the resolution?

Mr. LICHTENWALTER. Mr. Speaker, I rise in opposition to this resolution as I have arisen on every occasion when a resolution has been presented to discharge a Standing Committee of this House.

I do believe that the Chairman of this Committee is sincere, and I have always found him to be a friendly and amiable person, one who can get along very well with the members of his Committee. I see no reason why consideration of these bills cannot remain with the Committee; I see no reason whatsoever why we should support the resolution to discharge the Committee on Liquor Control from further consideration of these bills. I, therefore, ask that the resolution be voted down.

Mr. GRANT. Mr. Speaker, I would like to interrogate the Chairman of the Liquor Control Committee.

The SPEAKER pro tempore. Will the gentleman from Mercer permit himself to be interrogated?

Mr. LYONS. I shall, Mr. Speaker.

Mr. GRANT. Mr. Speaker, I should like to ask the gentleman if these bills have been considered by the Liquor Control Committee.

Mr. LYONS. They have not, Mr. Speaker.

Mr. GRANT. I thank the gentleman.

Mr. Speaker, I can not appreciate Mr. Lichtenwalter's position in this respect in rising in opposition to the discharge of a Committee. I have given Mr. Lyons every opportunity to give the Liquor Control Committee an opportunity to consider these bills, and it is only because he has failed to give the Committee an opportunity to consider these bills, that I present this resolution to discharge the committee.

On the question recurring,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Grant and Mr. Weiss.

Messrs. Lovett, Cohen and Stank asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—81

Andrews,	Gore,	McNally,	Reidenbach,
Baker,	Grant,	Modell,	Reynolds,
Barrett,	Green,	Mooney,	Rose,
Bentzel,	Haberlen,	Moore, W. J.,	Rudisill,
Boies,	Hamilton,	Moran,	Scanlon,
Boney,	Hennihan,	Munley,	Schuster,
Boory,	Hersch,	Murray, M. L.,	Shaffer,

Brancato,	Hunter,	Myhan,	Skale,
Brown,	Jones,	Nagel,	Snider,
Brunner, P. A.,	Kirley,	O'Brien,	Stank,
Burns,	Komorofski,	O'Connor,	Swope,
Chudoff,	Lane,	O'Donnell,	Tate,
Cohen,	Leonard,	O'Neill,	Trachtman,
Coleman,	Levy,	Owens,	Trent,
Corrigan,	Longo,	Pentrack,	Varallo,
Coyle,	Lopez,	Petrosky,	Verona,
Cullen,	Lovett,	Pettigrew,	Weiss,
Duffy,	Matthews,	Powers,	Welsh,
Finnerty,	McAtee,	Readinger,	White,
Gaffney,	McNair,	Reese, R. E.,	Yester,
Gallagher,			

NAYS—91

Barton,	Getchey,	Madden,	Shoemaker,
Bonawitz,	Gibson,	Madigan,	Sloan,
Boorse,	Goodling,	McClester,	Smith,
Bower,	Greer,	McCormack,	Snyder,
Breisch,	Guthrie,	McDowell,	Sollenberger,
Brice,	Gyger,	McMillen,	Sorg,
Brunner, C. H.,	Hall,	Miller,	Stockham,
Cook,	Hare,	Milliken,	Stuart,
Costa,	Helm,	Moore, C. E.,	Tahl,
Coulson,	Hewitt,	Murray, P. G.,	Tittle,
Dague,	Hoffman,	Nelson,	Trout,
Dalrymple,	Howells,	O'Dare,	Turbett,
Dennison,	Huntley,	Pickens,	Turner,
Depuy,	James,	Propert,	Wachhaus,
Dix,	Kennedy,	Reagan,	Wagner,
Dye,	Kline,	Reese, D. P.,	Waterhouse,
Elder,	Kurtz,	Reilly,	Watkins,
Flack,	Laughner,	Riley,	Wescott,
Fleming,	Lee,	Robertson,	Wood, L. H.,
Foor,	Leisey,	Root,	Worley,
Fox,	Lichtenwalter,	Royer,	Yeakel,
Frost,	Loftus,	Salus,	Fiss,
Gardner,	Lyons,	Serrill,	Speaker.

NOT VOTING—33

Baumunk,	Ewing,	Hoggard,	Mills,
Bentley,	Freed,	Hoopes,	Moser,
Brothers,	Fullerton,	Kolankiewicz,	Polaski,
Cadwalader,	Greenwood,	Mahany,	Polen,
Cooper,	Haudenshield,	McKinney,	Regan,
Dillon,	Heatherington,	McLanahan,	Stonier,
Dougherty,	Hering,	Mihm,	Wood, N.,
Elish,	Herman,	Mikula,	Wright,
Erb,			

So the question was determined in the negative and the resolution was not adopted.

RECONSIDERATION OF VOTE

Mr. WEISS. Mr. Speaker, I move that the vote by which House Bill No. 1124, Printer's No. 406, entitled:

An Act to further amend section four of the act approved the sixteenth day of May, one thousand nine hundred twenty-nine (P. L. 1780) entitled "An act to fix the salaries and compensation of the judges of the Supreme Court, the judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia, and the judges of the County Court of Allegheny County," by increasing the salaries of judges of the courts of common pleas of certain judicial districts

was defeated on final passage in the House on April 3rd, be reconsidered.

Mr. SWOPE. Mr. Speaker, I second the motion.

The SPEAKER pro tempore. How did the gentleman from Westmoreland, Mr. Weiss vote on the final passage of this bill?

Mr. WEISS. Mr. Speaker, I voted in the majority.

The SPEAKER pro tempore. How did the gentleman from Berks, Mr. Swope vote on the final passage of this bill?

Mr. SWOPE. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

The SPEAKER pro tempore declared the nays appeared to have it.

Whereupon, a division was called for, one hundred Members having voted in the affirmative and fifty-one in the negative, the question was determined in the affirmative and the motion was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. WEISS. Mr. Speaker, I move that this bill be placed on the postponed calendar.

The motion was agreed to.

PARLIAMENTARY INQUIRY

Mr. LEVY. Mr. Speaker, I rise to a Parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. LEVY. I understand from the Speaker pro tempore that the bill concerning which I intend to offer a concurrent resolution is not yet in the hands of the Governor. Might I ask the Speaker then, will I be notified as to when the bill will actually go to the Governor's office?

The SPEAKER pro tempore. The Chair will notify the gentleman after the bill is in the possession of the Governor, and the Clerk will be entrusted to advise the Chair after he has obtained the receipt for the delivery of the bill.

Mr. LEVY. Thank you very much, Mr. Speaker.

QUESTION OF PERSONAL PRIVILEGE

Mr. STOCKHAM. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER pro tempore. The gentleman will state it.

Mr. STOCKHAM. Mr. Speaker, the Journal on March 14th indicates that I was not voting on any of the measures that day. I was in my place or on the floor of the House throughout the whole session, and I desire to be recorded as voting for all the measures that were voted upon that day.

The SPEAKER pro tempore. The remarks of the gentleman under his question of personal privilege will be noted in the Journal.

RESOLUTION

Mr. MORAN offered a resolution and asked unanimous consent for its immediate consideration.

The SPEAKER pro tempore. Will the House give its unanimous consent to the immediate consideration of the resolution. Is there objection?

Mr. LICHTENWALTER. Mr. Speaker, I object.

The SPEAKER pro tempore. The Chair hears objection and consent is not granted.

The resolution will lie over for printing under the rules.

PERMISSION TO ADDRESS HOUSE

Mr. FLACK asked and obtained unanimous consent to address the House.

Mr. Speaker. Wyoming Valley is recognized as one of the garden spots of Pennsylvania. Its natural beauty too often is appreciated more by those from beyond its limits than by those who reside within its boundaries.

But it also enjoys an enviable reputation as an industrial center. One of its chief industries is the mining of anthracite. Unless something is done, and done soon, to control mining, the valley stands to lose everything including that which nature has provided, as well as that developed by man. To the person who is not familiar with conditions in the Wilkes-Barre area, known as "The heart of the anthracite," a ride through the valley will convince him that my prediction on the future of Wyoming Valley, unless reckless mining is curbed, is far from idle talk.

Communities like Kingston, Forty-Fort, Wyoming Exeter and West Pittston, through all of which the main artery of travel through the valley passes, are shining examples of what might happen. Each is a residential community with magnificent homes and public buildings of which any municipality could be proud. But the type of mining done by some companies under these very towns is no respector of life or property. Fortunately, the loss of life has been held to a minimum, to date, but on every side there is evidence of property loss. Only a week or more ago the State authorized financial aid to the Borough of West Pittston to help replace a school building damaged by mine subsidence. Others have been almost as seriously damaged but there is no indication of financial help coming from any source other than the pockets of the already overburdened taxpayer.

But even more dramatic is the case of the private home owner, the person who has stinted and saved for years to provide a shelter for himself and his family. He is justly proud of his accomplishment when he has the property completely paid for and he can point to it and say "This is my own." Then, overnight there is a settling in the underground workings beneath his property. His dwelling is twisted and cracked, and in many instances, to the extent that it is unsafe to live in any longer. The cold blooded operator may say that the home owner knew when he bought the plot on which he located a home, that he did not purchase the coal beneath it.

It appears right now that the anthracite industry is not able to get sufficient help to mine the coal needed to heat the homes and power the mills and factories of our country. What would the condition be if everyone refrained from locating in the coal region through fear of subsidies? Better still, the man who bought the site on which he ventually located a home, certainly bought the ground on which he placed his dwelling. It seems that common sense dictates that no coal company or any other person or group of persons have the right to take that which belongs to someone else or even to damage the same without compensating the owner for the damage.

I also have an article here which appeared in one of our prominent papers, an editorial "Human Lives Versus Mine Caves."

Human Lives vs. Mine Caves

The time has arrived for plain talk on mine cave legislation. It is not a pleasant subject for this community or any other in the anthracite field. But it must be discussed, just as the issue must be faced.

Mine subsidences have been a source of distress throughout the coal region for decades. Recently they have been growing in number and in seriousness. This was to be expected as coal reserves dwindled and mining approached the surface.

Because of clauses in early deeds, owners of mineral rights have had things their own way in the anthracite field. There has been extensive property damage —to homes, business places, public buildings, bridges and highways. Protests have been lodged after settlings, but caving goes right on.

Property rights or individuals in the coal region do not seem to count much in the law, although it does not make sense that owners should be allowed to remove coal in utter disregard of the consequences to the holdings of others.

Now a new factor enters the grim picture. Lives of human beings are bein placed in jeopardy. If the State is not in a position to do anything about protecting the property of its inhabitants, how about the lives of citizens? Do not human rights supersede property rights?

Already, we have had a frightful example at Pittston where a little girl was swallowed up by a mine cave as she walked along a public thoroughfare. She had a right to be there and no private concern had a right to take her life. Yet, she is dead.

Thousands of children and adults alike in the anthracite field run the same risk daily. Is not the State, meaning the General Assembly and the Governor, morally and legally obligated to protect the lives, if not the property, of these individuals?

Who knows what may happen tomorrow or the following day or the day after that? Maybe the next time, instead of a settling engulfing one little girl, it might wreck a school and kill hundreds. Or it might destroy a church where a thousand individuals are gathered in worship on a Sunday morning.

Maybe tonight a cave will break a gas main, flooding any number of homes and asphyxiating their occupants. Or it could trap scores in structures, dooming them to a terrible fate.

The Governor and the General Assembly have a grave responsibility in this matter. They cannot brush it aside where human life is at stake.

There will have to be some form of regulation, especially to curb the fly-by-night scavengers, who are the chief offenders. This irresponsible element should be eliminated, for it is adding to the headaches of the regular operators and the general public.

No one wants to penalize or bankrupt the industry, upon which the economy of this community depends. That isn't the idea and it should not be necessary to do this to bring order out of prevailing chaos.

Mr. Speaker, it is time to give serious consideration to see that legislation is enacted to protect the lives of our people and to protect property owners who are now at the mercy of the ruthless mine operators.

RECONSIDERATION OF VOTE

Mr. ROOT. Mr. Speaker, I move that the vote by which House Bill No. 100, Printer's No. 383, entitled:

An Act providing that in cities of the first class in all cases where taxes are due and unpaid upon a single tract of land and it is desired to divide such tract into separate parcels the Board of Revision of Taxes may apportion such taxes ratably between or among the parcels so divided provided that upon payment of the taxes and proper costs on any such parcel it shall be released from the lien.

was defeated on final passage on Tuesday, April 3, 1945, be reconsidered.

Mr. SMITH. Mr. Speaker, I second the motion.

The SPEAKER pro tempore. How did the gentleman from Philadelphia, Mr. Root vote on the final passage of this bill?

Mr. ROOT. Mr. Speaker, I voted in the majority.

The SPEAKER pro tempore. How did the gentleman from Philadelphia, Mr. Smith, vote on the final passage of this bill?

Mr. SMITH. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the biss pass finally?

BILL POSTPONED

Mr. ROOT. Mr. Speaker, I move that this bill be placed on the postponed calendar.

The motion was agreed to.

PERMISSION TO ADDRESS HOUSE

Mrs. VARALLO asked and obtained unanimous consent to address the House.

Mr. Speaker, several weeks ago my colleague from Philadelphia, Mrs. Coyle, and myself introduced a resolution, demanding an investigation of the administration of the Eastern State Penitentiary at Philadelphia, under the Department of Welfare.

At that time the public press carried amazing stories, indicating at least lack of efficiency, if not gross inefficiency, in the management of the affairs of that institution.

Little did we know that at that time a group of individual prisoners, were completing their tenth month of constructing a subway, which resulted in a wholesale jail delivery, only a short while ago. It is interesting in this connection to observe, that not only did the prisoners have shovels to make their work easier, but even had an electric light system installed, to better accommodate them.

After the introduction of our resolution, there was nothing done. The prison break of last week stirred officials at Harrisburg, to suggest to the Secretary of Welfare, that an investigation be made. The Secretary of Welfare delegated two of her employees, who, for all we know, may have been charged with the responsibility of overseeing the affairs of this institution, to make an investigation.

We are advised by the public press, that the findings of this investigation which has taken no more than a few days, have been submitted to official Harrisburg, and that certain legislation is being contemplated.

The result of this whitewash action should be made public, as soon as the bills reach the discussion stage. In the meantime, it seems quite ridiculous to ask those responsible for the supervision of the Eastern State Penitentiary, to make an investigation to find the facts on which to base remedial legislation. They would be less than human if they were to find any facts which would tend to embarrass the Department.

It has been known for a long time, and this administration has recognized the fact, that this institution should be abandoned, and our postwar plans, include the building of a new maximum security prison to take its place.

However, something must be wrong when convicts could dig for months undetected—when these convicts could arm themselves with knives and civilian clothes, to prepare for their journey—when the industrialists at Cherry Hill were permitted to employ prison labor on war contracts—when the farms at Gratersford were permitted to lie fallow, while the institution spent money on the open market for vegetables—when three trustees could resign in a body, without the raising of official eyebrows.

The answer is not a self-exculpating investigation, which may be followed by whitewash legislation—the investigation should be conducted by experts and by experts, we mean penologists and not politicians.

There is a scientific cure for a bad prison situation. It cannot be solved by lightly tapping some people on the head, and suggesting that they be a bit more careful.

Whether the resolution of Mrs. Coyle and myself is reported out is not the question—we would be happy not to press for its adoption, if the administration would take intelligent forward steps to remedy the situation.

It is also noteworthy in passing, to note, that both the Philadelphia Record, which first exposed the facts, and the Philadelphia Inquirer, have editorially called for drastic action, to determine the administration difficulties to the end that proper legislation as found necessary, may be adopted.

The session is quickly drawing to a close. Action must be taken now.

RESOLUTION

Mr. STUART offered a resolution which was filed with the Clerk.

CONDOLENCE RESOLUTION

Mr. KENNEDY offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and unanimously adopted as follows:

In the House of Representatives, April 10, 1945.

From time to time the members of the General Assembly hear of the death of a son, a brother, a father, a friend or an acquaintance or even of a stranger—all heroes of the war, all deserving of some expression of sympathy and understanding.

And yet, on many of these occasions, only the elegance of silence sufficies, as words would be impudent and when not so, they would be hollow and without meaning.

Occasionally, however, one must speak for a protracted silence might be regarded as indifference.

Reverend Charles Lantz, an employe of the House of Representatives, received word last week that his son Lieutenant David Lantz, a navigator, of Milroy, Pennsylvania, was killed in action over Germany; therefore be it

Resolved, That the House of Representatives this day extends to Reverend Charles Lantz its sympathy and that many of the members share with him a common grief, and directs the Chief Clerk of the House to transmit a copy of this resolution to said Reverend Charle Lantz.

RESOLUTION

Mr. LOVETT offered a resolution which was filed wi the Clerk.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, yesterday the House voted upon a motion to recommit. There had been an understanding upon the part of the Committee that the bill was to be recommitted after second reading. It has been the practice in the past to honor these Committee agreements. However, there were some forty or fifty Members who did not choose to do so, so I am stating that as far as I am personally concerned in the future, that I shall not honor any agreement made upon the part of Committees. I shall consider that a bill once in the custody of the House is not subject to any prior commitment.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 6, 1945.

Resolved (if the Senate concurs), that House Bill No. 719, Printer's No. 283, entitled "An act to amend section one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 558) entitled 'An act authorizing the Department of Property and Supplies to sell and convey a lot or piece of land in Delaware County' correcting an erroneous measurement," be recalled from the Governor for the purpose of amendment.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

Approval of House Bills Nos. 38, 52 72, 164, 207, 281, 307, 336, 457, 470, 756, 771, 780 and 942.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 10, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 38, Printer's No. 170, enttiled "An Act to further amend section four hundred twenty-one of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled 'An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto' broadening the definition of the term 'deceased service persons' to include members of any women's organization officially connected with any of the armed forces of the United States and requiring county commissioners of each county to contribute to the funeral expenses of such persons."

EDWARD MARTIN.

April 10, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 52, Printer's No. 44, entitled "An act to amend clause six of section thirteen of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled 'An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties' further defining the disability retirement rights of members of the School Employes' Retirement Association who engage in active military service."

EDWARD MARTIN.

April 10, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 72, Printer's No. 172, enttiled "An Act to prohibit the unlawful wearing of uniforms of the armed forces or branches thereof and imposing penalties for violation thereof."

EDWARD MARTIN.

April 10, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 164, Printer's No. 445, entitled "An Act to reenact and amend the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 563) entitled 'An act to add section two thousand two and one-tenth to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for cooperation of State Teachers Colleges at the request of the State Council of Defense with other agencies in furthering national defense programs and activities' extending the effective period thereof substituting the Department of Public Instruction and the Governor for the State Council of Education and placing additional duties and powers upon the trustees of State Teachers Colleges."

EDWARD MARTIN.

April 10, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 207, Printer's No. 10, entitled "An Act to provide for the receiving as evidence in any court office or other place in this State official findings records reports or certified copies thereof of death presumed death missing or other status issued by the Secretaries of War and Navy and other Federal officers and employees."

EDWARD MARTIN.

April 10, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 281, Printer's No. 77, entitled "An Act to amend section two thousand twenty-two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled 'An act concerning townships of the first class amending revising consolidating and changing the law relating

thereto' authorizing township commissioners to record certificates denying responsibility for certain roads streets lanes alleys or drainage facilities in connection therewith."

EDWARD MARTIN.

April 10, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 307, Printer's No. 48, entitled "An Act to further amend section two thousand five hundred four of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled 'An act relating to cities of the third class and amending revising and consolidating the law relating thereto' by further providing for the triennial assessment of taxable property."

EDWARD MARTIN.

April 10, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 336, Printer's No. 414, entitled "An Act to further amend clause IV section seven hundred and two of the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled 'An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto' designating the purposes for which appropriations may be made to fire companies and requiring annual reports by such fire companies of expenditures of appropriated moneys."

EDWARD MARTIN.

April 10, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 457, Printer's No. 280, entitled "An Act to permit the sale and purchase of imitation butter or oleomargarine for consumption by inmates and employes of charitable and penal institutions within the Commonwealth for a period of two years and suspending certain provisions of the law prohibiting such sales and purchase for the same period of time under certain circumstances requiring the keeping of records and the making of reports and providing penalties."

EDWARD MARTIN.

April 10, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 470, Printer's No. 260, entitled "An Act to further amend section four of the act approved the eighth day of May one thousand nine hundred nine (P. L. 470) entitled 'An act to prevent the manufacture and sale of adulterated or misbranded drugs defining the word 'drug' prescribing penalties for violation of this acct and the method of its enforcement' by further defining what shall constitute misbranding of drugs."

EDWARD MARTIN.

April 10, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 756, Printer's No. 249, entitled "An Act to reenact and amend clause XIII of section one thousand five hundred two of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (P. L. 1206) entitled 'An act concerning townships of the first class and amending revising consolidating and changing the law relating thereton' by providing for the furnishing of street lighting by contract with lighting companies upon petition of property owners in villages and for the assessment and collection of the costs and maintenance thereof upon property benefited thereby and validating petitions of property owners contracts entered into between townships and lighting companies taxes levied to pay the costs and maintenance of lighting service and the collection receipt and payment out of the revenues therefrom notwithstanding such petitions were filed contracts entered into and taxes levied collected and paid out under unconstitutional laws validating agreements and understandings between townships and lighting companies to continue lighting service pending the enactment of valid laws regulating and providing for the expenditure of moneys arising from special lighting taxes and authorizing the payment of the costs and expenses of maintaining lighting service until valid laws are enacted to collect charges from property owners benefited thereby out of the township tax and the creation and transfer of moneys to a special account for such purposes at any time notwithstanding the prior adoption of the budget and authorizing any light and power company to apply the net rate and to waive the gross rate or to grant discounts and to waive penalties in the same manner as if payments had been made by the township within the time required by the contract and the company's schedules or tariffs"

EDWARD MARTIN.

April 10, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 771, Printer's No. 210, entitled "An Act to further amend clause (b) section six of the act approved the fifth day of May one thousand nine hunact approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled 'An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof' by conferring the authority to issue writs of habeas corps in desertion and nonsupport cases"

EDWARD MARTIN.

April 10, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 780, Printer's No. 211, entitled "An Act to further amend section six of the act approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled 'An act to establish a county court for the county of Allegheny and presribing its powers and duties regulating the procedure therein and providing for the expenses thereof' by extending jurisdiction to cases for support of illegitimate children where the putative father admits parentage."

EDWARD MARTIN.

April 10, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 942, Printer's No. 289, entitled "An Act to amend the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 439) entitled 'An act authorizing the Governor of the Commonwealth of Pennsylvania with the advice of the Attorney General and the approval of certain members of

the General Assembly, for a limited period of time, to suspend or modify laws, either in whole or in part, under certain circumstances, during the existence of the present war,' by extending the effective period of the act."

EDWARD MARTIN.

THE SPEAKER (Ira T. Fiss) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Montgomery, Mr. Lloyd H. Wood for presiding.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 59.

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-one (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by providing rest periods sick leave hospital and medical expenses and extra compensation in certain cases for police in counties of the second class.

SENATE BILL No. 72.

An Act to further amend section six hundred one of the act approved the twenty-fifth day of May, one thousand nine hundred thirty-three (P. L. 1001), entitled "An act providing for the regulation of aeronautics within this Commonwealth conferring powers and imposing duties upon the Pennsylvania Aeronautics Commission and the Department of Revenue in respect thereto providing for the licensing and registration of airman and aircraft establishing the legal status of air navigation providing for sovereignty in and ownership of space providing for lawfulness of flights regulating civil causes of action arising out of operation of aircraft fixing the status of contracts, crimes and torts in, by or by means of operation of aircraft imposing duties upon officers, burgesses, magistrates, aldermen, justices of the peace, the courts and clerks thereof, providing for denial or revocation of licenses providing for certain penalties and their disposition and repealing certain existing laws," by reducing the amount of the minimum fine which may be imposed for certain violations.

SENATE BILL No. 84.

An Act concerning the powers and duties of policemen appointed by the Delaware River Joint Toll Bridge Commission.

SENATE BILL No. 113.

An Act to empower political subdivisions to promulgate, administer, and enforce airport zoning regulations limiting the height of structures and objects of natural growth, and otherwise regulating the use of property in the vicinity of airports, and to acquire, by purchase, grant, or condemnation, air rights and other interests in land; to authorize penalties and remedies for violations of this act or of any ordinances or regulations made under the authority conferred herein; and to authorize appropriations.

SENATE BILL No. 221.

An Act authorizing the Commonwealth and any administrative department boards and commissions thereof acting through the Department of Property and Supplies and political subdivisions of the Commonwealth including municipal authorities to enter into contracts with the United States of America or any agency thereof for the purchase lease or other acquisition of property real or personal offered for sale pursuant to the Surplus Property Act of one thousand nine hundred forty-four without complying with any requirement of existing law as to specifications advertising award of contract and approval of purchases by a State agency receiving competitive bids or the delivery of property purchased before payment therefor

SENATE BILL No. 250.

An Act to further amend section two thousand three hundred nineteen of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by changing the name "Western State Psychiatric Hospital" to "Western State Psychiatric Institute and Clinic."

SENATE BILL No. 251.

An Act to amend the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 1199, No. 324), entitled "An act for the acceptance of a site from the University of Pittsburgh, and for surveys and the preparation of preliminary plans and estimates for a Western State Psychiatric Hospital; providing for the erection, construction, and equipment of said hospital when appropriations are made available, and for its management by the Department of Welfare," by changing the name "Western State Psychiatric Hospital" to "Western State Psychiatric Institute and Clinic."

SENATE BILL No. 314.

An Act relating to officers and employes of the Senate and House of Representatives; providing for and fixing the compensation of an additional employe; changing the compensation of certain existing employes; and making an appropriation therefor and for contingent expenses.

SENATE BILL No. 386.

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and

all other assistants and employes of certain departments boards and commissions shall be determined" by permitting departments boards or commisisons to make transfers of surplus products of the soil meats livestock timber or other materials raised or grown upon or taken from property of the Commonwealth or their by-products to other state agencies and receive credit to their appropriation under certain conditions

SENATE BILL No. 406.

An Act to regulate the sale of second-hand watches; and providing penalties.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

COMMITTEE MEETINGS

There will be meetings of the Committees on:

Counties, Wednesday, April 11, at 11:00 a. m. in New House Caucus Room.

Education, Wednesday, April 11, at 11:00 a. m. in Room 324.

Municipal Corporations, Wednesday, April 11, at 10:30 a. m. in Room 521.

Professional Licensure, Wednesday, April 11, at 11:00 a. m. in Room 324.

There will be a Public Hearing before the Committee on City and County—First Class on House Bill No. 915 on Wednesday, April 18, 1945 at 11:00 a. m. in Room 521.

ADJOURNMENT

Mr. TITTLE. Mr. Speaker, I move that this House do now adjourn until Wednesday, April 11, 1945, at 1 p. m.

The motion was agreed to, and (at 6:14 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1945. 136th of the General Assembly.

Vol. 29. HARRISBURG, PA., WEDNESDAY, APRIL 11, 1945. No. 43.

SENATE

WEDNESDAY, April 11, 1945.

The Senate met at 3:00 o'clock, p. m., Eastern War Time. The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the Chair.

PRAYER

In the absence of the Chaplain prayer was offered by the Senator from Butler, Mr. CARR.

Our Father, we thank Thee that we are permitted to call Thee by this name; we thank Thee that Thy Son did so designate Thee and therefore we know that Thou art not only Father but also a loving and kindly Father unto us.

We do realize, O God, that under Thy fatherhood there is a brotherhood of man upon this earth and though the relationship of that brotherhood is disturbed at present we ask that in Thy overruling Providence Thou may bring again a time upon this earth when there shall be complete brotherhood.

Grant, O God, to be with us in all we do this day, and help us as men to not only serve our fellowman but to serve Thee, that we may do those things that are acceptable in Thy sight.

We ask this in Jesus' Name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HEYBURN and Mr. WILSON, the further reading was dispensed with, and the Journal was approved.

LEAVES OF ABSENCE

Mr. Wade asked and obtained leave of absence for Mr. EDMONDS.

He also asked and obtained leave of absence for Mr. BECKER.

He also asked and obtained leave of absence for Mr. TYLER.

Mr. EALY asked and obtained leave of absence for himself for April 12, 1945.

DAUGHTER'S DIVISION OF ALLENTOWN WOMEN'S CLUBS INTRODUCED TO SENATE

The PRESIDENT. Members of the Senate, as all of you know who have ever traveled around the country, the state of Pennsylvania has the most attractive girls of any in the United States. If any of you needed any proof of that, you can have it today, because the Senate is honored by having with us, under the sponsorship of Senator Tallman, the Daughter's Division of the Allentown Women's Clubs, co-sponsored by Mrs. Durham.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

APPROVED AND SIGNED
SENATE BILL No. 352, PRINTER'S No. 139

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 11, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 352, Printer's No. 139, entitled "An Act to amend section two hundred thirteen of the act approved the twenty-fifth day of June one thousand nine hundred forty-one (P. L. 159), entitled "An act amending, revising, consolidating and changing the law relating to the borrowing of money by certain political subdivisions, the authorization, issuance and sale of general obligation bonds as herein defined, of bonds imposing no general obligation of debt and of bonds not deemed to constitute a debt for certain purposes, and to the funding of debt and the refunding of bonds; regulating the keeping and use of sinking funds; imposing powers and duties upon the Department of Internal Affairs and upon corporate bodies and officers of political subdivisions; imposing penalties, and repealing existing laws," by authorizing temporary investments in certain obligations.

EDWARD MARTIN.

APPROVED AND SIGNED
SENATE BILL No. 356, PRINTER'S No. 172

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 11, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 356, Printer's No. 172, entitled "An Act to further amend Section 411 subsection B of Section 512 Section 1012 Section 1108 and subsection B of Section 1109 of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the

conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and duties and limitations upon powers of corporations and persons authorized to engage in a banking or fiduciary business or both."

EDWARD MARTIN.

BILL SIGNED

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) announced that the Acting Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

Senate Bill No. 195, entitled:

An Act relating to suits by shareholders against officers or directors in a corporation, domestic or foreign, to enforce a secondary right because the corporation refuses to enforce rights which may be asserted by it; requiring that plaintiff be a shareholder at the time of the transaction of which he complains or that his shares thereafter devolved upon him by operation of law; requiring security for defendant's expenses, including attorney's fees; and providing for the assessment and recovery of such expenses, including attorney's fees

Whereupon,

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the presence of the Senate signed the same.

HOUSE MESSAGES

SENATE BILL No. 52 RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 52, entitled:

An Act relating to the practice, procedure, regulations and adjudications of departments, departmental administrative boards and commissions, independent administrative boards and commissions, officers and other administrative agencies of this Commonwealth, and judicial review thereof; and preserving equitable jurisdiction in certain cases.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

SENATE NON-CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 52

Mr. WALKER. Mr. President, I move that the Senate do non-concur in the amendments made by the House to Senate Bill No. 52.

Mr. WOODWARD. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 527

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 527, entitled:

An Act to amend section four thousand three hundred one of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "Third Class City Law," by further regulating the administration of the police pension fund.

SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 527

Mr. HEYBURN. Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to House Bill No. 527, and that a conference committee be appointed to confer with a similar committee on the part of the House, if the House shall appoint such a committee.

Mr. BOWERS. Mr. President, I second the motion.

The motion was agreed to.

COMMITTEE OF CONFERENCE APPOINTED ON HOUSE BILL No. 527

The PRESIDENT. The Chair announces the President Pro Tempore has appointed Messrs. WALKER, TALLMAN and GOURLEY as a committee of conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such a committee) to consider the differences existing between the two houses in relation to House Bill No. 527.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

APPROVED AND SIGNED SENATE CONCURRENT RESOLUTION RECALLING SENATE BILL No. 18, PRINTER'S No. 187

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 11, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Concurrent Resolution recalling from the Governor Senate Bill No. 18, Printer's No. 187, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

EDWARD MARTIN.

APPROVED AND SIGNED SENATE CONCURRENT RESOLUTION RECALLING SENATE BILL No. 230, PRINTER'S No. 288

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 11, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Concurrent Resolution re-

calling from the Governor Senate Bill No. 230, Printer's No. 288, for further consideration.

Accordingly, the original bill is herewith returned.

EDWARD MARTIN.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 217, entitled:

An Act to further amend the title and the act, approved the sixteenth day of May, one thousand nine hundred thirty-five (P. L. 176), entitled as amended "An act requiring cities of the second, second A, and third class to allow members of the police departments, twenty-four consecutive hours of rest each week, and fourteen days vacation each year, except in emergency cases," extending the provisions of said act to cities, boroughs, incorporated towns and townships.

Which was committed to the Committee on Municipal Government.

House Bill No. 411, entitled:

An Act relating to roads, streets, highways and bridges; amending, revising, consolidating, and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto.

Which was committed to the Committee on Highways.

House Bill No. 641, entitled:

An Act to reenact and amend the title and Sections one two three and four of the act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 797) entitled "An act relating to the release reduction or limitation of powers of appointment" by extending the terms of such act to cover a power of consumption and by providing for the release and disclaimer of any power of appointment whether general or special other than a power in trust which is imperative and of any interest in to or over real or personal property or the income therefrom held or owned outright or in trust or in any other manner reserved or given to any person by deed will or otherwise howsoever and irrespective of any limitation of such power or interest by virtue of any restriction in the nature of a socalled spendthrift trust provision or similar provisions and providing for the execution delivery and recording of such release or disclaimer

Which was committed to the Committee on Judiciary General.

House Bill No. 933, entitled:

An Act to add section one thousand six hundred and fifteen to the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "Public School Code," providing for the release of pupils from the public schools for religious instruction.

Which was committed to the Committee on Education.

House Bill No. 1010, entitled:

An Act to add clause (k) to section one thousand three hundred two of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by providing for further regulation of secondary education and placing additional duties upon the Department of Public Instruction and secondary schools.

Which was committed to the Committee on Education.

House Bill No. 1036, entitled:

An Act relating to the rate of pay for policemen, firemen and park guards in cities of the first class; providing for a system whereby policemen, firemen and park guards of cities of the first class, who shall enter or who shall have entered the military service during the present hostilities, shall be paid upon honorable discharge and reentry into the police, fire or park guard service, at the same rate of pay as if they had actually served on the police force, fire bureau or park guard force of cities of the first class during the years, months or days they were in the military service.

Which was committed to the Committee on Municipal Government.

House Bill No. 1119, entitled:

An Act to add subsection (d) to section eight of the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 363), entitled "Orphans Court Act of 1917," authorizing the clerk of the orphans' court to invest certain moneys in the custody of the court.

Which was committed to the Committee on Judiciary General.

House Bill No. 1175, entitled:

A Supplement to the act approved the fourth day of June, one thousand nine hundred forty-three (Appropriations Acts, page 59) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-three" providing for a deficiency in an appropriation made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred forty-five

Which was committed to the Committee on Appropriations.

House Bill No. 1195, entitled:

An Act to amend section ten of the act, approved the fourth day of June, one thousand nine hundred forty-three (P. L. 886), entitled "Municipal Employes Retirement Law" including any service as a member of the General Assembly in the period of service of a contributor upon his making certain back payments.

Which was committed to the Committee on State Government.

HOUSE CONCURS IN SENATE BILL No. 63

He also returned to the Senate, Senate Bill No. 63, entitled:

An Act to further amend section one of the act approved the thirteenth day of June one thousand eight hundred eighty-three (P. L. 113) entitled "An act ceding concurrent jurisdiction of this State over certain lands owned or hereafter acquired by the United States" by further regulating cession of jurisdiction by the Commonwealth of Pennsylvania to the United States of America

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 172

He also returned to the Senate, Senate Bill No. 172, entitled:

An Act providing for the appointment of guardian in inter vivos deeds or gifts or under insurance or annuity policies.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 300

He also returned to the Senate, Senate Bill No. 300, entitled:

An Act to further amend sections twenty-five, twenty-six, and thirty-six of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1237), entitled "An act affecting marital relations; prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages; and amending, revising, and consolidating the law relating thereto," by providing that libels in divorce may be presented, subpoenas awarded and masters appointed by, a judge at chambers.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 303

He also returned to the Senate, Senate Bill No. 303, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of the Allentown State Hospital, to acquire a certain tract of land for the use of said hospital, and making an appropriation therefor.

with the information that the House has passed the same without amendments.

PERMISSION TO ADDRESS SENATE

Mr. WOODRING. Mr. President and members of the Senate, Mark Twain once said that everybody talks about the weather but nobody does anything about it.

In the great Commonwealth of Pennsylvania the important question of state-wide civil service stands in that category. Every four years the candidates go up and down and across the state and promise the people improved government and economy in government; after the inauguration these promises are wrapped and packed away for another four years.

Government continues to grow like Topsy. The cost of government steadily climbs and the politicians labor and bear bastard children in the form of patronage jobs. More and more jobs seem to be necessary, not to perform the work of the Commonwealth, but to form the basis for a political organization to deliver the vote and win the election.

On February 13 I delivered extended remarks on the advantages and desirability of state-wide civil service. It is not my purpose to repeat the thoughts which I expressed at that time. I merely want to point out to the Senate and people of our Commonwealth that although this is an important question, important whether you are for or against it, two Senate committees, State Government and Constitutional Changes, to which Senate Bills No. 331 and No. 332 have been referred, have failed to consider either of ths measures.

It seems to me—and I will drop this pearl in passing—that it is an indictment against our legislative procedure, to countenance a system whereby the committees of the Senate and House are straitjacketed into consideration of only those bills which the chairman calls up for consideration. The entire committee system fails in its purpose if a committee is not permitted to consider every bill which is referred to it.

Although nineteen states of our country, including some of the leading states, have adopted state-wide civil service, and although countless persons in Pennsylvania favor state-wide civil service in our state, these two committees have failed to consider Senate Bills No. 331 and No. 332, although the bills have been in those committees for two months.

I have considerable mail from various parts of the state expressing approval of these two bills. One of those communications is from the Civic Club of Allegheny County—that is the home, incidentally, of Senator McGinnis—and this letter has this to say concerning Senate Bill No. 331:

"Approved: the provisions set forth in this bill are in accord with the highest standards of civil service and now are being used successfully in those divisions of the state government which now receive federal aid."

I recognize, gentlemen of the Senate, that Senate Bills No. 331 and No. 332 have been thoroughly pickled and stifled, and I do not speak for their enactment during this session, but I do want to leave with you the thought and the hope that in some future session these measures can be considered, carefully considered, and if they are found worthy, let them be acted upon by the committees and let the House and Senate vote upon the question of state-wide civil service.

PERMISSION TO ADDRESS SENATE

Mr. McGINNIS asked and obtained unanimous consent to address the Senate.

Mr. McGINNIS. Mr. President, inasmuch as the Senator from Northampton has just spoken on civil service, I want to remind the Senate that we had a young Senator here, I think for two weeks at one time, and now he is a Congressman at Washington and he is demanding an investigation of civil service in Washington, and here is a remark that I want to incorporate into the record: "The new Congressman who recently took a seat after service with the Navy in the Pacific described civil service as a pious front for a lot of loafing."

REPORTS FROM COMMITTEES

Mr. THOMAS, from the Committee on Highways, reported as committed, House Bill No. 642, entitled:

An Act authorizing in certain cases, the issuance of motor vehicle operators' licenses to persons honorably discharged from the armed forces of the United States or from any women's organization officially connected therewith, without a learner's permit; and the temporary suspension of existing laws requiring the same.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 219, entitled:

An Act authorizing the Department of Military Affairs to collect and to preserve the selective service and war records of the Commonwealth of Pennsylvania, authorizing the storage of such records in available buildings or the construction of a new building to accommodate them if necessary, and making an appropriation therefor.

He also, from the Committee on Labor and Industry, reported as committed, House Bill No. 754, entitled:

An Act to further amend section two of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1513) entitled "An act regulating the construction equipment maintenance operation and inspection of boilers granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing penalties for violations of this act and repealing all acts or parts of acts inconsistent with this act" by exempting certain boilers from the provisions of the act.

Mr. THOMAS. Mr. President, in connection with House Bill 754, which I just reported from the committee on Labor and Industry, I would like to read a letter from the Department of Mines and Mining. This is a letter addressed to me and it says:

"With reference to House Bill No. 754, I wish to state that at the present time the Department of Labor and Industry has jurisdiction and inspects boilers used in connection with coal mines operating in Pennsylvania. Prior to 1937, these boilers were under the supervision of the Department of Mines.

"The Department of Mines does not, and never has, inspected boilers used in the operation of oil and gas wells."

Mr. MALLERY, from the Committee on County Government, reported as committed, House Bill No. 784, entitled:

An Act to add section one point one to the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 322) entitled "An act providing for the issuance of certified copies of death birth and marriage certificates and divorce decrees by county officers free of charge to disabled war veterans and their dependents in death and compensation cases and prescribing penalties" requiring counties to pay the fees of officers compensated on a fee basis

Mr. HOMSHER, from the Committee on Highways, reported as committed, House Bill No. 45, entitled:

An Act to further amend section two hundred one of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing refunds" exempting from registration tractors and trailers used by farmers in certain cases

He also, from the Committee on Highways, reported as committed, House Bill No. 146, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferrng powers and imposing duties upon the department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" changing the definition of "dealer" and limiting the delivery and issuance of temporary registration plates or markers

He also, from the Committee on Labor and Industry, reported as committed, Senate Bill No. 340, entitled:

An Act to further amend subsection (c) of section seven of the act approved the first day of June, one thousand nine hundred thirty-seven, (P. L. 1168), entitled "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State Government, and courts; providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties," making further provision for designation and selection of representatives for the purposes of collective bargaining.

He also, from the Committee on Appropriations, rereported as amended, Senate Bill No. 410, entitled:

An Act relating to and regulating the care and maintenance of children away from their parents providing for the certification and licensing of child welfare organizations and foster homes; imposing duties and conferring powers upon the Department of Welfare; imposing duties upon juvenile courts; prohibiting certain advertising and prescribing penalties and making an appropriation.

Mr. SCARLETT, from the Committee on Highways, reported as committed, Senate Bill No. 680, entitled:

An Act to further amend section one of the act, approved the twentieth day of April, one thousand nine hundred and twenty-seven (P. L. 321), entitled "An act

authorizing the Secretary of Highways to designate by letter, or to name, number, or combine State highways, or any part or parts thereof, in such manner as in his discretion will best accommodate and inform the traveling public using the highways of the Commonwealth, and facilitate the keeping of maps and records of the Department of Highways, and to include, in any route designated for the convenience of the traveling public, any township road or roads," as amended, by eliminating the requirement that designations assigned by the Secretary of Highways shall be the official designations for all purposes.

Mr. TAYLOR, from the Committee on Appropriations, re-reported as committed, Senate Bill No. 10, entitled:

An Act making an appropriation to the Department of Military Affairs for the payment of certain moral claims; providing for the hearing, adjustment, and paying of moral claims of persons injured, and dependent relatives, members of families, and personal representatives of persons killed through negligence in the operation of trucks of or under the control of the Pennsylvania National Guard.

He also, from the Committee on Appropriations, reported as amended, Senate Bill No. 32, entitled:

An Act making an appropriation to the Department of Property and Supplies for the acquisition of land and buildings by purchase, condemnation or gift, the construction and equipment and furnishing of any buildings, and the alteration, removal, remodeling or replacing of existing buildings, to be used for barracks and training facilities for the Pennsylvania State Police.

Mr. CARR, from the Committee on Agriculture, reported as committed, Senate Bill No. 194, entitled:

An Act to further amend section twenty of the act, approved the eleventh day of May, one thousand nine hundred twenty-one (P. L. 522) entitled "An act relating to dogs, and the protection of live stock and poultry from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs, and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock and poultry by dogs, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes; directing the payment of all moneys collected into the State Treasury; and making an appropriation thereof; and providing penalties," by increasing the fee for killing unlicensed dogs.

He also, from the Committee on Labor and Industry, reported as amended, Senate Bill No. 658, entitled:

An Act to further amend the act, approved the fifth day of December, one thousand nine hundred and thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," changing the provisions thereof and the rights, obligations and procedure thereunder.

Mr. BLASS, from the Committee on Highways, reported as committed, Senate Bill No. 561, entitled:

An Act to amend section one of the act, approved the twenty-eighth day of May, one thousand nine hundred forty-three (P. L. 796), entitled "An act establishing as state highways, certain highways and requiring their construction, repair and maintenance as such," by limiting the highways and structures which may become the responsibility of the Commonwealth thereunder.

He also, from the Committee on Highways, reported as committed, House Bill No. 136, entitled:

An Act to amend section one of the act, approved the sixth day of May, one thousand nine hundred forty-three (P. L. 190), entitled "An act authorizing, in certain cases, the renewal of old motor vehicle operators' licenses for persons honorably discharged from the armed forces of the United States or from any women's organization officially connected therewith, without a learner's permit, examination or additional fee; and while in such service the operation of motor vehicles without renewal of operator's license; and the temporary suspension of existing laws requiring the same," by providing that honorably discharged veterans may make application for renewal of old motor vehicle operators' licenses for a period of one year from the date of honorable discharge in certain cases and authorizing such applications also to be certified by, and sworn to before, a notary public.

Mr. LETZLER, from the Committee on Highways, reported as committed, House Bill No. 614, entitled:

An Act to further amend section nine hundred and three of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the maximum gross weight of certain commercial motor vehicles and truck tractors.

Mr. WAGNER, from the Committee on Municipal Government, reported as committed, Senate Bill No. 616, entitled:

An Act to further amend section two thousand one hundred three of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto"; permitting additional hours of service by firemen for the duration of the present war.

Mr. CROWE, from the Committee on Mines and Mining, reported as committed, House Bill No. 51, entitled:

An Act providing for the health and safety of persons employed in and about the coal mines of the Commonwealth of Pennsylvania, the protection and preservation of property connected therewith, the appointment of electrical inspectors by the Secretary of Mines with the consent and approval of the Governor, the fixing of their salaries and necessary expenses incurred in the performance of their duties, and the fixing of the qualifications which shall be possessed by persons appointed to the position of Electrical Inspector.

He also, from the Committee on Highways, reported as committed, House Bill No. 866, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licencing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, borough incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts making an appropriation and providing for refunds," by providing for the use of "reflector type" flares as "danger and caution signals."

Mr. FARRELL, from the Committee on Municipal Government, reported as amended, House Bill No. 98, entitled:

An Act to amend an act approved the sixth day of June, one thousand eight hundred and seventy-one (P. L. 1353), entitled "An act relative to plans of survey and regulation in the City of Philadelphia," by restricting the operation of the act to original plans and revisions, changing the time and number and character of the newspapers in which notice of the proposed plans and revisions shall be published, and of the hearing thereon, eliminating the requirement that streets which are the subject of such plans or revisions must extend from street to street as thoroughfares and must be called public streets, and abrogating the provisions for widening the streets upon the petition of the owners or majority of feet frontage thereon or on one side thereof and by providing that all plans and revisions of plans of land subdivision shall, after approval by the Board of Surveyors, be recorded in the Office of the Recorder of Deeds, and that owners and purchasers shall be conclusively presumed to have notice thereof.

He also, from the Committee on Elections, reported as committed, House Bill No. 1082, entitled:

An Act to further amend the act, approved the thirtieth day of March, one thousand nine hundred thirty-seven (P. L. 115), entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, bodies of electors, registration commissioners, commissioners, registrars, inspectors of registration and other appointees of registration commission election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents, certain public service companies, persons, firms, and corporations operating vehicles for moving furniture and household goods, and boards of school directors; and imposing penalties," by changing the provisions of said act as to the registration of electors before and after certain elections, the preparation of street lists, the cancellation of registrations for failure to vote, and the destruction of records.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 644, entitled:

An Act to further amend section nine of the act, approved the sixteenth day of May, one thousand nine hundred twenty-three (P. L. 207), entitled "An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances, and for water rents or rates, sewer rates, and lighting rates; for the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; the distribution of the proceeds of such sales and the redemption of the property therefrom; for the lien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed, within six months before the passage of this act; and for the procedure on tax and municipal claims filed under other and prior acts of Assembly," providing for the payment of interest in certain claims.

Mr. TROUTMAN, from the Committee on Mines and Mining, reported as committed, Senate Bill No. 101, entitled:

An Act relating to the use of trailing cables on portable electric machinery in coal mines; providing for the health and safety of persons employed therein and for the protection and preservation of property connected therewith and for the inspection of such equipment by the Department of Mines.

Mr. BERGER, from the Committee on Aeronautics, reported as committed, House Bill No. 1172, entitled:

An Act to further amend the first six paragraphs of section four hundred seven of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," increasing the membership of the Pennsylvania Aeronautics Commission.

Mr. JONES, from the Committee on County Government, reported as committed, Senate Bill No. 663, entitled:

An Act to further amend section one of the act, approved the fourth day of June, one thousand nine hundred thirty-seven (P. L. 1625), entitled "An act providing for the creation, maintenance and operation of a county employes' retirement system in counties of the third class; and imposing certain charges on counties," defining "County Employee" to include persons employed by independent poor districts.

Mr. CHAPMAN, from the Committee on Appropriations, reported as committed, Senate Bill No. 294, entitled:

An Act making an appropriation to the Department of Health for use in research and demonstration work dealing with the improvement of nutritional status of industrial workers and other civilians.

Mr. BOWERS, from the Committee on Highways, reported as amended, Senate Bill No. 404, entitled:

An Act to further amend section ten of the act approved the twenty-first day of May, one thousand nine hundred and thirty-one (P. L. 149), entitled "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," by imposing certain duties and restrictions in the allocation and expenditures of the Liquid Fuels Tax Fund in the State Treasury, on the county commissioners and the Department of Highways, and changing the provisions as to reports to the Departments of the Auditor General and Revenue.

Mr. JAMES, from the Committee on Appropriations, re-reported as amended, Senate Bill No. 8, entitled:

An Act to authorize the Pennsylvania Post-War Planning Commission, under certain conditions, to enter into agreements with political subdivisions of this Commonwealth for the financing of plans and specifications for public works; and making an appropriation.

He also, from the Committee on Appropriations, re-reported as amended, Senate Bill No. 468, entitled:

An Act authorizing the alteration improvement and construction of buildings equipment and facilities for the Pennsylvania Maritime Academy by the Navigation Commission for the Delaware River and making an appropriation

Mr. COX, from the Committee on Judiciary General, re-reported as committed, Senate Bill No. 122, entitled:

An Act to amend sections one and two, and to further amend section three of the act, approved the eighth day of June, one thousand eight hundred ninety-three (P. L. 344, No. 284), entitled "An act relating to husband and wife, enlarging her capacity to acquire and dispose of property, to sue and be sued, and to make a last will, and enabling them to sue and to testify against each other in certain cases," authorizing a married woman to mortgage or convey her real property to the same extent as a married man; to make contracts as if unmarried; and to become surety on any bond, bail or recognizance.

Mr. TALLMAN, from the Committee on County Government, reported as amended, House Bill No. 448, entitled:

An Act to add section nineteen and two-tenths to the act, approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298), entitled "An act authorizing the creation of, and providing for, and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class, imposing certain charges on counties, and fixing penalties," by providing for the admission of assessors into membership of such retirement systems.

He also, from the Committee on Aeronautics, reported as committed, House Bill No. 795, entitled:

An Act to further amend clause (f) of section two hundred one and to add clause (n) to section two hundred one of the act approved the twenty-fifth day of May one thousand nine hundred thirty-three (P. L. 1001) entitled as amended "An act providing for the regulation of aeronautics within this Commonwealth conferring powers and imposing duties upon the Pennsylvania Aeronautics Commission and the Department of Revenue in respect thereto providing for the licensing and registration of airman and aircraft establishing the legal status of air navigation providing for sovereignty in and ownership of space providing for lawfulness of flights regulating civil causes of action arising out of operation of aircraft fixing the status of contracts crimes and torts in by or by means of operation of aircraft imposing duties upon officers burgesses magistrates aldermen justices of the peace the courts and clerks thereof providing for denial or revocation of licenses providing for certain penalties and their disposition and repealing certain existing laws" by authorizing the commission to assist in the construction of airports and landing fields and to expend moneys appropriated to it for such purposes and to accept moneys from the Federal Government and other sources

Mr. WOODWARD, from the Committee on Municipal Government, reported as committed, House Bill No. 95, entitled:

An Act conferring upon the Councils of cities of the first class the power and devolving upon them the duty of fixing and determining the salaries wages and other compensation payable out of the treasury of such cities from and after the first day of January one thousand nine hundred and forty-six of all public officers clerks and other public employes except the salaries of elected officers whose salaries are fixed by law and except the salaries wages or other compensation of officers clerks and employes of the Courts which are fixed by law or by the Courts.

Mr. EALY, from the Committee on Appropriations, re-reported as amended, Senate Bill No. 4, entitled:

An Act making an appropriation to the State Veterans' Commission for the expenses of the commission, preparing and printing a compilation of veterans' laws furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents, for participation in certain defense activities, for the rehabilitation and care of veterans, including the acquisition of land by purchase, condemnation or gift, and construction of buildings for such purpose.

He also, from the Committee on Appropriations, reported as amended, Senate Bill No. 22, entitled:

An Act lapsing all unexpended or unencumbered balances of appropriations from all funds made by the General Assembly at its session of one thousand nine hundred and thirty-seven and prior sessions and at its regular sessions of one thousand nine hundred and thirty-nine and one thousand nine hundred and forty-one and the Special Sessions of one thousand nine hundred and thirty-eight and one thousand nine hundred and forty.

Mr. COLEMAN, from the Committee on Mines and Mining, reported as committed, Senate Bill No. 85, entitled:

An Act requiring owners, operators and superintendents of anthracite coal mines in which from two to five persons are employed or engaged in work to prepare maps and plans of such mines and deposit the same with the proper mine inspector and to enter extensions made in such mines thereon, including all extensions to the date of abandonment of the mine; imposing duties on mine inspectors and providing penalties.

He also, from the Committee on County Government, reported as committed, House Bill No. 439, entitled:

An Act providing for the establishment in counties of the second class of the lot and block plan for the registration of land titles, for the accumulation of county tax liens, and for the enumeration of the parcels of real estate to be assessed for county, city, borough, township, school and institution district taxation; providing for the incurring of indebtedness for the installation thereof; and imposing duties upon the county controller and the deed registrar in each of such counties.

Mr. JASPAN, from the Committee on Appropriations, reported as committed, Senate Bill No. 65, entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia, Pennsylvania, for medical education.

Mr. STIEFEL, from the Committee on Appropriations, reported as committed, Senate Bill No. 54, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of said university, the purchase of apparatus and equipment therefor, and the maintenance of teaching facilities in hospitals for students in the School of Medicine of said university.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 67, entitled:

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia

Mr. McGINNIS, from the Committee on Highways, reported as committed, Senate Bill No. 231, entitled:

An Act to amend section seven of the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 720), entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the second class, second class A, and third class as State highways, and for the improvement, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon; authorizing cities, person, associatiion, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance; providing for the assessment of certain portions of the cost of street improvements on abutting property owners; regulating the replacement of certain facilities of public utility companies; prohibiting the opening of said streets after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purpose of this act;" providing for and regulating the change of width, grade, lines or location of state highways in such cities, the ascertainment and assessment of damages and benefits to abutting property in connection therewith, and the payment of damages by cities and the Commonwealth including the cost of the removal of certain structures; and making appropriations from the Motor License Fund.

Mr. BARR, from the Committee on Elections, reported as committed, Senate Bill No. 693, entitled:

An Act to further amend subsection (b) of section nine hundred thirteen of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections;" providing for payment of filing fees by cash in certain cases.

Mr. DENT, from the Committee on Highways, reported as amended, Senate Bill No. 636, entitled:

An Act to further amend section twelve hundred and eighteen of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by requiring pedestrians to comply with requests of peace officers

He also, from the Committee on Highways, reported as committed, House Bill No. 1211, entitled:

An Act to further amend section six hundred sixteen of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claim registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns town-

ships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further prescribing the time when certain penalties imposed under the said act shall become effective

He also, from the Committee on Highways, reported as committed, House Bill No. 528, entitled:

An Act to repeal subsection (f) of section nine hundred two of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2329)

REPORT FROM COMMITTEE ON SENATE RESOLUTION, SERIAL No. 26

Mr. WALKER. Mr. President, I desire to make a report from committee at this time, on Senate Resolution, Serial No. 26.

I am directed by the Committee on Judiciary General to make the following report;

SENATE OF PENNSYLVANIA
COMMITTEE ON JUDICIARY GENERAL

REPORT OF THE COMMITTEE ON JUDICIARY GENERAL ON SENATE RESOLUTION SERIAL No. 26

On January 30, 1945, Senate Resolution Serial No. 26 was introduced in the Senate. It was referred to the Committee on Rules on January 30, reported from said Committee as committed, and adopted by the Senate that same day. The Resolution reads as follows:

JUDICIARY GENERAL COMMITTEE TO INVESTIGATE STATE NEWS SERVICE, STATE LEGISLATIVE SERVICE, AND STATE BUSINESS SERVICE

In the Senate, January 30, 1945.

Whereas, From almost under the dome of this Capitol there issues periodically a sheet under the caption of "State News Service, Masonic Temple, Harrisburg," of which one A. O. Vorse is the reputed writer and publisher; and

Whereas, This publication operated in conjunction with a reputed State Business and State Legislative Service is devoted primarily to a continuing tirade against the Jews as a race, and to inciting race and religious prejudices, patterned after the most scurrilous utterances of the arch-Jew baiter, Adolph Hitler; and

Whereas, Our Nation and its component Commonwealth, in particular the lands of Pennsylvania, have since their earliest settlement been dedicated to the principles of religious and racial tolerance, which are guaranteed to all of its people by the Federal and State constitutions; and

Whereas, While the constitutions likewise proclaim freedom of speech and of the press, such freedom cannot be converted into a license to incite blind hatreds and to preach the basic doctrine of our enemies; therefore be it

Resolved, That the Judiciary General Committee of the Senate be instructed to conduct an investigation of the State News Service, The State Legislative Service and The State Business Service and its publishers, and report to the Senate its findings and recommendations; and that said committee is hereby given the authority of the Senate to bring before it for questioning, and to compel the attendance of A. O. Vorse, reputed publisher of the State News Service, and any other person, and any records, books and papers having any bearing on the subject under investigation.

In compliance with the mandate contained in said Resolution, the Judiciary General Committee of the Senate proceeded forthwith to conduct said investigation.

The Committee first investigated the rumor that the aforesaid A. O. Vorse was receiving large numbers of every Senate Bill as they were printed in the pink from the Senate Sergeant-at-Arms. The Committee found as a matter of fact that this rumor was untrue and that the Senate Sergeant-at-Arms does not furnish to A. O. Vorse any copies of any Senate Bills. The Committee feels that any citizen of the Commonwealth should, and does, have the right to obtain a copy or a reasonable number of copies of any Bill introduced into the Senate from the Senate Sergeant-at-Arms. However, the Committee does not feel that the office of the Senate Sergeant-at-Arms should be a supply depot for the operation of any legislative information service conducted by any individual or any group. The Committee personally checked up on every regular recipient of Senate Bills who was receiving more than three copies of each Bill and the Committee is satisfied that in each and every instance the recipients were using the copies so received in the affairs of State and in the natural progress of the legislation.

The Committee is aware of the rumor that the said A. O. Vorse was receiving copies of Senate Bills through the House of Representatives. The Committee feels that it has no jurisdiction whatsoever to investigate the affairs of the House and the Committee further feels that it would not be ethical for the Senate to publicly criticize the House of Representatives in its conduct of its branch of the legislature.

The Committee also investigated the rumor that the said A. O. Vorse regularly occupied space in the Departpartment of Property and Supplies on the first floor of the Capitol Building and that in said office he was furnished with a desk, chair, telephone and clerical help. The Committee determined after a careful investigation that this rumor was unfounded. The Committee did ascertain that the said A. O. Vorse in the conduct of a so-called "Legislative Service" did regularly attend the opening of Bids in the Purchasing Department of the Department of Property and Supplies. However, any citizen

of the Commonwealth is entitled to attend the opening of such bids because all such matters are public and, therefore, the said A. O. Vorse was entirely within his rights in attending these lettings and ascertaining the names of bidders and the amounts of said bids. The Committee, therefore, feels that no recommendation is necessary relative to this particular phase of the investigation.

The Committee contacted the said A. O. Vorse and requested him to furnish the Committee with copies of his State News Service. This State News Service is a letter mimeographed and distributed weekly by the said A. O. Vorse to any person or persons who desire to subscribe to the same. Mr. Vorse promised to send the Committee copies of the news letters he has distributed since January 1, 1945. However, the copies if sent never were delivered to the Committee. The Committee did obtain from various sources several copies of some of the letters so distributed and upon which we shall comment later in this report.

On Tuesday, March 20, 1945, the Committee did hold a public hearing in order to further investigate the matters contained in the Resolution and to make inquiry regarding the subject matter of some of the News Letters in possession of the Committee. Mr. Vorse was invited to attend this hearing and he assured the Chairman of the Committee that he would be present. Mr. Vorse was not present at the hearing although the Committee has been indirectly advised that the gentleman did pass through the Senate Caucus Room, where the hearing was held, shortly before the hearing was called to order, but when the meeting convened the gentleman was not present.

The Committee received in evidence copies of some of the News Letters distributed by Mr. Vorse and also received a statement from the sponsor of the Resolution. The Committee is of the opinion that it does not have the power of subpoena and even if Mr. Vorse did voluntarily attend the hearing the Committee is not a court of record and does not have the power to compel Mr. Vorse, or any other witness, to testify or to answer questions.

The Committee carefully examined the news letters which have been made available to it, copies of which are attached to this report for the information of the Senate. The Committee is convinced that Mr. Vorse is not a newspaper man, does not represent any newspaper or news syndicate, is not a member of the Pennsylvania Legislative Correspondents Association and in no way should the representatives of the press be held accountable directly or indirectly for Mr. Vorse, his actions, his statements, or his publications.

The Committee feels that no good purpose could be served by further hearings or further investigation. The Committee further feels that it has efficiently, diligently, and expeditiously carried out the responsibilities entrusted to it by the Senate through Senate Resolution Serial No. 26.

Wherefore, the Committee makes the following findings of fact:

1. That the said A. O. Vorse is not receiving any copies of Bills from the Senate Sergeant-at-Arms.

2. That the said A. O. Vorse does not have an office or desk space in the Department of Property and Supplies.

3. That the cooperation of the House of Representatives is necessary in order to effectively control or prevent any abuses in the distribution of legislative information.

4. That the said A. O. Vorse is not affiliated with any recognized Pennsylvania newspaper, news service, nor is he a member of the Pennsylvania Legislative Correspondents Association, and that he does not have desk space in the news room in the Capitol Building.

5. That the scurrilous statements in the News Letter published by A. O. Vorse attacking the members of the Jewish race are unwarranted, untrue and contrary to the ethics of the newspaper profession.

The Committee has no proof that the said A. O. Vorse is being paid by any subversive organization to deliberately publish such un-American propaganda. The Committee solemnly warns the said A. O. Vorse that such attempts to breed ill feeling based on race prejudice or religious intolerance are just as deliberate acts of sabotage as direct interference with the war effort. One of the cardinal principles of this great Republic is freedom of speech and freedom of the press and it is indeed unfortunate that at times certain individuals are so contemptible and so un-American that they use that very shield as a bulwark behind which they hide while they, themselves, attempt to destroy those very pillars of freedom. America knows no creed, no race, no color, no geographical boundary. Every human being in whose heart burns the torch of freedom is an American. The portals of this great Republic are thrown wide open to the peoples of the world. Here truly all men are created free and equal. Americans of all races, of all colors, of all creeds, of all geographical origins, since the birth of the Republic, have died defending these principles, and the Committee condemns bitterly the attempt on the part of any individual to sow the seeds of hate and disunity, because the only harvest that can come from such a sowing is that which is being reaped at the present time in land controlled by Nazi Germany.

In view of these findings of fact and these determinations of policy, the Committee makes the following recommendations:

1. That the Secretary of the Senate be instructed to advise and direct the office of the Sergeant-at-Arms of the Senate that no individual or group of individuals shall directly or indirectly be given more than three copies of any Senate Bill unless the request for additional copies shall have been made in writing to the Secretary of the Senate and said request shall have been approved by the Secretary of the Senate and the Senator representing the district in which the petitioner resides.

2. That the said A. O. Vorse be herewith publicly censored for printing unfounded, unfair, and un-American attacks upon members of the Jewish Race.

3. That the Senate, by the adoption of this report, go on record categorically denying the foul propaganda contained in said news letter and further going on record that the propaganda contained in said news letters is unwarranted, untrue and contrary to the ethics of the United States of America.

Respectfully submitted,

JOHN M. WALKER, Chairman,
Judiciary General Committee of the Senate.

Mr. WALKER. Mr. President, in submitting this re-

port I want to call to the attention of the desk the fact that the report and the news letter are kept separately and this is done deliberately, Mr. President, so that there is no danger of the statements contained in this news service letter ever creeping into the Legislative Journal.

MOTION THAT THE REPORT BE ADOPTED

Mr. WALKER. Mr. President, I move the adoption of the foregoing report.

Mr. HEYBURN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. HOLLAND. Mr. President I rise to oppose acceptance of this report of the so-called investigation of A. O. Vorse. I certainly agree with the sentiments expressed in the report, but I do not see how a report can be made or an investigation made of a man who never appeared before the committee. In fact, I believe the investigation could be summed up in a very few words; Mr. Vorse, no Mr. Walker; Mr. Walker, no Mr. Vorse.

The day that the Committee on Judiciary General was to meet at nine o'clock, we can not deny the fact that Mr. Vorse appeared at nine o'clock sharp and the Chairman of the committee was not present; he asked for the chairman of the committee and walked out.

Much has been said in the report of the Committee on Judiciary General about bills, but I want to draw to the attention of the chairman of that committee the fact that the resolution contained certain definite statements concerning anti-Semetic utterances and many accusations, one made against the party leaders of the party to which the gentleman from Allegheny, Mr. Walker, belongs.

I believe that Mr. Vorse should have been taken in. After the meeting Mr. Walker made a statement to the newspapers and said that he did not have the power of subpoena. I immediately introduced, on March 21, 1945, a resolution, Serial No. 49, giving the committee the power of subpoena and asked for immediate consideration of the resolution on the floor of the Senate, but the Chairman of the Committee on Judiciary General, who had asked for this right, objected to immediate consideration.

I can not in any way imagine a report made on an investigation of a man when the man was not before the committee to be heard. It is true that Mr. Vorse has made many anti-Semetic utterances. In his paper, in one of the recent issues, he brought back the old story that Benjamin Franklin and the Pinckney letters had fought the giving of the right to the Jew of American citizenship. These Pickney letters, Mr. President, are being used today in the trial in Washington of those people who were spreading sedition throughout the United States.

I do not know why the Chairman of the Committee on Judiciary General did not accept the resolution giving to the committee the power of subpoena and bring in Mr. Vorse, who has stated in practically every saloon in the city of Harrisburg he was willing to appear before the committee, and would appear, and he did appear, but the chairman of the committee was fifteen or twenty minutes late.

Mr. President, I believe we should not accept the report. It is words, mere words, beautiful words, and words we like to hear, but what we would like to hear from the lips of Mr. Vorse is where he has secured this information and, as he states in one of his letters, that he personally went to the Historical Society where they keep their records in Philadelphia and could not find the Pinckney letters. He said he is willing to come before the committee.

Therefore, Mr. President, I ask that we still insist that the Committee on Judiciary General bring in Mr. Vorse by subpoena and hear his side of the story and then we can make a proper report. As the report now stands it is words, mere words.

Mr. JASPAN. Mr. President, I am going to say a few word, a very few words only. I have little or no regard for the statements of Mr. Vorse. I am one of those who is affected.

I have read some of his articles. I have little or no regard and. frankly, in my mind he is one of those chronic fanatics. When this first started, although I was accused of instigating it, I had no part in it.

As long as we have America, as long as there is any country in this world, certain individuals will be criticized, Jew, Gentile, black and white, and I feel the less attention we pay to this thing today the better off we will be. Some do not like Catholics, some do not like Jews, some do not like Protestants, some do not like colored people, but God made us all, and if we are true men and real Americans we will forget this criticism that is directed at one particular group. When we build up this Mr. Vorse, who is a common drunk—I see him time and again at the taprooms, dead drunk, an irresponsible person, we are making a big man out of somebody who knows little or nothing and who is simply exploiting this news service to earn some money. I therefore say, along with the gentleman from Allegheny, Senator Walker, that we go along with the committee report and adopt it immediately.

Mr. DENT. Mr. President, I would like to suggest to the Chair, inasmuch as this is a report of a committee, there need not be a vote taken on the report. The report of the committee is submitted as such and becomes a part of the record of the Senate, as I understand parliamentary prcedure. Therefore I suggest that there is no occasion for a vote one way or another upon the question of accepting or rejecting this report.

If there is any opposition to the report, if any member of the committee does not believe in the findings, then the only procedure, as I understand it, would be to file a minority report.

The PRESIDENT. This is a report of a committee of the Senate and the Senate has a right, if it so desires, to approve the report, and therefore the motion of the gentleman from Allegheny, Senator Walker, is perfectly in order.

MOTION WITHDRAWN

Mr. WALKER. Mr. President, the committee has no especial interest in pressing this matter to a vote, and with the permission of the seconder, I would like to withdraw the motion to approve the report.

Mr. HEYBURN. Mr. President, I withdraw my seconding of the motion.

Mr. WALKER. I just want to say that there was no dissenting vote in the committee when the report was approved by the committee this morning.

The committee has no desire to build up Mr. Vorse

or to tear any citizen down. They did the best they could with the resolution and with the tools they had and they made the best report they felt they could make under the circumstances and every member of the committee is sincerely of the opinion expressed in the report.

I want the gentleman from Allegheny, Senator Holland, to understand that the statements made in this report are the profound opinion of the committee, and if he has any defense of Mr. Vorse he should make it in a minority report and not make it here on the floor of the Senate.

Mr. HOLLAND. Mr. President, I could take considerable time of the Senate today by reading into the record letters received from leading ministers and organizations throughout not only Pennsylvania but the United States, urging that Mr. Vorse be brought in and questioned.

I would like to advise the gentleman from Philadelphia that the man who caused this war was considered a crack-pot. When Mr. Hitler first started in Germany he was looked upon and considered a crack-pot by the people of Germany, and today we know the result of permitting even a crack-pot to spread the type of propaganda that Mr. Hitler was spreading, not only in Germany but in America.

This is one of the crack-pot followers of Hitler, Mr. Vorse. Mr. Vorse is the same type as the twenty-six people who are now being tried in Washington. Crack-pots you may call them, but people not living in Harrisburg do not know when they read the letters of Mr. Vorse that he is a common ordinary drunk, a common ordinary gutter bum; they read those letters and think there is some truth in them. He is the Capital News and he has his office in a place where I hope they will soon tell him to get out, because it is a disgrace to see that name on his letterhead, and a lot of people throughout the state gather them up, and I say to you, Mr. President, I suppose nothing further can be done. If the Committee on Judiciary General says this is its report, it is their report, but I do not think, Mr. President, it was fair to bring in a report of this type when they did not have Mr. Vorse before the committee. That is all that I asked this committee to do, but they did not do it. Therefore, Mr. President, they can spread the committee report on the record, but I say that the committee report does not carry out the true purpose of the resolution.

The PRESIDENT. The report will be spread upon the Legislative Journal.

BILLS INTRODUCED AND COMMITTED

Mr. LETZLER read in his place and presented to the Chair Senate Bill No. 695, entitled;

An Act to amend section twelve hundred nine of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by providing for the suspension of the provisions for the burning and destruction of ballots and other papers at certain times, and the salvaging thereof.

Which was committed to the Committee on Elections.

Mr. HOMSHER read in his place and presented to the Chair Senate Bill No. 696, entitled:

An Act directing the county commissioners of each county to prepare, certify and deliver to the Department of Public Instruction at stated intervals, a certified list of all real estate conveyances or transfers within such county, together with the consideration for such conveyance or transfer and the assessed valuation for county tax purposes of such real estate; providing for reimbursement to the county by the Department of Public Instruction for such lists; and making an appropriation.

Which was committed to the Committee on County Government.

He also read in his place and presented to the Chair Senate Bill No. 697, entitled:

An Act requiring the consideration, purchase price or other value of the interest conveyed to be set forth in all conveyances or other transfers of real estate or interests therein; prohibiting the recorder of deeds from accepting for record instruments not setting forth such consideration and requiring the recorder of deeds to deliver a list of such transfers and the consideration therefor to the county commissioners.

Which was committed to the Committee on County Government.

He also read in his place and presented to the Chair Senate Bill No. 698, entitled:

An Act providing temporary increases in the salaries of certain members of the teaching and supervisory staffs of school districts authorizing additional appropriations and temporary loans therefor requiring the Commonwealth to reimburse school districts for the full amount of such increases authorizing the Superintendent of Public Instruction to withhold payments due from the Commonwealth in certain cases authorizing additional temporary increases and validating such increases heretofore made and making an appropriation.

Which was committed to the Committee on Education.

Mr. THOMAS read in his place and presented to the Chair Senate Bill No. 699, entitled:

An Act repealing and abandoning as a State highway, State highway routes 43029 and 43093 in Mercer County; and providing for the reversion thereof to the township.

Which was committed to the Committee on Highways.

Mr. CROWE read in his place and presented to the Chair Senate Bill No. 700, entitled:

An Act to encourage the protection and development of forest resources in the Commonwealth in the interest of the owner and general public; providing for the creation of various local advisory committees by the Department of Forests and Waters, and the establishment of minimum standards of forest practice to have the force of law; placing duties upon certain governmental officials and agencies; and imposing penalties.

Which was committed to the Committee on Forests and Waters, Game and Fish.

PERMISSION TO ADDRESS THE SENATE

Mr. WAGNER asked and obtained unanimous consent to address the Senate.

Mr. WAGNER. Mr. President, I am going to read in place and present to the Chair a bill, but before doing so I should like to say just a few words, because of its need and because of what it does.

We talk from time to time here about public assistance, loans, bonds, and judgments and liens on property, how far we should go and where we should stop in the exercise of authority.

I would like to call attention to the fact that there is a law on the statute books, enacted in 1931, by which the Commonwealth is authorized to buy any property on which it has a lien, when it is sold at judicial sale because of failure to pay taxes.

Conceivably I might have a little property and be receiving assistance from the state; they might hold a lien against that property for a few hundred dollars; if I lost the property because of non-payment of taxes, the Department of Justice would step in to protect its interest and buy it. They might obtain possession of that property for seven or eight hundred dollars. Then, when my relatives helped me out and when times changed and things got brighter and I would go to the Department of Justice and try to reclaim my property, instead of paying seven or eight hundred dollars to satisfy the tax claims, the claim of the Department of Public Assistance, interest and the costs to the state of their procedure, the Department of Justice is under the impression or under compulsion to hold that property until they get the highest possible current value for it.

Maybe I have lost my home because of seven or eight hundred dollars and I would have to pay $7,000 or $8,000 to get it back.

This bill, which I consider very good and which I trust the proper committee will look upon with favor, would authorize the Department of Justice to execute and deliver a deed for a property formerly owned by a recipient of public assistance, upon payment of the debt, the interest and the costs due the Commonwealth.

It seems just elementary fairness, common justice, but it is going to save a lot of heart-aches and prevent the permanent loss of a lot of homes that might be recovered by paying back the amount of assistance received.

BILLS INTRODUCED AND COMMITTED

Mr. WAGNER read in his place and presented to the Chair Senate Bill No. 701, entitled:

An Act to amend section three of the act approved the twenty-ninth day of May, one thousand nine hundred thirty-one (P. L. 214), entitled "An act authorizing the Commonwealth to purchase at judicial sale and thereafter to hold or sell any property upon which it has a mortgage or lien; providing for the payment of the cost of such acquisitions; and making an appropriation," by authorizing the Department of Justice to execute and deliver a deed for property formerly owned by a recipient of public assistance upon payment of debt, interest and costs due the Commonwealth.

Which was committed to the Committee on Judiciary General.

Mr. TROUTMAN read in his place and presented to the Chair Senate Bill No. 702, entitled:

An Act making it unlawful for any individual or individuals to carry on any business under an assumed or fictitious name, style, or designation unless upon advertisement and the filing of an application to that effect in the office of the Secretary of the Commonwealth and of the prothonotary; requiring nonresident applicants to have a resident agent; prescribing the effect of failure to file such application; providing that certificates of the Secretary of the Commonwealth shall be admitted in evidence; requiring county commissioners, at the expense of the county, to provide books or other means of reproduction for the entry of such applications; requiring the cancellation of such application on the withdrawal from the business; providing methods therefor; fixing the fees of the Secretary of the Commonwealth and prothonotary and providing penalties.

Which was committed to the Committee on Judiciary Special.

Mr. KLEIN read in his place and presented to the Chair Senate Bill No. 703, entitled:

A Supplement to the act, approved the first day of June, one thousand nine hundred thirty-three (P. L. 1172), entitled "An act establishing certain streets in boroughs and incorporated towns as State highways, and providing for their construction and maintenance at the expense of the Commonwealth," establishing an additional route in the borough of Monaca, Beaver County.

Which was committed to the Committee on Highways.

Mr. STIEFEL read in his place and presented to the Chair Senate Bill No. 704, entitled:

An Act exempting claims of service persons against the United States Government from garnishment.

Which was committed to the Committee on Judiciary Special.

He also read in his place and presented to the Chair Senate Bill No. 705, entitled:

An Act exempting certain real and personal property of disabled service persons from execution.

Which was committed to the Committee on Judiciary Special.

He also read in his place and presented to the Chair Senate Bill No. 706, entitled:

An Act exempting service persons from the payment of certain fees of the Professional Examining Boards in the Department of Public Instruction.

Which was committed to the Committee on Judiciary Special.

PERMISSION TO ADDRESS SENATE

Mr. HOLLAND asked and obtained unanimous consent to address the Senate.

Mr. HOLLAND. The papers throughout the State have carried the news that the state relief rolls have set an all-time low. This is the kind of news we like to hear. But, in rejoicing that we have few unemployed on relief, we must face and prepare now to take care of the men and women in our State who will be dismissed from industry in the many tens of thousands with the cancellation of war orders at the end of this war.

The Nation's production in 1944 exceeded two hundred billion dollars. This total has been sustained by ninety-five billions of government war expenditures. Cancellation of war orders, when they come, will not only reduce the Nation's production by nearly one-half, but the stream of economic activity fed by this enormous sum will be substantially lowered.

Unless peace-time production expands to replace war-production, it can very well be that the value of the Nation's output would fall to seventy-five billion dollars. The one hundred twenty-five billion dollar difference is a deflationary gap. The existence of such a deflationary gap would hazard the Nation's security. I use the word "Nation" because what happens in one State will effect the other forty-seven. These dangers would follow:—Poverty among half or more of our population; civil disorders; crime; sickness and disease; mass migration of homeless people; family breakups and return to the boy and girl hoboes of the Hoover depression; competition for existing jobs would bring race riots; veterans of 1917-18 competing with veterans of this war; war veterans competing with non-veterans; unemployed marches and bonus marches would be the order all over again. These are the problems this Senate must face. If they are not solved here, we cannot pass the buck. It is our planning, our preparing—it is our law that we passed creating a Post-War Planning Commission to be administered properly that will save Pennsylvania when the cutbacks occur.

Unless flexible plans are made, the Nation will be faced with a choice of either continuing to turn out useless mountains of war materials or suddenly stopping such production and aiding turmoil. How can this be done? What is being done the people of Pennsylvania should be permitted to know. Has the State made the proper approach to this problem? Regardless of how many projects the State intends to undertake, they will be useless unless these projects are placed in districts and communities where the greatest lay-offs occur. The people in every community in Pennsylvania have a right to know whether the company intends to operate the plants in that community and what they intend to produce.

Does our State Planning Commission know the number of men and women who will be laid off when war orders are cancelled. Because this is one problem that the corporations cannot do alone. They must plan in cooperation with the programs of other companies and in cooperation with the local and State governments. All of these programs must be put on the table where the State Planning Commission can look them over, the corporations of Pennsylvania can look them over, also the local governments, officials and labor.

We, in Pennsylvania, must establish an annual minimum production goal for all basic industries which will add up, along with the production of small business, farmers and public enterprise, to a State production goal equal to the production capacity of the State. Initiative and enterprise will still be free to top these minimum goals, and we must see to it that the sum total of all these programs keeps on rising from year to year—not just standing still. Management owes these things to the people of the country. We, in the State Senate, owe it to the people who sent us here.

That is why, Mr. President, I am presenting this resolution. We, in the Senate, want to know just what is being done in preparing for peace. I know that some of you may say the war is not yet won. Do not let us make the error that we made after World War I or before World War II of not planning for the future. Unfortunately that is one of the errors we have always made of living only for today and forgetting there is a tomorrow. If our free enterprise system is to survive, the faith of our boys in our way of life must not be shattered by coming home to unemployment.

Pennsylvania, who has proven in war, that we can keep the wheels of production going twenty-four hours a day, seven days a week, making the weapons of war to destroy and to kill, will be faced in peace-time to prove to the fifteen million boys and girls who have used these weapons to destroy and to kill, that in peace we can prove to the returning veterans that their dream in the fox holes of hell is a reality—they have a good job, at good wages; that the joy of living without fear of unemployment is all theirs.

RESOLUTIONS

REQUESTING THE PENNSYLVANIA POST WAR PLANNING COMMISSION COVERING ITS ACTIVITIES AND PROJECTED PROGRAM

Messrs. HOLLAND and COX offered the following resolution which was twice read as follows:

In the Senate, April 11, 1945.

Whereas, The General Assembly of Pennsylvania at its regular session in the year 1943, enacted into law a measure providing for the formation of the Pennsylvania Post War Planning Commission, and prescribing its powers and duties; and

Whereas, The creation and functioning of such a commission does not relieve the members of the Senate of Pennsylvania from further responsibility with respect to carrying out the intent and purpose of post war planning and the attainment of the goal of full employment at high wage rates after the conclusion of the wars with Germany and Japan; and

Whereas, The cut backs at the end of these wars will be more pronounced in some localities than in others, and it is, therefore, important that the Senate assure itself that post war projects are being planned for districts where the largest number of lay offs will occur, and for this purpose to ascertain whether or not the Pennsylvania State Planning Commission is cooperating with industry to determine the probability of lay offs that will occur in industry upon the termination of hostilities and the plans of industry in the field of peace time production; therefore be it

Resolved, That the Senate of Pennsylvania hereby requests the Pennsylvania Post War Planning Commission for a full and detailed report covering its activities up to the present time and its projected program for the future, and more particularly with respect to the following:

A. Construction projects ready for bids.—
   1. Nature of project.
   2. Dollar cost.
   3. Location.
   4. Potential employment created by project.
   5. Length of time to complete construction.

B. Projects now on the drawing boards and time required for them to be ready for bids.—
   1. Nature of project.
   2. Dollar cost.
   3. Location.
   4. Potential employment created by project.
   5. Length of time to complete construction.

C. Projects approved not yet on drawing board.—
1. Nature of project.
2. Dollar cost.
3. Location.
4. Potential employment created by project.
5. Length of time to complete construction.

Resolved Further, That a certified copy of these resolutions be transmitted by the Secretary of the Senate to the Director of the Pennsylvania Post War Planning Commission.

REQUEST THAT RULE 39 BE SUSPENDED

Mr. HOLLAND. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

The PRESIDENT. Is there objection?

Mr. HEYBURN. Mr. President, I object to immediate consideration.

The PRESIDENT. The resolution is referred to the Committee on State Government.

URGING THE FORMULATION OF A PLAN FOR THE ORGANIZATION OF A PENNSYLVANIA ASSIGNED RISK PLAN FOR INSURING PHYSICALLY DISABLED PERSONS

Mr. CROWE offered the following resolution which was twice read as follows:

In the Senate of Pennsylvania, April 11, 1945.

There are many persons within the Commonwealth who, although skilled in the driving of automobiles, are denied the right so to do on account of physical disabilities which make the procurement of liability and property damage insurance impossible.

The return of fighting men from the battle fronts of the world will greatly increase this number, and the inability of many of those who desire every possible privilege and opportunity of enjoyment, to secure such insurance, will prevent their full use of automobiles.

It is not possible nor would it be advisable to compel insurance companies to accept such risks which in their experience are hazardous.

Many companies in Pennsylvania writing liability and property damage insurance have lately developed the "Pennsylvania Automobile Assigned Risks Plan" for the voluntary handling of liability and property damage insurance on persons who have come under the provisions of the Financial Responsibility Law.

The formation of a similar plan for the voluntary handling of liability and property damage insurance on persons physically handicapped, might be the means of affording such persons the coverage necessary to allow them to enjoy the privilege of driving an automobile, either for pleasure or in the carrying on of a business; therefore be it

Resolved (if the House of Representatives concur), By the General Assembly of the Commonwealth of Pennsylvania that the Insurance Commissioner of the Commonwealth and the Secretary of Revenue of the Commonwealth are requested to meet and consult with representatives of the various casualty companies doing business within the Commonwealth, in an attempt to arrive at and formulate a plan for the organization of a Pennsylvania Assigned Risks Plan for the insuring of physically disabled persons; and be it further

Resolved, That a copy of this resolution shall be transmitted by the Secretary of the Senate to the Insurance Commissioner and to the Secretary of Revenue.

REQUEST THAT RULE 39 BE SUSPENDED

Mr. CROWE. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

The PRESIDENT. Is there objection?

Mr. DENT. Mr. President, I object to immediate consideration of the resolution and ask that it be referred to an Appropriate Committee.

The PRESIDENT. The resolution is referred to the Committee on Highways.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) announced that the Acting Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 344, entitled:

An Act to further amend section five hundred and forty of the act, approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "The Second Class Township Law," further defining the duties of the Secretary to the board of supervisors; and providing for the preservation and turning over to the successor in office of township records and for the destruction of certain records.

House Bill No. 475, entitled:

An Act requiring cities boroughs towns and townships to notify adjacent political subdivisions of proposed streets roads and highways leading into them

House Bill No. 695, entitled:

An Act to amend section eight hundred one of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," providing for special meetings of school directors under jurisdiction of county superintendents.

Whereupon,

The PRESIDENT (Lieutenant-Governor, John C. Bell, Jr.) in the presence of the Senate signed the same.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. EALY. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on April 11, 1945.

Mr. CHAPMAN. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 11, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation.

ALLEGHENY COUNTY

Miss Estelle M. Jones, Pittsburgh, 206 Martin Bldg., 119 Federal St., (12).
Charles R. Passafiume, Homestead.
Jacob M. Utzig, West Deer Twp., Russellton.

ARMSTRONG COUNTY

Miss M. Elizabeth Kaltwasser, Freeport.

DAUPHIN COUNTY

Frederick W. Fledderjohn, Harrisburg.

LANCASTER COUNTY

Miss Helen M. Melchior, Lancaster.

MONTGOMERY COUNTY

Edmund J. Koser, Lower Merion Twp., 6 Anderson Ave., Ardmore.

PHILADELPHIA COUNTY

Robert Gold, Phila., NW Cor. 31st and York Sts.
Stanley L. Jones, Phila., 3717 Cosmos Court.
John A. Merlino, Phila., 2301 S. 22d St.
Thomas F. Rafferty, Phila., 2338 W. Huntingdon St.
Joseph L. Wilder, Phila., 1854 N. 13th St.

SCHUYLKILL COUNTY

Mrs. M. Evelyn O'Donnell Gaydos, Coaldale.

WESTMORELAND COUNTY

C. L. Spence, Mount Pleasant Twp., Liberty St., Duncan Plan, Mount Pleasant.

EDWARD MARTIN.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. EALY and Mr. CHAPMAN,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Ealy,	Klein,	Stiefel,
Berger,	Farrell,	Leader,	Tallman,
Blass,	Geltz,	Letzler,	Taylor.
Bowers,	Gourley,	Mallery,	Thomas.
Carr,	Haluska,	Margie,	Troutman,
Chapman,	Heyburn,	McGinnis,	Wade.
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox	Homsher,	Ruth,	Walker,
Crider,	James,	Scarlett,	Wilson,
Crowe,	Jaspan,	Snowden,	Woodring.
Dent,	Jones,	Stevenson,	Woodward,
DiSilvestro,	Kephart,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE NOMINATIONS

A motion was made by Mr. EALY and Mr CHAPMAN,

That the Senate do now resolve itself into Executive Session, for the purpose of considering the nominations of His Excellency, the Governor of the Commonwealth of Pennsylvania, which were laid on the table yesterday.

The motion was agreed to.

The Clerk read the nominations as follows:

MEMBER OF THE WESTMORELAND COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 4, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James Deal (Republican), 115 Laird Street, Greensburg, Westmoreland County, for appointment as a Member of the Westmoreland County Board of Assistance, to serve until December 31, 1946, and until his successor is duly appointed and qualified, vice Edward R. Stirling, Greensburg, whose term expired.

EDWARD MARTIN,

JUSTICE OF THE PEACE, LOWER MERION TOWNSHIP, MONTGOMERY COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 4, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph B. Allen, Jr., 577 Barrett Avenue, Haverford, Montgomery County, for appointment as Justice of the Peace in and for the Township of Lower Merion, Montgomery County, until the first Monday in January, 1946, vice C. Howard Meredith, deceased.

EDWARD MARTIN,

JUSTICE OF THE PEACE, HYNDMAN BOROUGH, BEDFORD COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 3, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John D. Margraff, Hyndman, Bedford County, for appointment as Justice of the Peace in and for the Borough of Hyndman, Bedford County, until the first Monday in January, 1946, vice Hiram N. VanVoorhis, deceased.

EDWARD MARTIN,

MEMBER OF THE LACKAWANNA COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 3, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James P. Scoblick (Republican), 524 Main Street, Archbald, Lackawanna County, for appointment as a Member of the Lackawanna County Board of Assistance, to serve until December 31, 1947, and until his successor is duly appointed and qualified, vice George Morgan, Scranton, resigned.

EDWARD MARTIN.

Whereupon,

A motion was made by Mr. EALY and Mr. CHAPMAN,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Ealy,	Klein,	Stiefel,
Berger,	Farrell,	Leader,	Tallman,
Blass,	Geltz,	Letzler,	Taylor,
Bowers,	Gourley,	Mallery,	Thomas,
Carr,	Haluska,	Margie,	Troutman,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	James,	Scarlett,	Wilson,
Crowe,	Jaspan,	Snowden,	Woodring,
Dent,	Jones,	Stevenson,	Woodward,
DiSilvestro,	Kephart,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. WALKER. Mr. President, I move that the Executive Session do now rise.

Mr. JONES. Mr. President, I second the motion.

The motion was agreed to.

CALENDAR

BILLS ON FINAL PASSAGE

OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 696, on final passage, entitled:

An Act to further amend sections one two three and four of the act approved the twenty-first day of May one thousand nine hundred thirty-seven (P. L. 787) entitled as amended "An act authorizing subject to approval of the court of common pleas the compromise or reduction of tax and municipal claims on real property purchased by any county city borough town school district or poor district at any sale for the non-payment of taxes or municipal claims and the reconveyance or private sale of such property" requiring such reconveyance and private sale to have the approval of a majority of the municipalities having an interest therein

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 805, on final passage, entitled:

An Act to amend Article VIII of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it unlawful to injure tap or make unauthorized connections with telegraph and telephone facilities to receive or send communications by means of such unauthorized connections or to induce such actions by another and providing penalties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 278, as follows:

An Act making it a felony for any person to bribe a participant in any athletic contest

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Bribery of Participants in any Athletic Contest Whoever bribes or attempts to bribe any participant in any athletic contest or sporting event whether such contest or sporting event be between amateur or professional participants with the understanding that the participant is to conduct himself during such athletic contest or sporting event in any manner which would bring about or tend to bring about his defeat or the defeat of his team in the contest or event in which he participates or influences or attempts to influence any person participating in any athletic contest or event to do so conduct himself during such athletic contest or event as to bring about or tend to bring about his defeat or the defeat of his team in the contest in which he participates is guilty of a felony and upon conviction thereof shall be sentenced to pay a fine of one thousand dollars ($1,000) and to undergo imprisonment for not less than one (1) year or more than six (6) years

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Ealy,	Klein,	Stiefel,
Berger,	Farrell,	Leader,	Tallman,
Blass,	Geltz,	Letzler,	Taylor,
Bowers,	Gourley,	Mallery,	Thomas,
Carr,	Haluska,	Margie,	Troutman,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	James,	Scarlett,	Wilson,
Crowe,	Jaspan,	Snowden,	Woodring,
Dent,	Jones,	Stevenson,	Woodward,
DiSilvestro,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 420, as follows:

An Act to amend section six hundred seven of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by prohibiting pool-selling and bookmaking in connection with any sporting event or athletic contest and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six hundred seven of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" is hereby amended to read as follows

Section 607 Pool-Selling and Book-Making Whoever engages in pool-selling or book-making or occupies any place with books apparatus or paraphernalia for the purpose of recording or registering bets or wagers or of selling pools or records or registers bets or wagers or sells pools upon the result of any political nomination appointment or election or the result of any baseball basketball football game or any boxing or wrestling match or being the owner or lessee or occupant of any premises knowingly permits the same to be used or occupied for any of such purposes or keeps exhibits or employs therein any device or apparatus for the purpose of recording or registering such bets or wagers or the selling of such pools or becomes the custodian or depository for gain hire or reward of any money property or thing of value staked wagered or pledged or to be wagered or pledged upon any such result or receives registers records forwards or purports or pretends to forward to or for any race course any money thing or consideration of value bet or wager or money thing or consideration offered for the purpose of being bet or wagered upon the speed or endurance of any man or beast or the result of any baseball basket-ball football game or any boxing or wrestling match or occupies any place with books papers apparatus or paraphernalia for the purpose of receiving or pretending to receive or for recording or registering or for forwarding or pretending or attempting to forward in any manner any money thing or consideration of value bet or wagered or to be bet or wagered for any other person or receives or offers to receive any money thing or consideration of value bet or to be bet at any race track or at any sporting event or athletic contest or assists or abets in any manner in any of the acts forbidden by this section is guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred dollars ($500) or undergo imprisonment of not more than one (1) year or both

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Berger,	Farrell,	Klein,	Stiefel,
Blass,	Geltz,	Leader,	Taliman,
Bowers,	Gourley,	Letzler,	Taylor,
Carr,	Haluska,	Mallery,	Thomas,
Chapman,	Heyburn,	Margie,	Troutman,
Coleman,	Holland,	McGinnis,	Wade,
Cox,	Homsher,	Rosenfeld,	Wagner,
Crider,	James,	Ruth,	Walker,
Crowe	Jaspan,	Scarlett,	Wilson,
Dent,	Jones,	Snowden,	Woodring,
DiSilvestro,	Kephart,	Stevenson,	Woodward,
Ealy,			

NAYS—1

Barr,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 423, on third reading, entitled:

An Act to add section two thousand three hundred eleven point one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing temporarily for payment of State Appropriations where schools are closed on account of impassable roads heavy snow or floods

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 461, entitled:

An Act concerning devises bequests or gifts in trust for the care and maintenance of cemeteries cemetery lots in perpetuity trustees and substituted trustees thereof sureties of said trustees excess income from said funds and the investment of such trust funds accounts of said trustees approving actions and proceedings prior to this act and repealing conflicting laws.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. WOODRING. Mr. President, will the gentleman from Philadelphia, the sponsor of Senate Bill No. 461, permit himself to be interrogated?

The PRESIDENT. Will the gentleman from Philadelphia, permit himself to be interrogated?

Mr. FARRELL. I will, Mr. President.

Mr. WOODRING. Will the gentleman from Philadelphia explain to the members of the Senate the purpose of this bill?

Mr. FARRELL. Mr. President, this is a bill that takes care of the cemeteries where a small sum is left in trust for the care of the lot and ground. Trust companies do not want those small accounts and cemeteries can better handle them.

This bill passed this Senate unanimously two years ago, the same bill, Dr. Woodward presented it, and it passed the Senate two years ago and got over to the house too late to pass in the House.

Mr. WOODRING. Mr. President, I desire to further interrogate the gentleman from Philadelphia.

The PRESIDENT. Will the gentleman from Philadelphia permit himself to be further interrogated?

Mr. FARRELL. I will, Mr. President.

Mr. WOODRING. Mr. President, on page 1 of the bill, in the first section, lines 3 and 4, there appear bold-face brackets; will the gentleman from Philadelphia tell the

members of the Senate the purpose of those bold-face brackets?

Mr. FARRELL. Will the gentleman repeat his question please?

Mr. WOODRING. I am speaking about the bold-face brackets, lines 3 and 4, the first page of the bill, and I ask what is the purpose of those brackets?

Mr. FARRELL. That takes out the amendment that was put in by my colleague from Philadelphia, Senator Kephart, which none of the cemetery companies wanted.

Mr. WOODRING. Yes, Mr. President, those brackets remove the restriction of this bill in its application to only non-profit corporation; is that not true?

Mr. FARRELL. That is right, because it removes "under the non-profit corporation law of 1933, Pamphlet Laws 289 as amended". The cemetery companies tell me there have been very few cemeteries created since 1933 and according to what we took out that only applied to cemetery companies from 1933 on and it did not mean anything.

Mr. WOODRING. Mr. President, under the present wording of the bill, the bill pertains to and applies to all cemetery companies in the state of Pennyslvania, does it not?

Mr. FARRELL. That is correct.

Mr. WOODRING. And if a gift were made to any cemetery company, the income from that gift can be used for the general purposes of the cemetery company and is not restricted to the purpose for which the donor made the gift.

Mr. FARRELL. Well, it applies to cemetery companies for the upkeep of the lot, and if there is any balance it can be used to keep the cemetery in repair, but they say there is very seldom a balance in those accounts. Also, we added the words "with the approval of the court."

Mr. WOODRING. But if there is not a balance then this act would not go into effect; this act applies only in those cases where there is a balance of income over and above that amount required to maintain the plot of the donor. Is that not so?

Mr. FARRELL. I am not too sure of that.

Mr. WOODRING. Mr. President and members of the Senate, I am opposed to this type of bill because, while the gentleman from Philadelphia says it pertains and applies to small gifts, and those cases where the income is too small for any trust company to take cognizance of it, yet the fact is the bill nowhere restricts the amount or size of the gift or the amount of income, and you get yourself into this position, where there is a gift for a particular purpose to maintain a particlular lot or plot in a cemetery, and contrary to the express provisions of that gift we are permitting the cemetery companies, private corporations, to appropriate—and I say misappropriate—those funds for the purpose of the general expenses of the cemetery, and I for one think that is wrong and I am certainly going to vote against the bill.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—16

Blass,	Farrell,	Jones,	Thomas,
Carr,	Geltz,	Letzler,	Troutman,
Crowe,	Heyburn,	Mallery,	Wilson,
Ealy,	James,	Taylor,	Woodward,

NAYS—27

Barr,	Dent,	Klein,	Stiefel,
Berger,	Gourley,	Leader,	Tallman,
Bowers,	Haluska,	Margie,	Wade,
Chapman,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Rosenfeld,	Walker,
Cox,	Jaspan,	Ruth,	Woodring,
Crider,	Kephart,	Stevenson,	

Less than a Constitutional majority of all the Senators having voted "aye" the question was determined in the negative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 547, as follows:

An Act to further amend the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciaries powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and duties and limitations upon powers of corporations or persons authorized to engage in a banking or fiduciary business or both

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section nine hundred eight subsection E of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" as last amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 475) is hereby further amended to read as follows

Section 908 Reserve Fund Against Deposits and Demand Liabilities

* * * * *

E In the case of savings banks the total of such reserve fund may and at least one-third thereof shall consist of gold bullion gold coin silver coin United States gold or silver certificates notes or bills issued by any national banking association or Federal reserve bank or any other form of currency of the United States kept on hand at the place of business of the institution unpledged unassigned and unhypothecated or an actual net balance of moneys on deposit subject to call without notice in any reserve agent as hereinbefore defined or bonds or other obligations of the United States or of the Commonwealth of Pennsylvania which shall mature in one year or less Provided however That the investment in such bonds or other obligations of the United States or of the Commonwealth of Pennsylvania shall not at any time exceed one-sixth of the total of the required reserve fund

The balance of such reserve fund may consist of bonds or other interest-bearing obligations of the United States the Commonwealth of Pennsylvania or any political subdivisions thereof [Such] All bonds and other obligations while being carried in the reserve fund shall be computed at their current market value They shall be the absolute property of the institution and shall not be pledge assigned or hypothecated in any manner whatsoever

Section 2 Clause eight of subsection A of section one thousand two hundred eight and section one thousand two hundred nine of said act as amended and last amended by the act approved the twenty-ninth day of July one thousand nine hundred forty-one (P. L. 586) are hereby further amended to read as follows

Section 1208 Authorized Investments of Savings Banks Not under Special Charter A Except as otherwise specifically provided in this act a savings bank other than a savings bank organized under a special act of the General Assembly shall not make any investments except as follows

* * * * *

(8) Bonds secured by mortgages which are first liens upon unencumbered improved real property including improved farm land situated within the Commonwealth to the extent of not more than two-thirds of the actual value of such real property and for a term not exceeding ten years [unless amortized in equal annual installments over a period not exceeding fifteen years] or for a term not exceeding twenty years if such mortgages contain provisions requiring monthly quarterly semi-annual or annual payments sufficient in amount to pay all interest and effect full repayment of principal within such twenty year term and bonds secured by mortgages [which are first liens upon unencumbered improved real property including improved farm land situated within the Commonwealth] which are insured by or for which a commitment to insure has been made by the Federal Housing Administrator pursuant to the provisions of the National Housing Act of one thousand nine hundred and thirty-four approved the twenty-seventh day of June one thousand nine hundred and thirty-four its amendments and supplements Any building which is upon and is included in the valuation of such real property shall be insured against loss by fire to the benefit of the saving bank by the mortgagor during the term of the bond in a company which is authorized to do business in Pennsylvania and is approved by the savings bank making the investment It shall be lawful for a savings bank to renew such policies at the expense of such mortgagor from year to year or for a longer or shorter period not however exceeding the term of the bond in case the mortgagor shall fail to do so All necessary charges and expenses paid by such savings banks for such renewals shall be paid by such mortgagor In the event that the mortgagor shall refuse upon demand to pay such charges and expenses they shall be added to the amount secured by the mortgage and shall together with interest from the date of payment of such charges and expenses by such savings bank constitute a lien upon the property so mortgaged All expenses of searches examinations certificates of title or appraisal of actual value and all expenses of drawing and recording of papers shall be paid by such mortgagor The actual value of the real property shall be determined by two reputable persons especially familiar with real property values in the vicinity of the particular property to be appraised selected from or approved by the board of trustees They shall inspect the property and shall state in writing that the actual value of the real property inspected to the best of their judgment is as stated Such report shall be filed and preserved among the records of the savings bank

Section 1209 Authorized Investments of Special Charter Savings Banks A savings bank organized under a special act of the General Assembly may make such investments as may be authorized by its articles of incorporation but no such savings bank shall purchase or invest in the shares of capital of any corporation whatsoever except a Federal Reserve Bank or purchase or invest in bonds secured by mortgages upon real property [unless such] except bonds [and mortgages are] secured by mortgages which are first liens upon unencumbered improved real property including improved farm land situated within the Commonwealth [and do not exceed] to the extent of not more than two-thirds of the actual value of such real property and [become due within] for a term not exceeding ten years [after the making of such purchase or investment unless amortized in equal annual installments over a period not exceeding fifteen years after the making of such purchase or investment or unless such bonds and mortgages which are first liens upon unencumbered improved real property including improved farm land situated within the Commonwealth] or for a term not exceeding twenty years if such mortgages contain provisions requiring monthly quarterly semi-annual or annual payments sufficient in amount to pay all interest and effect full repayment of principal within such twenty year term and bonds secured by mortgages which are insured by or for which a commitment to insure has been made by the Federal Housing Administrator pursuant to the provisions of the National Housing Act of one thousand nine hundred and thirty-four approved the twenty-seventh day of June one thousand nine hundred and thirty-four its amendments and supplements Any building which is upon and is included in the valuation of such real property shall be insured against loss by fire to the benefit of the savings bank by the mortgagor during the term of the bond in a company which is authorized to do business in Pennsylvania and is approved by the savings bank making the purchase or investment It shall be lawful for a savings bank to renew such policies at the expense of such mortgagor from year to year or for a longer or shorter period not however exceeding the term of the bond in case the mortgagor shall fail to do so All necessary charges and expenses paid by such savings bank for such renewals shall be paid by such mortgagor In the event that the mortgagor shall refuse upon demand to pay such charges and expenses they shall be added to the amount secured by the mortgage and shall together with interest from the date of payment of such charges and expenses by such savings bank constitute a lien upon the property so mortgaged All expenses of searches examinations certificates of title or appraisal of actual value and all expenses of drawing and recording of papers shall be paid by such mortgagor The actual value of the real property shall be determined by two reputable persons especially familiar with real property values in the vicinity of the particular property to be appraised selected from or approved by the board of trustees They shall inspect the property and shall state in writing that the actual value of the real property inspected to the best of their judgment is as stated Such report shall be filed and preserved among the records of the savings bank The restrictions contained in this section with reference to real estate bonds shall not apply to public utility railroad or industrial bonds or other securities commonly known as investment securities

although such bonds may be secured in whole or in part by a mortgage upon real property

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Ealy,	Klein,	Stiefel,
Berger,	Farrell,	Leader,	Tallman,
Blass,	Geltz,	Letzler,	Taylor,
Bowers,	Gourley,	Mallery,	Thomas,
Carr,	Haluska,	Margie,	Troutman,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	James,	Scarlett,	Wilson,
Crowe,	Jaspan,	Snowden,	Woodring,
Dent,	Jones,	Stevenson,	Woodward,
DiSilvestro,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 590, as follows:

An Act to further amend section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 685) entitled "An act designating certain life insurance companies as limited life insurance companies and further describing the powers thereof" by further describing the powers of limited life insurance companies under certain conditions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 685) entitled "An act designating certain life insurance companies as limited life insurance companies and further describing the powers thereof" as amended by the act approved the twenty-sixth day of April one thousand nine hundred forty-three (P. L. 88) is here by further amended to read as follows

Section 2 Powers All limited life insurance companies are hereby specifically empowered to issue policies agreeing to pay not more than twenty dollars $(20.00) per week in the event of disablement from sickness nor more than double that amount in the event of disability from accident nor more than five hundred dollars ($500.00) in the event of death from natural or accidental causes and to issue policies of endowment insurance subject to the condition hereinafter provided notwithstanding any limitation to the contrary established by the act of Assembly pursuant to which such corporation shall have been incorporated or reincorporated or by any other act of Assembly or by the provisions of its charter

Any such company may issue policies agreeing to pay in excess of five hundred dollars ($500.00) but not exceeding one thousand dollars ($1,000.00) in the event of death from natural and accidental causes provided it has

(a) In the case of stock companies a capital of fifty thousand dollars ($50,000.00) and in addition thereto has accumulated a surplus in the sum of at least twelve thousand five hundred dollars ($12,500.00) or

(b) In the case of mutual companies accumulated a surplus in the sum of at least fifty thousand dollars ($50,000.00)

Any such company may issue policies of endowment insurance agreeing to pay not more than one thousand dollars ($1,000.00) upon maturity thereof provided it has

(a) In the case of stock companies a capital of one hundred thousand dollars ($1,00,000.) and in addition thereto has accumulated a surplus in the sum of at least twenty-five thousand dollars ($25,000.00) or

(b) In the case of mutual companies accumulated a surplus in the sum of at least one hundred thousand dollars ($100,000.00)

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Ealy,	Klein,	Stiefel,
Berger,	Farrell,	Leader,	Tallman,
Blass,	Geltz,	Letzler,	Taylor,
Bowers,	Gourley,	Mallery,	Thomas,
Carr,	Haluska,	Margie,	Troutman,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	James,	Scarlett,	Wilson,
Crowe,	Jaspan,	Snowden,	Woodring,
Dent,	Jones,	Stevenson,	Woodward,
DiSilvestro,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 791, as follows:

An Act to further amend section two of the act approved the ninth day of March one thousand eight hundred forty-seven (P. L. 278) entitled "An act in relation to the sales of unseated lands in the several counties of this Commonwealth" by providing that the cost of advertising such sales shall be paid out of the proceeds of the sale

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the ninth day of March one thousand eight hundred forty-seven (P. L. 278) entitled "An act in relation to the sales of unseated lands in the several counties of this Commonwealth" as amended by the act approved the twenty-sixth day of March one thousand nine hundred twenty-five (P. L. 82) is hereby further amended to read as follows

Section 2 That it shall be the duty of the county treasurer to publish the notice as aforesaid once a week for three consecutive weeks in at least two newspapers if so many be published within the county in which the lands lie and if two newspapers be not published in the said county then in one newspaper in or nearest to the same under the same penalty in each case and subject to the same provisions as specified in the said first section of the act above mentioned

The cost of the said publication of the above notice

shall be taxed as part of the costs of such proceedings and shall be paid in the same manner as costs of the proceedings are paid upon the sale of seated lands

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Daly,	Klein,	Stiefel,
Berger,	Farrell,	Leader,	Tallman,
Blass,	Geltz,	Letzler,	Taylor,
Bowers,	Gourley,	Mallery,	Thomas,
Carr,	Haluska,	Margie,	Troutman,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	James,	Scarlett,	Wilson,
Crowe,	Jaspan,	Snowden,	Woodring,
Dent,	Jones,	Stevenson,	Woodward,
DiSilvestro,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 850, as follows:

An Act to further amend sections five hundred twenty-two and five hundred twenty-four and to repeal section five hundred twenty-three of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by providing regulations relating to standard fire insurance policies

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred twenty-two of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" as last amended by the act approved the twelfth day of July one thousand nine hundred thirty-five (P. L. 959) is hereby further amended to read as follows

Section 522 [Permitted Provisions in Standard Fire Policies] Fire Insurance Contract Standard Policy Provisions Permissible Variations 1 The printed form of a policy of fire insurance as set forth in subsection three of this section shall be known and designated as the "Standard Fire insurance Policy of the State of Pennsylvania"

2 No stock fire insurance company shall issue fire insurance policies except policies of perpetual insurance policies of reinsurance [except] policies of fire insurance on automobiles aircraft or other motor vehicles and [except] policies insuring [for] against loss [of] by fire resulting directly or indirectly from invasion insurrection riot civil war or commotion or military or usurped power or by order of civil authority on property in this Commonwealth other than those of the standard form herein set forth in subsection three of this section except as follows

(a) A company may print on its policies its name such device or devices as the company issuing said policy shall desire the location of its principal office as specified in its charter and the date of incorporation plan of operation the amount of its paid up capital stock the name of its officers and agents the number and date of the policy and if it is issued through an agent the words "This policy shall not be valid [until] unless countersigned by the duly authorized agent of the company at ....."

[(b) A company may print or use in its policies printed forms of descriptions and specifications of the property insured]

[(c)] (b) A company incorporated in this Commonwealth may print in its policies any provisions which it is authorized or required by law to insert therein and any company not incorporated in this Commonwealth may with the approval of the Insurance Commissioner so print any provisions required by its charter or deed of settlement or by the laws of its own State or country not contrary to the laws of this Commonwealth but the Insurance Commissioner shall require any provision which in his opinion modifies the contract of insurance in such way as to affect the question of loss to be appended to the policy by a slip or rider as hereinafter provided

[(d)] (c) The blanks in said standard form may be filled in in print or writing

[(e)] (d) A company may print upon policies issued in compliance with the [preceding] provisions of this section the words ["Pennsylvania Standard Policy"] "Standard Fire Insurance Policy of the State of Pennsylvania" and may include the name of any State or States which may adopt this form of policy

[(f) A company may write upon the margin or across the face of the policy or print in type not less than seven (7) point upon separate slips or riders to be attached thereto provisions adding to or modifying those contained in the standard form and all such slips and provisions must be signed by the officers or agents of the company so issuing them]

(e) A company may add either upon the face of the policy or on riders or endorsements to be attached thereto printed or written forms of description and specification or schedules of the property covered by any particular policy and any other matter necessary to express clearly all the facts and conditions of insurance on any particular risk which facts or conditions shall in no case be inconsistent with or a waiver of any of the provisions or conditions of the Standard Policy herein prescribed Any endorsements or riders so attached must be signed by officers or agents of the company so issuing them

(f) Binders or other contracts for temporary insurance may be made orally or in writing for a period which shall not exceed thirty days and shall be deemed to include all the terms of such standard fire insurance policy and all such applicable endorsements approved by the Insurance Commissioner as may be designated in such contract of temporary insurance except that the cancellation clause of such standard fire insurance policy and the clause thereof specifying the hour of the day at which the insurance shall commence may be superseded by the express terms of such contract of temporary insurance

(g) Appropriate forms of supplemental contract or contracts or extended coverage endorsements whereby the interest in the property described in such policy shall be

insured against one or more of he perils which the insurer is empowered to assume in addition to the perils covered by said standard fire insurance policy may be approved by the Insurance Commissioner and their use in connection with a standard fire insurance policy may be authorized by him The first page of the policy may in form approved by the Insurance Commissioner be rearranged to provide space for the listing of amounts of insurance rates and premiums for the basic coverage insured under the standard form of policy and for additional coverages or perils insured under endorsements attached and such other data as may be conveniently included for duplication on daily reports for office records

3 The form of the standard fire insurance policy of the State of Pennsylvania to be issued by any stock fire insurance company shall be plainly printed and no portion thereof shall be in type smaller than seven [7] point the type used in printing the form on file in the office of the Insurance Commission and shall be as follows

First Page of Standard Fire Policy

No

(Space for insertion of name of company or companies issuing the policy and other matter permitted to be stated at the head of the policy)

(Space for listing amounts of insurance rates and premiums for the basic coverages insured under the standard form of policy and for additional coverages or perils insured under endorsements attached)

In Consideration of the Provisions and Stipulations Herein or Added Hereto and of ..... Dollars Premium
) (
this company for the term (from the ... day of ... 19..)
of ..... (to the ..... day of ..... 19..)
) (
at noon Standard Time at location of property involved to an amount not exceeding .....Dollars does insure .....
and legal representatives to the extent of the actual cash value of the property at the time of loss but not exceeding the amount which it would cost to repair or replace the property with material of like kind and quality within a reasonable time after such loss without allowance for any increased cost of repair or reconstruction by reason of any ordinance or law regulating construction or repair and without compensation for loss resulting from interruption of business or manufacture nor in any event for more than the interest of the insured against all Direct Loss by Fire Lightning and by Removal from Premises Endangered by the Perils Insured Against in this Policy Except as Hereinafter Provided to the property described hereinafter while located or contained as described in this policy or pro rata for five days at each proper place to which any of the property shall necessahily be removed for preservation from the perils insured against in this policy but not elsewhere

Assignment of this policy shall not be valid except with the written consent of this Company

This policy is made and accepted subject to the foregoing provisions and stipulations and those hereinafter stated which are hereby made a part of this policy together with such other provisions stipulations and agreements as may be added hereto as provided in this policy In Witness Whereof this Company has executed and attested these presents but this policy shall not be valid unless countersigned by the duly authorized Agent of this Company at .....
.....
Secretary President
Countersigned this .... day of ..... 19 ....
Agent

Second Page of Standard Fire Policy

1 Concealment This entire policy shall be void if whether
2 Fraud—before or after a loss the insured has wil-
3 fully concealed or misrepresented any ma-
4 terial fact or circumstance concerning this insurance or the
5 subject thereof or the interest of the insured therein or in case
6 of any fraud or false swearing by the insured relating thereto
7 Uninsurable—This policy shall not cover accounts bills
8 And—currency deeds evidences of debt money or
9 Excepted Property—securities nor unless specifically named
10 hereon in writing bullion or manuscripts
11 Perils Not—This Company shall not be liable for loss by
12 Included—fire or other perils insured against in this
13 policy caused directly or indirectly by (a)
14 enemy attack by armed forces including action taken by mili-
15 tary naval or air forces in resisting an actual or an immediately
16 impending enemy attack (b) invasion (c) insurrection (d)
17 rebellion (e) revolution (f) civil war (g) usurped power (h)
18 order of any civil authority except acts of destruction at the time
19 of and for the purpose of preventing the spread of fire provided
20 that such fire did not originate from any of the perils excluded
21 by this policy (i) neglect of the insured to use all reasonable
22 means to save and preserve the property at and after a loss or
23 when the property is endangered by fire in neighboring prem-
24 ises (j) nor shall this Company be liable for loss by theft
25 Other Insurance—Other insurance may be prohibited or the
26 amount of insurance may be limited by en-
27 dorsement attached hereto
28 Conditions Suspending or Restricting Insurance Unless Other-
29 wise Provided in Writing Added Hereto This Company Shall Not
30 Be Liable for Loss Occurring—
31 (a) while the hazard is increased by any means within the con-
32 trol or knowledge of the insured or
33 (b) while a described building whether intended for occupancy
34 by owner or tenant is vacant or unoccupied beyond a period of
35 sixty consecutive days or
36 (c) as a result of explosion or riot unless fire ensue and in
37 that event for loss by fire only
38 Other Perils—Any other peril to be insured against or sub-
39 Or Subjects—ject of insurance to be covered in this policy
40 shall be by endorsement in writing hereon or
41 added hereto
42 Added Provisions—The extent of the application of insurance
43 under this policy and of the contribution to
44 be made by this Company in case of loss and any other pro-
45 vision or agreement not inconsistent with the provisions of this
46 policy may be provided for in writing added hereto but no pro-
47 vision may be waived except such as by the terms of this policy
48 is subject to change
49 Waiver—No permission affecting this insurance shall
50 Provisions—exist or waiver of any provision be valid
51 unless granted herein or expressed in writing
52 added hereto No provision stipulation or forfeiture shall be

53 held to be waived by any requirement or proceeding on the part
54 of this Company relating to appraisal or to any examination
55 provided for herein
56 Cancellation—This policy shall be cancelled at any time
57 Of Policy—at the request of the insured in which case
58 this Company shall upon demand and sur-
59 render of this policy refund the excess of paid premium above
60 the customary short rates for the expired time This pol-
61 icy may be cancelled at any time by this Company by giving
62 to the insured a five days' written notice of cancellation with
63 or without tender of the excess of paid premium above the pro
64 rata premium for the expired time which excess if not ten-
65 dered shall be refunded on demand Notice of cancellation shall
66 state that said excess premium (if not tendered) will be re-
67 funded on demand
68 Mortgagee—If loss hereunder is made payable in whole
69 Interests—and in part to a designated mortgagee not
70 Obligations—named herein as the insured such interest in
71 this policy may be cancelled by giving to such
72 mortgagee a ten days' written notice of can-
73 cellation
74 If the insured fails to render proof of loss such mortgagee upon
75 notice shall render proof of loss in the form herein specified
76 within sixty (60) days thereafter and shall be subject to the pro-
77 visions hereof relating to appraisal and time of payment and of
78 bringing suit If this Company shall claim that no liability ex-
79 isted as to the mortgagor or owner it shall to the extent of pay-
80 ment of loss to the mortgagee be subrogated to all the mort-
81 gagee's rights of recovery but without impairing mortgagee's
82 right to sue or it may pay off the mortgage debt and require
83 an assignment thereof and of the mortgage Other provisions
84 relating to the interests and obligations of such mortgagee may
85 be added hereto by agreement in writing
86 Pro Rata Liability—This Company shall not be liable for a greater
87 proportion of any loss than the amount
88 hereby insured shall bear to the whole insurance covering the
89 property against the peril involved whether collectible or not
90 Requirements In—The insured shall give immediate written
91 Case Loss Occurs—notice to this Company of any loss protect
92 the property from further damage forthwith
93 separate the damaged and undamaged personal property put
94 it in the best possible order furnish a complete inventory of
95 the destroyed damaged and undamaged property showing in
96 detail quantities costs actual cash value and amount of loss
97 claimed And Within Sixty Days After The Loss Unless Such Time
98 Is Extended in Writing By This Company the Insured Shall Render
99 To This Company A Proof Of Loss signed and sworn to by the
100 insured stating the knowledge and belief of the insured as to
101 the following the time and origin of the loss the interest of the
102 insured and of all others in the property the actual cash value of
103 each item thereof and the amount of loss thereto all encum-
104 brances thereon all other contracts of insurance whether valid
105 or not covering any of said property any changes in the title
106 use occupation location possession or exposure of said prop-
107 erty since the issuing of this policy by whom and for what
108 purpose any building herein described and the several parts
109 thereof were occupied at the time of loss and whether or not it
110 then stood on leased ground and shall furnish a copy of all the
111 descriptions and schedules in all policies and if required verified
112 plans and specifications of any building fixtures or machinery
113 destroyed or damaged The insured as often as may be reason-
114 ably required shall exhibit to any person designated by this
115 Company all that remains of any property herein described and
116 submit to examinations under oath by any person named by this
117 Company and subscribe the same and as often as may be
118 reasonably required shall produce for examination all books of
119 account bills invoices and other vouchers or certified copies
120 thereof if originals be lost at such reasonable time and place as
121 may be designated by this Company or its representative and
122 shall permit extracts and copies thereof to be made
123 Appraisal—In case the insured and this Company shall
124 fail to agree as to the actual cash value or
125 the amount of loss then on the written demand of either each
126 shall elect a competent and disinterested appraiser and notify
127 the other of the appraiser selected within twenty days of such
128 demand The appraisers shall first select a competent and dis-
129 interested umpire and failing for fifteen days to agree upon
130 such umpire then on request of the insured or this Company
131 such umpire shall be selected by a judge of a court of record in
132 the state in which the property covered is located The ap-
133 praisers shall then appraise the loss stating separately actual
134 cash value and loss to each item and failing to agree shall
135 submit their differences only to the umpire An award in writ-
136 ing so itemized of any two when filed with this Company shall

137 determine the amount of actual cash value and loss Each
138 appraiser shall be paid by the party selecting him and the ex-
139 penses of appraisal and umpire shall be paid by the parties
140 equally
141 Company's—It shall be optional with this Company to
142 Options—take all or any part of the property at the
143 agreed or appraised value and also to re-
144 pair rebuild or replace the property destroyed or damaged with
145 other of like kind and quality within a reasonable time on giv-
146 ing notice of its intention so to do within thirty days after the
147 receipt of the proof of loss herein required
148 Abandonment—There can be no abandonment to this Com-
149 pany of any property
150 When Loss—The amount of loss for which this Company
151 Payable—may be liable shall be payable sixty days
152 after proof of loss as herein provided is
153 received by this Company and ascertainment of the loss is made
154 either by agreement between the insured and this Company ex-
155 pressed in writing or by the filing with this Company of an
156 award as herein provided
157 Suit—No suit or action on this policy for the recov-
158 ery of any claim shall be sustainable in any
159 court of law or equity unless all the requirements of this policy
160 shall have been complied with and unless commenced within
161 twelve months next after inception of the loss
162 Subrogation—This Company may require from the insured
163 an assignment of all right of recovery against
164 any party for loss to the extent that payment therefor is made
165 by this Company

Third Page of Standard Fire Policy
Attach Form Below This Line
Back of Standard Fire Policy
(Optional)

Standard Fire Insurance Policy of the States of

Expires .....
Property .....
Assured .....
No.....
(Company)

It is important that the written portions of all policies covering the same property read exactly alike if they do not they should be made uniform at once

Section 2 Section five hundred twenty-four of said act as last amended by the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 904) is hereby further amended to read as follows

Section 524 Penalty For Issuing Other Than Standard Fire Policies Upon satisfactory evidence that any person corporation or stock fire insurance company has issued or caused to be issued any policy or contract of fire insurance on property situated in this Commonwealth contrary to the provisions of [the two preceding sections] section five hundred twenty-two of this act the Insurance Commissioner may in his discretion take against the offending party any one or more of the following courses of action (1) Suspend or revoke the license of such offending person corporation or stock fire insurance company (2) refuse for a period of not to exceed one year thereafter to issue a new license to such offending person corporation or stock fire insurance company (3) impose a penalty of not more than one thousand dollars ($1,000) for each act of violation [of any] of said [sections] section When the Insurance Commissioner shall have taken any action as above set forth the party aggrieved may appeal to the court of common pleas of Dauphin County Any person corporation or stock fire insurance company that shall either as principal or agent wilfully issue or cause to be issued any policy or contract of fire insurance on property situated within this Commonwealth contrary to the provisions of [the two preceding sections] section five hundred twenty-two of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) Any policy issued in violation of this act shall nevertheless be construed in accordance with the provisions of this act [Provided however That as the provisions of the two preceding sections of this act are not applicable to policies of perpetual insurance such perpetual policies shall not be required to conform to the requirements of said sections]

Section 3 Section five hundred twenty-three of said act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" and all amendments thereto is hereby repealed except however that it shall be lawful for any fire insurance company to issue a policy contract as heretofore provided for under said section five hundred twenty-three and known as the "Pennsylvania Standard Policy" until the first day of July one thousand nine hundred forty-six

Section 4 All acts and parts of acts inconsistent herewith are hereby repealed

Section 5 This act shall become effective the first day of September one thousand nine hundred forty-five

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Ealy,	Klein,	Stiefel,
Berger,	Farrell,	Leader,	Tallman,
Blass,	Geltz,	Letzler,	Taylor,
Bowers,	Gourley,	Mallery,	Thomas,
Carr,	Haluska,	Margie,	Troutman,
Chapman,	Heyburn,	McGinnis,	Wade,
Coleman,	Holland,	Rosenfeld,	Wagner,
Cox,	Homsher,	Ruth,	Walker,
Crider,	James,	Scarlett,	Wilson,
Crowe,	Jaspan,	Snowden,	Woodring,
Dent,	Jones,	Stevenson,	Woodward,
DiSilvestro,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 40, entitled:

An Act to amend or further amend the title and sections one, five, seven, nine and ten of the act approved the eighth day of June, one thousand nine hundred seven (P. L. 496), entitled "An act to establish a Board of Commissioners of Navigation for the river Delaware and its navigable tributaries; regulating their jurisdiction over ships, vessels, and boats, and wharves, piers, bulkheads, docks, slips, and basins; and exempting cities of the first class from certain of its provisions; and making an appropriation therefor," changing the membership of the Navigation Commission for the Delaware River and its navigable tributaries; and excepting the Port of Chester from certain provisions of said act

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. HEYBURN offered the following amendments:

Amend Sec. 2, page 2, lines 21 to 29, both inclusive, by striking out all of said lines; amend Sec. 2, page 3, lines 1 to 14, both inclusive, by striking out all of said lines.

They were agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. HEYBURN offered the following amendment:

Amend Sec. 3, page 3, line 15, by striking out the figure "3," and inserting in lieu thereof: "2."

It was agreed to.

The section was agreed to as amended.

The fourth section was read.

On the question,

Will the Senate agree to the section?

Mr. HEYBURN offered the following amendment:

Amend Sec. 4, page 4, line 4, by striking out the figure "4," and inserting in lieu thereof: "3."

It was agreed to.

The section was agreed to as amended.

The fifth section was read.

On the question,

Will the Senate agree to the section?

Mr. HEYBURN offered the following amendment:

Amend Sec. 5, page 6, line 3, by striking out the figure "5," and inserting in lieu thereof: "4."

It was agreed to.

The section was agreed to as amended.

The sixth section was read.

On the question,

Will the Senate agree to the section?

Mr. HEYBURN offered the following amendment:

Amend Sec. 6, page 7, line 1, by striking out the figure "6," and inserting in lieu thereof: "5."

It was agreed to.

The section was agreed to as amended.

The seventh section was read.

On the question,

Will the Senate agree to the section?

Mr. HEYBURN offered the following amendment:

Amend Sec. 7, page 7, line 12, by striking out the figure "7," and inserting in lieu thereof: "6."

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. HEYBURN offered the following amendments:

Amend the title, page 1, second, third and fourth from last line of title, by striking out the words "changing the membership of the Navigation Commission for the Delaware River and its navigable tributaries and"; amend the title, page 1, last line of title, by inserting after the word "act": "and from the jurisdiction of the Navigation Commission for the Delaware River and its navigable tributaries."

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 132, entitled:

A Joint Resolution proposing an amendment to article fourteen of the Constitution of the Commonwealth of Pennsylvania abolishing County of Philadelphia as a separate political entity and providing for administering of county functions by City of Philadelphia

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 239 on second reading, entitled:

An Act to promote the public welfare and to protect mental defectives by prescribing circumstances under which selective sterilization of certain types of individuals may be performed without civil or criminal liability; and providing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 295, entitled:

An Act to repeal certain obsolete and supplied penal laws

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 296, entitled:

An Act providing that taxes levied by political subdivisions of the Commonwealth on real estate of service persons shall not bear interest or be subject to penalties and providing for abatement of certain accrued interest and penalties

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendment:

Amend Section 1, page 2, lines 2, 3, 4 and 5, by striking out the words and part word "all interest and pen-" in line 2, all of lines 3, 4 and 5.

It was agreed to.

The section was agreed to as amended.

The second section and title were read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 312, entitled:

An Act to amend clause (c) of section nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" increasing the pension of a blind person.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 426, entitled:

An Act to further amend subsection (b) of section four hundred fifteen of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by increasing the amount of group life insurance covering certain borrowers and purchasers

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. TROUTMAN offered the following amendments:

Amend Sec. 1 (Sec. 415), page 4, line 12, by striking out the word "five" and inserting in lieu thereof: "two"; Amend Sec. 1 (Sec. 415), page 4, line 12, by inserting after the word "thousand" "five hundred"; Amend Sec. 1 (Sec. 415), page 4, line 23, by striking out the word "five" and inserting in lieu thereof: "two"; Amend Sec. 1 (Sec. 415), page 4, line 23, by inserting after the word "thousand" "five hundred."

They were agreed to.

The section was agreed to as amended.

The second section and title were read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 474, entitled:

An Act providing for the granting of certificates of licensure to practice professions or work at any trade or occupation in this Commonwealth for which licenses are issued by any State board or other State agency to certain persons who served in the miliary or naval forces of the United States.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 501, on second reading, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" by further defining real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 505, entitled:

An Act relating to the practice of veterinary medicine defining such practice and providing for the licensing and registration of persons engaged therein and for the revocation and suspension of such licenses and registrations subject to appeal and for their reinstatement defining the powers and duties of the State Board of Veterinary Medical Examiners and the Department of Public Instruction providing penalties and repealing existing laws.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 613 on second reading, entitled:

An Act to amend the act, approved the eighth day of April, one thousand nine hundred thirty-seven (P. L. 262), entitled "An act relating to consumer credit in amount of one thousand dollars ($1,000) or less, requiring licenses from the Secretary of Banking; restricting licenses to domestic business corporations fixing minimum capital requirements; conferring certain powers on the Secretary of Banking; limiting interest and other charges; providing certain exemptions; and imposing penalties," by changing the short title of the act; redefining the term "charges"; changing the form of the application; restricting the conduct of business by a licensee; enlarging the authority of the Secretary of Banking; altering the powers of licensees; altering the requirements and limitations applicable to licensees and altering the form of certain statements

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 641, entitled:

An Act to amend the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 447), entitled "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents; rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilege of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," as amended by further modifying the terms, qualifications, and other conditions under which the investment of trust funds may be made by fiduciaries.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 649, entitled:

An Act providing for the disposition of fines penalties and forfeitures collected in summary proceedings and imposing penalties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 665, on second reading, entitled:

An Act to further amend paragraphs (a) and (d) of section five hundred five of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officers of the State

government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by further regulating the designation of State depositories and limiting the deposit of State moneys therein

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 749, entitled:

An Act to amend section eight hundred ninety-two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" permitting and protecting the sale of American War Mothers' carnations

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 789 on second reading, entitled:

An Act validating county treasurers' sales of unseated lands heretofore made where such sales were held under laws not at that time applicable to such lands

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON FIRST READING RECOMITTED

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 478, on first reading, entitled:

An Act to fix the number of Senators in the General Assembly of the State to apportion the State into Senatorial districts as provided by the Constitution and regulate the election of and terms of office of the present and future elected Senators

be recommitted to the Committee on Senatorial Apportionment, for the purpose of further study and possible amendments.

Mr. JAMES. Mr. President, I second the motion.

The motion was agreed to.

REPORT FROM COMMITTEE

Mr. WALKER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER, from the Committee on Judiciary General, reported as committed, Senate Bill No. 701, entitled:

An Act to amend section three of the act approved the twenty-ninth day of May, one thousand nine hundred thirty-one (P. L. 214), entitled "An act authorizing the Commonwealth to purchase at judicial sale and thereafter to hold or sell any property upon which it has a mortgage or lien; providing for the payment of the cost of such acquisitions; and making an appropriation," by authorizing the Departmene of Justice to execute and deliver a deed for property formerly owned by a recipient of public assistance upon payment of debt, interest and costs due the Commonwealth.

BILLS ON FIRST READING

Mr. HEYBURN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 22, entitled:

An Act lapsing all unexpended or unencumbered balances of appropriations from all funds made by the General Assembly at its session of one thousand nine hundred and thirty-seven and prior sessions and at its regular sessions of one thousand nine hundred and thirty-nine and one thousand nine hundred and forty-one and the Special Sessions of one thousand nine hundred and thirty-eight and one thousand nine hundred and forty.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 45, entitled:

An Act to further amend section two hundred one of the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1005), entitled "An act relating to and regulating tractors and trailers and their operation; providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of tractors and trailers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, and townships, within the Commonwealth, liability for damages caused by the negligent operation of tractors and trailers imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation; and providing for refunds," exempting from registration tractors and trailers used by farmers in certain cases.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 51, entitled:

An Act providing for the health and safety of persons employed in and about the coal mines of the Commonwealth of Pennsylvania the protection and preservation of property connected therewith the appointment of electrical inspectors by the Secretary of Mines with the con-

sent and approval of the Governor the fixing of their salaries and necessary expenses incurred in the performance of their duties and the fixing of the qualifications which shall be possessed by persons appointed to the position of Electrical Inspector.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 54, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of said university, the purchase of apparatus and equipment therefor, and the maintenance of teaching facilities in hospitals for students in the School of Medicine of said university.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 65, entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia, Pennsylvania, for medical education.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 85, entitled:

An Act requiring owners, operators and superintendents of anthracite coal mines in which from two to five persons are employed or engaged in work to prepare maps and plans of such mines and deposit the same with the proper mine inspector and to enter extensions made in such mines thereon, including all extensions to the date of abandonment of the mine; imposing duties on mine inspectors and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 95, entitled:

An Act conferring upon the councils of cities of the first class the power, and devolving upon them the duty, of fixing and determining the salaries, wages and other compensation payable out of the treasury of such cities from and after the first day of January, one thousand nine hundred and forty-six of all public officers, clerks and other public employes except the salaries of elected officers whose salaries are fixed by law and except the salaries, wages or other compensation of officers, clerks and employes of the Courts which are fixed by law or by the Courts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 98, entitled:

An Act to amend an act approved the sixth day of June one thousand eight hundred and seventy-one (P. L. 1353) entitled "An act relative to plans of survey and regulation in the City of Philadelphia" by restricting the operation of the Act to original plans and revisions, changing the time and number and character of the newspapers in which notice of the proposed plans and revisions shall be published and of the hearing thereon eliminating the requirement that streets which are the subjects of such plans or revisions must extend from street to street as thoroughfares and must be called public streets and abrogating the provisions for widening the streets upon the petition of the owners or majority of feet frontage thereon or on one side thereof and by providing that all plans and revisions of plans of land subdivision shall, after approval by the Board of Surveyors, be recorded in the Office of the Recorder of Deeds, and that owners and purchasers shall be conclusively presumed to have notice thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 101, entitled:

An Act relating to the use of trailing cables on portable electric machinery in coal mines; providing for the health and safety of persons employed therein and for the protection and preservation of property connected therewith and for the inspection of such equipment by the Department of Mines.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 136, entitled:

An Act to amend section one of the act approved the sixth day of May one thousand nine hundred forty-three (P. L. 190) entitled "An act authorizing in certain cases the renewal of old motor vehicles operators' licenses for persons honorably discharged from the armed forces of the United States or from any women's organization officially connected therewith without a learner's permit examination or additional fee and while in such service the operation of motor vehicles without renewal of operator's license and the temporary suspension of existing laws requiring the same "by providing that honorably discharged veterans may make application for renewal of old motor vehicles operators' licenses for a period of one year from the date of honorable discharge in certain cases and authorizing such applications also to be certified by and sworn to before a notary public

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 146, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety: regulating the use of highways, and the operation of vehicles, tractors, streets cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records

are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," changing the definition of "dealer" and limiting the delivery and issuance of temporary registration plates or markers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 194, entitled:

An Act to further amend section twenty of the act, approved the eleventh day of May, one thousand nine hundred twenty-one (P. L. 522) entitled "An act relating to dogs, and the protection of live stock and poultry from damage by dogs; providing for the licensing of dogs; by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs, and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock and poultry by dogs, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, country, city, borough, town, and township officers and employes; directing the payment of all moneys collected into the State Treasury; and making an appropriation thereof; and providing penalties," by increasing the fee for killing unlicensed dogs.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 231, entitled:

An Act to amend section seven of the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 720), entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the second class, second class A, and third class as State highways, and for the improvement, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon; authorizing cities, person, association, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance; providing for the assessment of certain portions of the cost of street improvements on abutting property owners; regulating the replacement of certain facilities of public utility companies; prohibiting the opening of said streets after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purpose of this act"; providing for and regulating the change of width, grade, lines or location of state highways in such cities, the ascertainment and assessment of damages and benefits to abutting property in connection therewith, and the payment of damages by cities and the Commonwealth including the cost of the removal of certain structures; and making appropriations from the Motor License Fund.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 294, entitled:

An Act making an appropriation to the Department of Health for use in research and demonstration work dealing with the improvement of nutritional status of industrial workers and other civilians.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 340, entitled:

An Act to further amend subsection (c) of section seven of the act approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State Government, and courts; providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties," making further provision for designation and selection of representatives for the purposes of collective bargaining.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 404, entitled:

An Act to further amend section ten of the act approved the twenty-first day of May one thousand nine hundred and thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such

distributors providing for rewards imposing certain costs on counties confering powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by imposing certain duties and restrictions in the allocation and expenditures of the Liquid Fuels Tax Fund in the State Treasury on the county commissioners and the Department of Highways and changing the provisions as to reports to the Departments of the Auditor General and Revenue.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 439, entitled:

An Act providing for the establishment in counties of the second class of the lot and block plan for the registration of land titles for the accumulation of county tax liens and for the enumeration of the parcels of real estate to be assessed for county city borough township school and institution district taxation providing for the incurring of indebtedness for the installation thereof and imposing duties upon the county controller and the deed registrar in each of such counties

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 448, entitled:

An Act to add section nineteen and two-tenths to the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" by providing for the admission of assessors into membership of such retirement systems

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 528, entitled:

An Act to repeal subsection (f) of section nine hundred two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," as last amended by the act, approved the twenty-ninth day of June, one thousand nine hundred thirty-seven (P. L. 2329).

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 561, entitled:

An Act to amend section one of the act, approved the twenty-eighth day of May, one thousand nine hundred forty-three (P. L. 796), entitled "An act establishing as state highways, certain highways and requiring their construction, repair and maintenance as such," by limiting the highways and structures which may become the responsibility of the Commonwealth thereunder.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 614, entitled:

An Act to further amend section nine hundred and three of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by changing the maximum gross weight of certain commercial motor vehicles and truck tractors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 616, entitled:

An Act to further amend section two thousand one hundred three of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," permitting additional hours of service by firemen for the duration of the present war.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 636, entitled:

An Act to further amend section twelve hundred and eighteen of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by requiring pedestrians to comply with requests of peace officers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 642, entitled:

An Act authorizing in certain cases the issuance of motor vehicle operators' licenses to persons honorably discharged from the armed forces of the United States or from any women's organization officially connected therewith without a learner's permit and the temporary suspension of existing laws requiring the same.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 644, entitled:

An Act to further amend section nine of the act, approved the sixteenth day of May, one thousand nine hundred twenty-three (P. L. 207), entitled "An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances, and for water rents or rates, sewer rates, and lighting rates for the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; the distribution of the proceeds of such sales and the redemption of the property therefrom; for the lien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed, within six months before the passage of this act; and for the procedure on tax and municipal claims filed under other and prior acts of Assembly," providing for the payment of interest in certain claims.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 658, entitled:

An Act to further amend the act approved the fifth day of December one thousand nine hundred and thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" changing the provisions thereof and the rights obligations and procedure thereunder.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 663, entitled:

An Act to further amend section one of the act, approved the fourth day of June, one thousand nine hundred thirty-seven (P. L. 1625), entitled "An act providing for the creation, maintenance and operation of a county employes' retirement system in counties of the third class; and imposing certain charges on counties," defining "County Employe" to include persons employed by independent poor districts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 680, entitled:

An Act to further amend section one of the act, approved the twentieth day of April, one thousand nine hundred and twenty-seven (P. L. 321), entitled "An act authorizing the Secretary of Highways to designate by letter, or to name, number, or combine State highways, or any part or parts thereof, in such manner as in his discretion will best accommodate and inform the traveling public using the highways of the Commonwealth, and facilitate the keeping of maps and records of the Department of Highways; and to include, in any route designated for the convenience of the traveling public, any township road or roads," as amended, by eliminating the requirement that designations assigned by the Secretary of highways shall be the official designations for all purposes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 693, entitled:

An Act to further amend subsection (b) of section nine hundred thirteen of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections"; providing for payment of filing fees by cash in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 701, entitled:

An Act to amend section three of the act approved the twenty-ninth day of May, one thousand nine hundred thirty-one (P. L. 214), entitled "An act authorizing the Commonwealth to purchase at judicial sale and thereafter to hold or sell any property upon which it has a mortgage or lien; providing for the payment of the cost of such acquisitions; and making an appropriations," by authorizing the Department of Justice to execute and deliver a deed for property formerly owned by a recipient of public assistance upon payment of debt, interest and costs due the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 754, entitled:

An Act to further amend section two of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1513) entitled "An act regulating the construction equipment maintenance operation and inspection of boilers granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing penalties for violations of this act and repealing all acts or parts of acts inconsistent with this act" by exempting certain boilers from the provisions of the act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 784, entitled:

An Act to add section one point one to the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 322) entitled "An act providing for the issuance of certified copies of death birth and marriage certificates and divorce decrees by county officers free of charge to disabled war veterans and their dependents in death and compensation cases and prescribing penalties" requiring counties to pay the fees of officers compensated on a fee basis

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 795, entitled:

An Act to further amend clause (f) of section two hundred one, and to add clause (n) to section two hundred one of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-three (P. L. 1001), entitled, as amended, "An act providing for the regulation of aeronautics within this Commonwealth; conferring powers and imposing duties upon the Pennsylvania Aeronautics Commission and the Department of Revenue in respect thereto; providing for the licensing and registration of airman and aircraft; establishing the legal status of air navigation; providing for sovereignty in, and ownership of, space; providing for lawfulness of flights; regulating civil causes of action arising out of operation of aircraft; fixing the status of contracts, crimes, and torts in, by or by means of operation of aircraft; imposing duties upon officers, burgesses, magistrates, aldermen, justices of the peace, and courts and clerks thereof; providing for denial or revocation of licenses; providing for certain penalties and their disposition; and repealing certain existing laws," by authorizing the commission to assist in the construction of airports and landing fields and to expend moneys appropriated to it for such purposes and to accept moneys from the Federal Government and other sources.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 866, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety, regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds" by providing for the use of "reflector type" flares as "danger and caution signals".

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1082, entitled:

An Act to further amend the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissioners commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" by changing the provisions of said act as to the registration of electors before and after certain elections the preparation of street lists the cancellation of registrations for failure to vote and the destruction of records.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration House Bill No. 1172, entitled:

An Act to further amend the first six paragraphs of section four hundred seven of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined," increasing the membership of the Pennsylvania Aeronautics Commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1211, entitled:

An Act to further amend section six hundred sixteen of the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justice of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissable as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by further prescribing the time when certain penalties imposed under the said act shall become effective.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. HEYBURN. Mr. President, I move that the Senate do now adjourn until Thursday, April 12, 1945, at 11:00 o'clock a. m., Eastern War Time.

Mr. FARRELL. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:32 o'clock p. m., Eastern War Time, until Thursday, April 12, 1945, at 11:00 o'clock a. m., Eastern War Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, April 11, 1945

The House met at 1 p. m.

The SPEAKER (Ira T. Fiss) in the Chair.

PRAYER

The Chaplain, Rev. Lester C. Updegrove, offered the following prayer:

Almighty God, Father and Friend of all the sons of men, we humbly lift our hearts to Thee in prayer, for in Thy will is our peace and in Thy mercy lies our hope. In this solemn hour when the destinies of peoples is being fashioned we would seek Thy guidance and find in Thee our strength and stay. Free our minds from any secret insincerity or hidden selfishness that we may truly learn Thy will.

We would commit again unto Thee the sons and daughters of our communities who for us are braving dangers and death in far places of the earth. Be Thou their Refuge and their sure Defense.

In all tenderness of thought and depth of sympathy we would remember the bravehearted and the brokenhearted who wait for news that does not come. Bear to them messages of Thy deathless love and gird them with a faith unconquerable.

Keep the United Nations untied, steadfast in faith and firm in purpose to go forward with unflagging step to a common victory and a lasting peace. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Tuesday, April 10, 1945.

The Clerk proceeded to read the Journal of Tuesday, April 10, 1945, when, on motion of Mr. STUART unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILL INTRODUCED AND REFERRED

By Mr. DAVID P. REESE, Jr. HOUSE BILL No. 1279.

An Act to repeal the act, approved the tenth day of April, one thousand eight hundred seventy-three (P. L. 664) entitled "An act relating to the return days of the several courts of Dauphin County."

Referred to the Committee on Judiciary General.

RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. MORAN and HEATHERINGTON

RESOLUTION No. 48.

In the House of Representatives, April 10, 1945.

The war in Europe is being won in large measure by the mobility and speed of our mechanized forces. Organizing and directing a great army of tanks, self-propelled guns and trucks is a problem demanding courage, knowl-

edge and experience, and above all the ability to correctly time and follow up each movement.

Among the many truly great generals this war has produced, Lieutenant General George S. Patton is outstanding in these qualifications. His repeated triumphs in Tunisia, on Sicily, across France, and now into the heart of Germany, have earned for him recognition of personal greatness, and for the officers and men, commanded by him, without whose unfailing courage, stamina and devotion to duty no gorund could have been gained, no hostile army could have been destroyed and no victory could have been won, the distinction of being commanded by a four star general; therefore be it

Resolved, That the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania hereby respectfully recommends to the President and the Congress of the United States the advancement of Lieutenant General George S. Patton to the rank of General; and be it further

Resolved, That copies of these resolutions, duly certified, be transmitted by the Chief Clerk to His Excellency Franklin Delano Roosevelt, and to Lieutenant General George S. Patton.

Referred to the Committee on Rules.

By Messrs. ANDREWS and SORG.

RESOLUTION No. 49.

In the House of Representatives, April 10, 1945.

Resolved, That the Speaker of the House appoint a Select Committee of seven members of the House of Representatives whose duty it shall be to make a study of the Standing Committees of this House, for the purpose of determining the advisability of reducing the number of Standing Committees and the number of members required to be elected to the various Committees as provided under Rule 27 of the House of Representatives.

The Select Committee shall make its report to the House before sine die adjournment of this Session.

Referred to the Committee on Rules.

By Mr. STUART (Concurrent) RESOLUTION No. 50

In the House of Representatives, April 10, 1945.

The General Assembly of the Commonwealth of Pennsylvania has been advised of the unanimous action of the Congress of the United States in adopting Senate Resolution No. 53, September 21, 1944.

The resolution, as adopted, reads:

"That the Congress of the United States expresses its belief in the world-wide right of interchange of news by news gathering and distributing agencies, individual or associate, by any means, without discrimination as to sources, distribution, rates or charges; and that this right should be perfected by international compact."

The principles embodied in and enunciated by the said resolution are in perfect accord with the opinion of the House on the interchange and distribution of news; therefore be it

Resolved (if the Senate concur), By the General Assembly of the Commonwealth of Pennsylvania, that it hereby extends its commendation to the Congress of the United States for its affirmance of the principles of the freedom of speech and press as guaranteed in this country by the Constitution of the United States of America, advocates the adoption of the same principles upon a world-wide basis, in freedom and equality of access to the truth and the facts, and urges upon the delegates of this country to the peace conference the adoption of an international compact in accordance with the mandate from the Congress of the United States; and be it further

Resolved, That a copy of this resolution be sent by the Chief Clerk of the House of Representatives to the Secretary of State of the United States, to the chairman of the Committee on Foreign Affairs of the United States Senate, and to the chairman of the Committee on Foreign Affairs of the House of Representatives of the United States.

Referred to the Committee on Rules.

By Mr. LOVETT. (Concurrent) RESOLUTION No. 51.

In the House of Representatives, April 10, 1945.

Resolved, That the Speaker of the House of Representatives appoint a Select Committee of seven members of the House, whose duty it shall be to make a study of the desirability of adopting a rule requiring all Standing Committees of the House to report either with a favorable or with an unfavorable recommendation of all legislation referred to them prior to the final adjournment of each regular, special or extraordinary session of the General Assembly, so as to give the members of the House of Representatives an opportunity to act upon all legislation introduced during such session.

The Select Committee shall make its report to the House before sine die adjournment of this session.

Referred to the Committee on Rules.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 80, 108, 134 and 167.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 11, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 80, Printer's No. 268, entitled "An Act to reenact and amend the title and the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) entitled as amended 'An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties' as previously reenacted and amended by extending the provisions of the act for a further limited period of time by providing for additional deductions in fixing the tax by providing that a report of change of income becomes part of the original report in certain instances by changing the gross receipts fraction by specifically providing for the computing of interest on increases of income indicated by reports of change."

EDWARD MARTIN.

April 11, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 108, Printer's No. 112, entitled "An Act to provide assistance for typhoid fever carriers and persons having typhoid fever carriers in their households and imposing certain responsibilities upon the Secretary of Health the Secretary of Public Assistance and the Secretary of Welfare in connection therewith."

EDWARD MARTIN.

April 11, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 134, Printer's No. 135, entitled "An Act to further amend section eleven of the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 988) entitled 'An act providing for and regulating the State registration of nurses and licensed attendants the annual recording of registration certificates and regulating the profession of nursing and repealing certain existing laws' by setting forth specific grounds for the suspension or revocation of certificates of registration of registered nurses and licensed attendants and providing for the reissue of such certificates."

EDWARD MARTIN.

April 11, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 167, Printer's No. 21, entitled "An Act to amend section four of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 340) entitled 'An act empowering cities of the third class boroughs incorporated towns and townships to cooperate with each other through joint agreements in the exercise of their governmental powers duties and functions relating to the public health recreation zoning and municipal planning' authorizing employing retaining and contracting for planning engineers consultants and professional planning services."

EDWARD MARTIN.

SENATE MESSAGES

The Clerk of the Senate, Mr. Steinfelt, being introduced, presented extracts from the Journal of the Senate which were laid on the table.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 719

Commonwealth of Pennsylvania.
Governor's Office, Harrisburg, April 11, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 719, Printer's No. 283, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

EDWARD MARTIN.

RECONSIDERATION OF VOTE

Mr. HALL. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. SORG. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Potter, Mr. Hall, vote on the final passage of this bill?

Mr. HALL. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Elk, Mr. Sorg, vote on the final passage of this bill?

Mr. SORG. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. HALL. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring.

Will the House agree to the bill on third reading?

Mr. HALL. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Section 1, page 3, line 3, by striking out after the word "into" and before the word "the", the following: "[the General Fund of]".

Add a new Section 2 to read as follows: "Section 2 The provisions of this act shall become effective immediately upon final enactment."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

LEAVES OF ABSENCE

By consent of the House leave of absence was granted as follows:

Mr. LEE for himself for tomorrow's session.

Mr. McCORMACK for himself for tomorrow's session.

Mr. BAUMUNK for himself for tomorrow's session.

Mr. MIKULA for himself for tomorrow's session.

Mr. PAUL G. MURRAY for himself for tomorrow's session.

Mr. GORE for himself for tomorrow's session.

Mr. BOIES for himself for tomorrow's session.

Mr. DOUGHERTY for himself for tomorrow's session.

Mr. WHITE for himself for tomorrow's session.

Mr. CHUDOFF for himself for tomorrow's session.

Mr. MATTHEWS for himself for tomorrow's session.

Mr. BURNS for himself for tomorrow's session.

Mr. TATE for himself for the remainder of the week after 3 p. m. today.

Mr. PETROSKY for himself for tomorrow's session.

Mr. ROSE for himself for the remainder of the week after 3 p. m. today.

Mr. Pettigrew for Mr. HOGGARD for the remainder of the week.

Mr. HENNIHAN for himself for tomorrow's session.

Mr. GRANT for himself for tomorrow's session.

Mr. COHEN. Mr. Speaker, the gentleman from Philadelphia, Mr. MODELL, is going to be married tomorrow and I trust that the Members of the House will unanimously grant him leave of absence for tomorrow's session. I hope all the other gentlemen who get leaves of absence will enjoy the ceremony very much.

Leave of absence was granted.

PARLIAMENTARY INQUIRY

Mr. ANDREWS. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ANDREWS. Mr. Speaker, is it within the power of the House at its discretion to revoke, rescind or recall leaves of absence granted?

The SPEAKER. It is within the power of the House to revoke, rescind or recall leaves of absence.

Mr. ANDREWS. Then, Mr. Speaker, I should like permission to make a short statement.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous permission to address the House.

If any Member of the House tomorrow, having a suspicion that we have not a quorum present, polls the House, I shall move to revoke all leaves of absence and send for the absent Members.

LEAVES OF ABSENCE

By consent of the House leave of absence was granted as follows:

Mr. FINNERTY for himself for tomorrow's session.

Mr. SKALE for himself for the remainder of the week after 2 p. m. today.

Mr. Scanlon for Mr. LEVY for the remainder of the week.

Mr. SCANLON. Mr. Speaker, I ask unanimous consent to make a motion.

The SPEAKER. The Chair would ask the gentleman the nature of the motion.

Mr. SCANLON. Mr. Speaker, I am asking unanimous consent of the House to make a motion.

The SPEAKER. The House has the right to know what the nature of the motion is before it grants unanimous consent.

Mr. SCANLON. Mr. Speaker, I cannot tell the Speaker and the Members of the House, unless I actually make the motion, what the motion is.

If the Speaker desires I will make the motion and then it is up to the Members of the House whether they will give unanimous consent for the motion. If they grant consent they must then vote on the motion.

The SPEAKER. If the gentleman wishes to do that it is perfectly satisfactory.

Mr. SCANLON. I am perfectly agreeable.

MOTION TO HOLD THREE-DAY SESSIONS

Mr. SCANLON. Mr. Speaker, I move that this Session of the Legislature hold three-day sessions from now on.

The SPEAKER. Will the House give its unanimous consent for the consideration of the motion at this time?

Mr. LICHTENWALTER. I object, Mr. Speaker.

The SPEAKER. The Chair hears objections.

MOTION TO SUSPEND RULE

Mr. SCANLON. Mr. Speaker, I move that we suspend the rules governing the four-day session.

The SPEAKER. For the information of the gentleman from Philadelphia, Mr. Scanlon, the Chair would state that it will be necessary to suspend Rule 14, which governs the daily order of business in order to consider his motion. Does the gentleman wish to make a motion to suspend Rule 14?

Mr. SCANLON. Mr. Speaker, I move that we suspend Rule 14, and before the motion is put I rise to a point of information.

On the question,

Will the House agree to the motion?

QUESTION OF INFORMATION

Mr. SCANLON. Mr. Speaker, I would like to inquire of the Speaker how many persons have been granted leave of absence for Thursday's session of this week.

The SPEAKER. The Chair cannot answer that question until the order of business, leaves of absence, is completed.

MOTION TO SUSPEND RULE WITHDRAWN

Mr. SCANLON. Mr. Speaker, I will withdraw my motion and ask that the Speaker recognize me after the leaves of absence are granted.

The SPEAKER. The Chair will recognize the gentleman after the order of leaves of absence.

LEAVES OF ABSENCE

By consent of the House leave of absence was granted as follows:

Mr. SERRILL for himself for tomorrow's session.

Mr. GREENWOOD for himself for the remainder of the week after 3 p. m. today because of illness.

Mr. TAHL for himself for tomorrow's session.

Mr. JAMES. Mr. Speaker, in fairness I now ask for leave of absence for the entire membership of this House for tomorrow.

The SPEAKER. The Chair cannot accept that request. If the House does not want to meet tomorrow the proper procedure is to move to adjourn.

MOTION TO ADJOURN

Mr. ANDREWS. I move that this House do now adjourn, Mr. Speaker, until Monday, April 16 at 9:00 o'clock p. m.

On the question,

Will the House agree to the motion?

Mr. LICHENWALTER. Mr. Speaker, I certainly rise to—

POINT OF ORDER

Mr. SCANLON. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. SCANLON. The point of order is, Mr. Speaker, that a motion to adjourn is not debatable.

The SPEAKER. Under the rules of the House a motion to adjourn is not debatable. The point of order is well taken. There is nothing before the House except the question on the motion to adjourn.

PARLIAMENTARY INQUIRY

Mr. HUNTLEY. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HUNTLEY. Is this motion debatable, Mr. Speaker?

The SPEAKER. A motion to adjourn is not debatable.

A roll call was requested by Mr. Scanlon and Mr. Stank.

Mr. CHUDOFF. Mr. Speaker,——

The SPEAKER. For what purpose does the gentleman rise?

Mr. CHUDOFF. To make a motion, Mr. Speaker.

The SPEAKER. There is nothing in order but the question on the motion to adjourn.

The roll was called.

(Following the calling of the roll and before the result was announced)

PARLIAMENTARY INQUIRY

Mr. SKALE. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SKALE. Is a Member permitted to vote present unless he is excused by unanimous consent of the House?

The SPEAKER. Under Rule 71 of the House a Member must vote for or against each question put.

Mr. SKALE. Mr. Speaker, I ask the gentleman from Philadelphia, Mr. Rose, be directed to vote either for or against the motion.

PARLIAMENTARY INQUIRY

Mr. ROSE. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ROSE. If a Member feels that he has a personal interest in the outcome of a vote, may he vote present?

The SPEAKER. It must be "personal interest" under the constitutional provision.

Mr. ROSE. Mr. Speaker, who determines whether that interest shall be considered a personal interest? A Member?

The SPEAKER. The Constitution, and also the Chair would say the conscience of the Member.

Mr. ROSE. Mr. Speaker, is a Member permitted to interpret the Constitution according to his own knowledge and study of the Constitution?

The SPEAKER. The Chair would call the gentleman's attention to the Pennsylvania Manual (1943), Section 148A, page 755. That section will give the gentleman a very clear understanding of "personal interest."

Mr. CULLEN. Mr. Speaker, how is the gentleman from Allegheny, Mr. Brown, recorded as voting?

The SPEAKER. The gentleman is not recorded as voting.

Mr. CULLEN. Was the gentleman in the Hall of the House?

The SPEAKER. Does the gentleman desire to interrogate the gentleman from Allegheny?

Mr. CULLEN. Is the gentleman in the hall of the House, Mr. Speaker?

The SPEAKER. The Chair cannot answer that question. Does the gentleman desire to interrogate the gentleman from Allegheny, Mr. Brown?

Mr. CULLEN. I would like to, Mr. Speaker.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. BROWN. I shall, Mr. Speaker.

Mr. CULLEN. Will the gentleman from Allegheny, Mr. Brown, tell me whether he has voted or not?

Mr. BROWN. Mr. Speaker and Members of the House, I voted present, and I understand the Clerk did not record me at all, which I prefer on this bit of horse play, and if the gentleman does not push me under the Rules of the House or under the Constittuion I shall let the record stand as it is, "present."

Mr. CULLEN. I thank the gentleman, Mr. Speaker.

Mr. DENNISON. Mr. Speaker, I intended to ask for a leave of absence for myself after 2:00 o'clock, but if this keeps up I am afraid I will not be able to get that request in. May I now do so?

The SPEAKER. The gentleman cannot ask for leave of absence under this order of business.

Mr. DENNISON. Would the Chair explain to me how I may be excused at 2:00 o'clock? I am apprehensive about this.

The SPEAKER. It will be for the House to grant leave of absence after the present order of business is completed.

Mr. DENNISON. That will be after 2:00 o'clock, Mr. Speaker. I must leave at 2:00 o'clock.

Mr. ANDREWS. Mr. Speaker, I object to any further leaves of absence not granted on account of illness.

The SPEAKER. The Chair will not entertain any requests for leave of absence until after the announcement of the result of the roll call.

Mr. SKALE. Mr. Speaker, I have not heard the decision of the Chair regarding the gentleman from Philadelphia, Mr. Rose, being required to vote either aye or nay, since he has not been excused by the House.

The SPEAKER. The gentleman is required to vote either aye or nay under the Rules.

Mr. ROSE. Did I understand the Speaker to say that an individual Member has the right to determine whether he has a personal interest in a vote?

The SPEAKER. The Chair cited the Constitution and also a reference in the Pennsylvania Manual, which is very clear.

For the information of the gentleman from Philadelphia, Mr. Rose, the Chair will read Section 33 of Article III of the Constitution of Pennsylvania.

> A Member who has a personal or private interest in any measure or bill proposed or pending shall disclose the fact to the House of which he is a Member and shall not vote thereon.

There is no bill or measure pending before the House; the gentleman is required to vote under the Rules of the House and the provisions of the Constitution.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. ROSE. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ROSE. May I be permitted at this time to state why I feel I have a personal interest in the outcome of this vote?

The SPEAKER. The Chair would inform the gentleman that he does not have that privilege, and so rules.

POINT OF ORDER

Mr. SCANLON. Mr. Speaker, I raise a point of order.

The SPEAKER. The gentleman will state it.

Mr. SCANLON. Mr. Speaker, I raise the point of order that the vote is being taken, and I feel that positively this House has been out of order and is out of order until a decision is rendered as to what action this House has taken. I feel that this debate and these questions of order are definitely out of order while the vote is being recorded.

The SPEAKER. The Chair rules that there is nothing in order except the completion of the vote and the announcing of the result on the question of whether this House shall adjourn. Anything that is relevant to that question must be considered.

Mr. ROSE. Mr. Speaker, in view of the ruling of the Chair I now wish to be recorded as having voted no, and I ask leave to file my reasons for so doing.

The SPEAKER. The gentleman will be so recorded and he will have that privilege.

The yeas and nays were required by Mr. Andrews and Mr. Stank and were as follows:

YEAS—26

Boies,	Dillon,	Kolankiewicz,	Skale,
Boory,	Dougherty,	McLanahan,	Stank,
Brancato,	Finnerty,	McNair,	Tate,
Chudoff,	Gallagher,	Myhan,	Trent,
Corrigan,	Gore,	O'Neill,	Varallo,
Coyle,	Green,	Reidenbach,	White,
Dennison,	Hennihan,		

NAYS—149

Andrews,	Gibson,	McClester,	Rose,
Baker,	Goodling,	McCormack,	Royer,
Barrett,	Grant,	McDowell,	Rudisill,
Barton,	Greenwood,	McKinney,	Salus,
Baumunk,	Greer,	McMillen,	Serrill,
Bentzel,	Guthrie,	McNally,	Shaffer,
Bonawitz,	Gyger,	Mikula,	Shoemaker,
Boney,	Haberlen,	Miller,	Sloan,
Boorse,	Hall,	Milliken,	Smith,
Bower,	Hamilton,	Mills,	Snider,
Breisch,	Hare,	Mooney,	Snyder,
Brice,	Haudenshield,	Moore, C. E.,	Sollenberger,
Brunner, C. H.,	Heatherington,	Moore, W. J.,	Sorg,
Brunner, P. A.,	Helm,	Moran,	Stockham,
Cadwalader,	Hewitt,	Moser,	Stonier,
Cohen,	Howells,	Murray, M. L.,	Stuart,
Coleman,	Hunter,	Murray, P. G.,	Swope,
Cook,	Huntley,	Nagel,	Tahl,
Cooper,	James,	O'Connor,	Tittle,
Coulson,	Jones,	O'Dare,	Trout,
Cullen,	Kennedy,	O'Donnell,	Turbett,
Dague,	Kirley,	Owens,	Verona,
Dalrymple,	Kline,	Pentrack,	Wachhaus,
Depuy,	Komorofski,	Pettigrew,	Wagner,
Dix,	Kurtz,	Pickens,	Waterhouse,
Dye,	Lane,	Polaski,	Watkins,
Elder,	Laughner,	Powers,	Weiss,
Elish,	Lee,	Propert,	Welsh,
Erb,	Leisey,	Readinger,	Wescott,
Flack,	Leonard,	Reagan,	Wood, L. H.,
Fleming,	Lichtenwalter,	Reese, D. P.,	Wood, N.,
Foor,	Longo,	Reese, R. E.,	Worley,
Fox,	Lovett,	Reilly,	Wright,
Freed,	Lyons,	Reynolds,	Yeakel,
Frost,	Madden,	Riley,	Yester,
Gaffney,	Madigan,	Robertson,	Fiss,
Gardner,	Mahany,	Root,	Speaker.
Getchey,	McAtee,		

NOT VOTING—28

Bentley,	Fullerton,	Loftus,	Petrosky,
Brothers,	Herman,	Lopez,	Polen,
Brown,	Hersch,	Matthews,	Regan,
Burns,	Hoffman,	Modell,	Scanlon,
Costa,	Hoggard,	Munley,	Schuster,
Duffy,	Hoopes,	Nelson,	Trachtman,
Ewing,	Levy,	O'Brien,	Turner,

So the question was determined in the negative and the motion was not agreed to.

REASONS FOR VOTE

Mr. ROSE filed the following reasons for his vote:

I had intended to vote "Present" inasmuch as I had been granted a leave of absence for the balance of the week. After seeing that a considerable number of Members had asked for and been granted leave of absence and that there would be a small attendance at the Thursday, April 12, 1945, session, I felt it would be unfair and unjust that I be compelled to vote on a motion that would compel the attendance of others, while I was excused.

However, the leave granted to me, for reasons that are necessary for the welfare of my constituents, still prevents my attendance on Thursday, and inasmuch as I do not wish to interfere with the conduct of the Assembly on Thursday, even though I realize there will be a small attendance, I reluctantly vote no.

REASONS FOR VOTE

Mr. MYHAN filed the following reasons for his vote:

On the motion to adjourn the House on Wednesday, April 11, 1945, made by Mr. Scanlon, I voted yea because I have found that so many members are absent on Wednesdays and Thursdays, there is a question whether or not the legislation passed will be constitutionally legal. Why should we stay in the House and pass laws with a few of the Members who sacrifice to be here when a group of privileged Members go home. There is not only a question of these laws having a constitutional majority, but it is a question of whether a few Members shall go and come when they please and the others have to stay and pass laws that do not have the constitutional majority of the House.

PERMISSION TO ADDRESS HOUS

Mr. SCANLON asked and obtained unanimous consent to address the House.

Mr. Speaker, approximately a month ago we agreed to hold four day sessions so that we could expedite the business of this House. Every Thursday in my opinion, and possibly on Wednesday, it was questionable whether or not we had a quorum to pass legislation, and it is questionable in my opinion if the question were raised in one of the courts of our land whether the legislation we passed would be according to the provisions of the Constitution.

I do not have any quarrel with any Member of this House; quite a few of you Members, and sometimes myself, and the Speaker have very legitimate reasons why they should be absent. My quarrel is why should a cer-

tain number of the Members be here day after day to pass legislation which is important to the people of Pennsylvania—and in my opinion a lot of this legislation that we are passing now is not so vitally important to the people of Pennsylvania, because the major legislation has been bottled up, so why should a certain number of Members of this Legislature be required to stay here four days a week and other gentlemen of the Assembly go home whenever they feel like it, without getting leave of absence, and a small number stay here from day to day, and by agreement pass legislation?

Mr. Speaker, I could go along with the idea that we should stay here for four days if we accomplished something, but I cannot go along with the idea that we should stay here on Thursday and pass controversial bills over to Monday night until these gentlemen who leave here Tuesday and Wednesday come back here to get a chance to be recorded. We sit here and pay extra money, extra hotel bills and these gentlemen go home on Tuesday.

Mr. Speaker, I do not think if these gentlemen do not intend to follow their legislative duties that they should even run for the Assembly.

It is not fair to the people of their districts; it is not fair to the people who stay here day after day while they go home; it is a question in my opinion whether or not we are within the law or rather the Constitution, by allowing laws to pass without a constitutional majority.

I do not think it is fair to the Members who stay here while the other fellow goes home. I would love to come up here, and so would the other Members of the House and stay here until Monday night and then go home and say "Well, we can go home and forget about it and come back Monday to pass this legislation."

It is not fair to the Members of the House who are doing a good legislative job to permit these Members who are chronic violators of this rule to go home on Tuesday. This has been going on, not only at this session, but every session I have attended of this House.

I move you now that we suspend rule fourteen and we only attend these sessions Monday, Tuesday and Wednesday. Thursday is a joke. I mean, we don't have anybody in here. We didn't have enough Members here to even allow for the employees of the House to be sergeants-at-arms. We didn't have a corporal's guard here last Thursday.

MOTION TO SUSPEND RULE 14

Mr. SCANLON. Mr. Speaker, I move that we now suspend Rule 14, and just come back here Monday, Tuesday and Wednesday, because we do not accomplish anything on Thursday.

MOTION TO SUSPEND RULE 14 WITHDRAWN

The SPEAKER. Would the gentleman from Philadelphia withdraw his motion temporarily to permit the Majority Leader to make a statement?

Mr. SCANLON. Mr. Speaker, I will.

The SPEAKER. The Chair thanks the gentleman.

PERMISSION TO ADDRESS HOUSE REQUESTED

Mr. LICHTENWALTER. Mr. Speaker, I ask unanimous consent to address the House.

Mr. ANDREWS. Mr. Speaker, I would like to request that before the gentleman makes his statement, I be permitted to make a brief statement.

The SPEAKER. Will the gentleman from Lehigh yield to the gentleman from Cambria.

Mr. LICHTENWALTER. I yield, Mr. Speaker.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, I have four consecutive and related motions in mind.

First a motion to adjourn, which I expected would be defeated, and that would be evidence that the Members at least wanted to work today.

Second the motion made by the gentleman from Philadelphia that we only meet three days a week, which I expected would be defeated, signifying that the Membership wanted to meet four days a week, and then I had a further motion, if the membership wanted to meet four days a week that all leaves of absence not made on account of sickness be rescinded.

I had a further action in mind, and this is of particular interest to the Members on this side of the House, since chronic absenteeism is more prevalent on the Democratic side of the House than it has been on the Republican side of the House; I was going to make at the next Democratic Caucus a motion to rescind the leaves of absence the test of a vote of confidence upon the part of the Democratic Membership in the House as to my leadership upon the part of the minority, and if the Democratic Minority does not support my efforts to keep a majority of our Members, and a large majority of the Democratic Members in the House, then on next Tuesday you will have a new Minority Leader.

PERMISSION TO ADDRESS HOUSE

Mr. LICHTENWALTER asked and obtained unanimous consent to address the House.

Mr. Speaker, I have listened to the debate on the motion presented before this House regarding absenteeism at the Thursday sessions. I would like first to call the attention of the Members of the House to the fact that at last Thursday's session there were present on this side of the House 93 Members. The other Members of the House had been granted leaves of absence for numerous reasons.

I certainly feel that the entire membership of this House in seeking election to the office to serve in the General Assembly of Pennsylvania and on the opening day of the session taking an oath to obey and defend the Constitution and to serve their constituents best interests, certainly have an obligation to be present at all sessions unless prevented by good causes and reasons to do otherwise.

I certainly feel that we have had no unconstitutional legislation passed on Thursdays sessions. We have always had on the last two Thursdays, and I would like to remind the gentlemen on the other side that we have only met on two Thursdays, a considerable number of Members over the constitutional majority required to pass legislation. I want to comment on that. I think the

Members particularly on this side of the House have stuck well to their jobs. It has shown a keen interest in legislation to be considered before the House, and it is my understanding that there is special obligation placed on the majority as far as being present at the Thursday session is concerned, but the same obligation is upon the minority Members, that we should consider the legislation on the calendar on Thursdays upon its merits and upon what good it will do for the people of Pennsylvania. That is an obligation not of the majority party alone but an obligation on every Member of this House.

I feel that at least on the majority side of the House we have tried to fulfill our obligation to the people of the Commonwealth. I will agree with the Minority Leader that absenteeism, according to the count, has been more prevalent on the minority side of the House than it has been on the majority side of the House at Thursday sessions, and I want to assure him of my full cooperation in his efforts to try and keep in the seats of this House all of the Members not excused for legitimate reasons.

Mr. McNAIR. Mr. Speaker. It is alright when the other side——

The SPEAKER. Will the gentleman yield? The Chair is rather in this situation. The Chair asked the gentleman from Philadelphia to withdraw his motion and to yield briefly for this statement, otherwise the Chair would gladly recognize the request of the gentleman from Allegheny, Mr. McNair.

Will the gentleman from Philadelphia grant the Chair permission to still further recognize other Members?

Mr. SCANLON. I yield, Mr. Speaker, to the gentleman from Allegheny, Mr. McNair.

Mr. McNAIR. It's all right for these gentlemen to say——

The SPEAKER. Will the gentleman please take the microphone?

Mr. McNAIR. I don't need a microphone. The Rules of this House say that you must speak from your desk. How can I speak from my desk and from the microphone at the same time?

The SPEAKER. The Chair recognizes the gentleman at his desk.

Mr. McNAIR. Mr. Speaker, all the gentlemen are certainly interested in what goes on here. They get their bills out; we Democrats don't even get a chance to discuss our bills in the House. Why should we be here?

PERMISSION TO ADDRESS HOUSE

Mr. SCANLON asked and obtained unanimous consent to address the House.

Mr. Speaker, I did not raise the question of whether or not the Republicans on the other side of the House had a majority or a quorum here to conduct the business of this House. I want to make it clear to the Members on the other side of the House that I am not raising the question as to whether the Republicans were absent; I am raising the question as to all the Members, whether they be Democrats or Republicans. It does not interest me whether Mr. Lichtenwalter has a quorum over there,—that is not my purpose. My purpose when I rose to address the Members of the House was that whether they be Democrat or Republican, it was their obligation to be here on Thursday. That is the primary purpose Why, Mr. Speaker, I rose here today. It was not a partisan matter at all when I got up and moved to suspend the Rules. The question was that if a certain number are required to be here, then the whole membership should be her unless they have a very legitimate excuse for being absent from the halls of this House.

MOTION TO SUSPEND RULE 14

Mr. SCANLON. Mr. Speaker, I renew my motion to suspend Rule 14, for the specific purpose of moving that we attend sessions on Monday, Tuesday and Wednesday, and do away with the Thursday session.

On the question,

Will the House agree to the motion?

PERMISSION TO ADDRESS HOUSE

Mr. LICHTENWALTER asked and obtained unanimous consent to address the House.

Mr. Speaker, I would like to reply to the gentleman from Allegheny, Mr. McNair. Since I have been a Member of this House, at no time,—and I believe you could check with men who have served here longer than I have,—at no time in the History of their service have there been reported more Democratic sponsored bills or co-sponsored bills on the floor of the House than we find on the calendar day after day since we have been in session.

I want the record clearly to indicate that I do not think there has been any matter of partisanship in the consideration of bills, because the calendar from day to day will reveal that fact.

Then I would also like the Members to oppose the motion to suspend Rule 14.

Mr. WELSH. Mr. Speaker,——

The SPEAKER. The only question before the House is on the motion of the gentleman from Philadelphia, Mr. Scanlon, to suspend the Rule 14. We will proceed on that motion only.

The Chair will recognize the gentleman from Philadelphia, Mr. Welsh, if he desires to speak on the motion, but only on the motion.

Mr. WELSH. Mr. Speaker, I would very much like to do so, and I feel that I am justified in doing so, inasmuch as I am one of the few on this side who has been present throughout the entire session and who intends to continue being present regardless of what motions may be made.

While I am talking I want especially to call the attention of the Members on this side from Philadelphia that their record is none too good. At the same time I want to read their record of last Thursday, and I think maybe they will mend their ways.

The present motion would not have been made had it not been for a threat that was made by the gentleman from Allegheny last week. I would just like for the purpose of enlightening the Members to read the list of the Philadelphia members who were present last Thursday. On the Republican side I counted one, Mr. Lee. On the Democratic side I counted Mr. Duffy, Mr. Hirsch, Mr. Myhan, Mr. Pettigrew and myself.

Now, these Members who are seeking leaves of absence and who would suspend the rules for the purpose of shortening the session are not altogether doing this thing

simply because they feel that we are not doing anything on Thursday. We have not been able to do it on Thursday and we were not able to do it on Wednesday when we were having our Wednesday meeting. I think the Chair understands that fully, and I think when we start this squawk, let us start at our own door and let us remember that there is a duty on every Member of the House. What the Majority Floor Leader said is true when he said we took an oath to uphold the Constitution, and the Constitution definitely defines what our duty is.

PARLIAMENTARY INQUIRY

Mr. McMILLEN. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. McMILLEN. Mr. Speaker, is this motion to suspend debatable?

The SPEAKER. The motion is debatable so long as Members confine themselves to the question before the House.

Mr. McMILLEN. Mr. Speaker, I would like to say a few words on this motion to do away with the Thursday session of the House. I have been somewhat annoyed personally with the absenteeism that we found in this House on Thursday. I feel a sense of guilt even as a Member of this House that we should find ourselves in a position where we have to bring up such a question at this time.

I can only think in terms of what I see and what I read and what I know to be true. I can only judge many of these things and my own actions in relation to the actions and the activities of those people at home whom we are supposed to be here representing, and also the boys and girls who have entrusted us with this trust. I am still of the old school of thought who consider it a trust to sit in the House of Representatives of Pennsylvania. It to me is not just a vacation.

I have a letter here in my hand from a fellow who was inducted into the Navy CB Battalion the same day I was inducted in Pittsburgh. We traveled to Camp Perry, Virginia, together. We served through the primary training, we wallowed through the muddy slimy swamps of Virginia in basic training. We were mauled by the Marines together. Unfortunately for me I was selected to go to a Malaria Control School, from which I got a certificate but lost my chance to get in the same Battalion this boy was in, who is now on the island of Saipan. This boy writes to me in reply to my letters as follows:

Dear Bill:

I received your letter to hand of Jan. 16 and was glad to hear from you. I meant to answer before this but really I did not have the time. This morning I have some time off so thought I would drop you a line. Bill, you don't know how damned well off you are to be out of this traditional Navy. I wish many a time I would have been in the Army, even a private, where men are men and officers are more on the human side. This island is under Army jurisdiction and I have talked to Army men and officers. They eat alike and don't live like aristocrats like the so-called C. E. C. officers; they are on duty for twelve hour stretch and thirty-six off. We are on duty stevedoring six on and twelve off seven days a week, and the boys really work. I have a gang of my own. I am hatch boss. I worked for a while under a Chief as hatch tender; now I have no Chief over me—only the walking boss who is a Chief. There are quite a few first class men running gangs.

The work goes on 24 hours a day; we eat before going to work and after coming off,—therefore no time lost for meals. We leave camp half an hour before work to relieve the other gangs. The boys don't mind work so much, but since we got our camp built the restrictions are getting more like Perry every day. Barracks or hut inspection every day and we had to dig our own foxholes on our own time, which isn't much.

Here we sit fussing whether we should go to Philadelphia and spend Thursday fishing or attending to our own business and our fellows are digging their own foxholes on their own spare time, working 24 hours a day around the clock. Besides that they keep a little bag to put their belongings in. Everything you possess, as far as the Navy is concerned, is contained in two of these bags, and you are supposed to keep that ready to be inspected on a minute's notice. These boys are out there working all the time and must be ready for inspection at any time, and here we are fussing whether we shall stay here or go home. I will read again:

Gangs have worked for several months without one shift off. Lately it has been better; when we first landed here we lived in pup tents for a week along the beach, then we moved to pyramid tents and in December we started to move into quonset huts, which we all live in now. If I ever get back I sure would like to get out. One thing I am thankful for, I have kept in good health. The corpsman and Doctor here are like they were in Peary. Capt. Ware is on an island handy here in charge of it. I haven't heard from Jos. Steele for some time. You asked me what branch of service you ought to join up with. I would recommend your home branch, where you are now, you lucky dog. Stay there.

Bill, regardless of what goes on or how disgusting it may be I am going ahead with my work and doing the best I know how, then I have the satisfaction that I have done my part and damned thankful we weren't here on D-day, as this was a bloody place. I suppose you read of the night nuisance we had here in December. Lately it has been quiet, a lot of excitement for a while though.

I sure wish I could be pushing that snow around back home. Well Bill, after the strength and numbers I have seen here in the last week I don't think the enemy can hold out too long—say one more year, yet we don't know when we will get back to the good old U. S. A., Bill.

You will notice he said "if ever I get back." Evidently there is a question in his mind whether he ever will get back here where those fellows could pass judgment on us who do not have the guts to stay here in this hall and follow through.

I will not give you the boy's last name because of the one remark about an officer. Gentlemen, we are under no restriction except our own consciences and the oath that we swore to uphold that is a part of our taking this office, and yet today we are quibbling and quarreling whether we shall stay and carry on this business, many of us carrying on a dual job, where we put in a day or two or three at home. We accept that money and yet we are paid by the State to do this job. The boys out there are working, many of them for a private's wages. This boy that I am talking about gets a First Class Petty Officer's pay of $112 a month plus his overseas service. Now, if

you fellows think you would like to get overseas service, I would like to take you to some of these Veterans' Hospitals where these fellows are, coming back with elephantiasis, malaria, one leg gone, an arm and a leg gone. We might just stop and think and wonder to ourselves then, have we measured up as citizens, yes, more than as citizens, have we measured up as representatives of the people of our district?

Now, I know just as well as I am standing here there are many, many men here who have boys of their own out there, who have lost boys of their own out there, and yet we will supinely sit by and allow this thing to go on.

Mr. Speaker, we should not allow any leaves of absence without a proper and due reason.

MOTION FOR FIVE DAY SESSIONS

Mr. McMILLEN. I move, Mr. Speaker, and I would ask that this motion be voted down, that this House sit in session for five days, and work at night if necessary to complete the work of this House.

The SPEAKER. There is a motion pending and the gentleman's motion is not in order.

Mr. LEONARD. Mr. Speaker, I rise to oppose the motion, I am opposed to the majority enacting a motion here that is going to favor a few members of this House who are not interested in their obligation and responsibility to the people of Pennsylvania. We have spent over an hour and a half here on horseplay. The motion to adjourn was defeated here by 147 to 26. Isn't that the answer to all the ranting that has been going on here? I am asking the membership to show by their vote that they are not paying any attention to any Members of this House who are not concerned with their responsibility to the State of Pennsylvania and its people.

Mr. HEATHERINGTON. Mr. Speaker, on this motion to do away with Thursday sessions, personally I do not agree with it. I am willing to stay here until Friday, but I want to know if the Floor Leader on the other side and the men on both sides will agree that at tomorrow's session we are going to consider every second reading bill,—there will be no bills passed over, we are going to vote and either put them across or defeat them.

The SPEAKER. The Chair would remind the gentleman that we are now debating the question on the motion to suspend Rule 14.

Mr. DENNISON. Mr. Speaker, I now move the previous question.

The SPEAKER. The Chair sees no seconds to the motion.

Mr. GRANT. Mr. Speaker, I rise to defeat this motion. I have already asked for a leave of absence and I find myself in a position that other Members of the House are in who are strictly opposed to chronic absenteeism. One of the reasons I asked for a leave of absence is, as a member of the bar of Berks County I am only able to get home week ends, and prior to the time it was decided to hold four day sessions I had made arrangements for a case that I have coming up tomorrow. I am so much in accord, though, with the idea that we sit here and perform our duties and wind up the business of this session that I called up my secretary and said "Probably something is being accomplished in this House."

I hope sincerely that this is where something is being accomplished. I know what is behind the action of the Members on this side of the House, and I know that is one of my strongest feelings in this regard, and I feel that the Members on the other side of the House are equally guilty because of their practice of passing over certain bills so that they will have a majority here on Monday night. I hope that the discussions that we are having here will not be just a lot of talk, but that we will stay here and attend to our duties, that we will bring on the important measures on Thursday and not pass them over so that the majority will be here on a certain day.

Mr. CULLEN. Mr. Speaker, I happen to be one of those Members who missed one night in this session, and it was not Thursday,—it was Monday, regardless of the score of the gentleman from Philadelphia, Mr. Welsh. I am willing to stay Sunday if you want, but I stayed two Thursdays here and I just wasted my time. There was absolutely no work done here on Thursday.

Now, I say let us not be children about the thing, we have only been playing on Thursdays. If you don't want to work on Thursday let us be honest about it and let us go home on Wednesday.

As far as my poor misguided friend who referred to Philadelphia and going fishing, I would like to correct the gentleman, we don't have any fishing in Philadelphia; we have no clean streams to fish in.

I say to you gentlemen, and it is the Majority Floor Leader I am talking to now, the machinery is in your hands. If you have got any work to do, put it on the calendar, let us vote on it, good or bad. The responsibility is yours, and why should we stay here, even though I will be here, and I have been here before, why should we stay and play on Thursday like children? That is what we have done on the last two Thursdays, and that is the particular reason why I vote to defeat the motion. Let us grow up.

Mr. HENNIHAN. Mr. Speaker, I rise to oppose this motion. I asked for a leave of absence for tomorrow. Being a coal miner, last Thursday I sat here twiddling my fingers when I could have gone back into the antracite region, Mr. O'Donnell and I, and load some coal so that we could do some good. We are not asking to go back and sit in some office; we are going back where things are tough, and if this House wants to stay in session then I am willing to oppose this motion and stay here and not take my leave of absence tomorrow. I wish some of the other people who could sit around would come up into the anthracite region and load coal with us a few days.

Mr. LICHTENWALTER. Mr. Speaker, not to prolong this debate, but I think one of the very reasons we are not able to do business on Thursdays as our experience has been in the last two sessions on that day is that we are wasting a lot of time, like this afternoon, wrangling about matters of no particular concern whatsoever.

Tomorrow we will have a lot of amended bills and bills which will not be on file, and we will have to pass over bills because of the inability of the Printer to get the work out.

If we are sincere about doing work, let us sit down and do work so that the Printer will have an opportunity to get the bills back here and we will be able to work tomorrow.

The roll was called.

(Following the calling of the roll and before the result was announced.)

QUESTION ON LEGISLATIVE PRIVILEGE

Mr. JAMES. Mr. Speaker, I rise to a point of legislative privilege.

The SPEAKER. The gentleman will state it.

Mr. JAMES. Mr. Speaker, in order to develop the point, I would like to interrogate the gentleman from Philadelphia, Mr. Skale.

The SPEAKER. Will the House give its unanimous consent to the interrogation? The Chair hears no objection, and consent is granted.

Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. SKALE. I shall, Mr. Speaker.

POINT OF ORDER

Mr. SCANLON. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. SCANLON. Nothing is in order except announcing the result on the motion to suspend, Mr. Speaker.

The SPEAKER. The Chair stated that unanimous consent was necessary. Unanimous consent was requested and granted.

Mr. JAMES. I am raising a question on the vote, Mr. Speaker.

The SPEAKER. Is it on this vote?

Mr. JAMES. It is, Mr. Speaker.

The SPEAKER. The gentleman will proceed.

Mr. JAMES. Mr. Speaker, I would like to ask the gentleman from Philadelphia, Mr. Skale, whether he asked for leave of absence after two o'clock today.

Mr. SKALE. I did, Mr. Speaker.

Mr. JAMES. Mr. Speaker, the gentleman says he asked for leave of absence after two o'clock today. I would like to know whether the gentleman is officially present and entitled to vote.

The SPEAKER. His presence in the House determines that he is entitled to vote. He is officially present in the House.

Mr. JAMES. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the motion to suspend Rule 14?

The yeas and nays were required by Mr. Scanlon and Mr. Cullen and were as follows:

YEAS—27

Boory,	Dougherty,	Kolankiewicz,	Scanlon,
Brown,	Duffy,	McNair,	Skale,
Chudoff,	Finnerty,	McNally,	Stank,
Corrigan,	Gallagher,	Myhan,	Tate,
Coyle,	Gore,	O'Neill,	Trent,
Cullen,	Green,	Reidenbach,	Varallo,
Dillon,	Hersch,	Rose,	

NAYS—156

Andrews,	Getchey,	Mahany,	Riley,
Baker,	Gibson,	McAtee,	Robertson,
Barrett,	Goodling,	McClester,	Royer,
Barton,	Grant,	McCormack,	Rudisill,
Baumunk,	Greenwood,	McDowell,	Salus,
Bentzel,	Greer,	McKinney,	Schuster,
Bonawitz,	Guthrie,	McLanahan,	Serrill,
Boney,	Gyger,	McMillen,	Shaffer,
Boorse,	Haberlen,	Mikula,	Shoemaker,
Bower,	Hall,	Miller,	Sloan,
Brancato,	Hamilton,	Milliken,	Snider,
Breisch,	Hare,	Mills,	Snyder,
Brice,	Haudenshield,	Mooney,	Sollenberger,
Brunner, C. H.,	Heatherington,	Moore, C. E.,	Sorg,
Brunner, P. A.,	Helm,	Moore, W. J.,	Stockham,
Cadwalader,	Hennihan,	Moran,	Stonier,
Cohen,	Hewitt,	Moser,	Stuart,
Coleman,	Howells,	Murray, M. L.,	Swope,
Cook,	Hunter,	Murray, P. G.,	Tahl,
Cooper,	Huntley,	Nagel,	Tittle,
Coulson,	James,	Nelson,	Trout,
Dague,	Jones,	O'Connor,	Turbett,
Dalrymple,	Kennedy,	O'Dare,	Turner,
Dennison,	Kirley,	O'Donnell,	Verona,
Depuy,	Kline,	Owens,	Wachhaus,
Dix,	Komorofski,	Pentrack,	Wagner,
Dye,	Kurtz,	Petrosky,	Waterhouse,
Elder,	Lane,	Pettigrew,	Watkins,
Elish,	Laughner,	Pickens,	Weiss,
Erb,	Lee,	Polaski,	Welsh,
Ewing,	Leisey,	Polen,	Wescott,
Flack,	Leonard,	Powers,	White,
Fleming,	Lichtenwalter,	Propert,	Wood, L. H.,
Foor,	Longo,	Readinger,	Wood, N.,
Fox,	Lopez,	Reagan,	Worley,
Freed,	Lovett,	Reese, D. P.,	Wright,
Frost,	Lyons,	Reese, R. E.,	Yeakel,
Gaffney,	Madden,	Reilly,	Yester,
Gardner,	Madigan,	Reynolds,	Fiss, Speaker.

NOT VOTING—20

Bentley,	Fullerton,	Levy,	O'Brien,
Boles,	Herman,	Loftus,	Regan,
Brothers,	Hoffman,	Matthews,	Root,
Burns,	Hoggard,	Modell,	Smith,
Costa,	Hoopes,	Munley,	Trachtman,

So the question was determined in the negative and the motion was not agreed to.

QUESTION OF INFORMATION

Mr. SCANLON. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman will state it.

Mr. SCANLON. I would like to inquire of the Chair how many leaves of absence have been granted.

The SPEAKER. The Chair will inquire of the Clerk. Does the gentleman also wish to know who the Members are?

Mr. SCANLON. No, Mr. Speaker, I do not desire to know the names of the Members, but I do want to know the number that have asked for leaves of absence.

The SPEAKER. Twenty-nine Members have asked for leaves of absence which the House has granted.

QUESTION OF INFORMATION

Mr. PETROSKY. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman will state it.

Mr. PETROSKY. Has the House granted me a leave of absence for tomorrow's session?

The SPEAKER. The Chair will check the record. The Clerk informs the Chair that the gentleman has been granted a leave of absence.

PERMISSION TO ADDRESS HOUSE

Mr. PETROSKY asked and obtained unanimous consent to address the House.

Mr. Speaker, I have been serving my district for three consecutive terms as a Member of this House, and in order to clarify the record, the reason for my asking a leave of absence for tomorrow's session may I say this, that this is the first leave of absence I have asked for in my three terms of office, and it has been due to illness.

MOTION TO RESCIND LEAVES OF ABSENCE

Mr. ANDREWS. Mr. Speaker, I move that all leaves of absence granted to Members at this session that have not been granted because of illness, death in the family or impending marriage be rescinded.

On the question,

Will the House agree to the motion?

Mr. TURNER. Mr. Speaker, there may have been men who have asked for leaves of absence for reasons other than those stated. It would not be fair to rescind leaves of absence where men have already secured them and their reasons might have been something else, nevertheless if they were granted certainly you ought not to rescind them.

It seems to me, Mr. Speaker, that we are certainly getting a tempest in a teapot. As long as I remember we have had bobtail sessions on the last day of our week. It is necessary sometimes to have these bobtail sessions to advance legislation. If we sat here all week the Printer could not catch up with you until the next week. I don't think we ought to be the keeper of the other man's conscience,—that is up to the man himself, and it seems to me we ought to get down to business and forget about this.

Mr. ANDREWS. Mr. Speaker, this motion embodies the serious intent of the House. Either we officially countenance absenteeism and say it is a matter of individual conscience whether a member be here or not, or we require attendance.

I can recognize some of the arguments made by those who say it is quite all right to recognize the individual conscience in the matter. I take the stand that the fact that the House has the power to require attendance of members unless there is a legitimate excuse for not being present implies that the House should exercise that power. If the House wants to take the position it is voting to meet on Monday, voting to meet on Tuesday, voting to meet on Wednesday and voting to meet on Thursday,—if it wants to dilly dally on Thursday, if that is the position, then let the House so declare and we will end once for all the discussion about absenteeism.

I agree there has been too much talk about it, and I propose to end it. If the House today does not care to exercise its power to compel the attendance of those who are absent unnecessarily, then I am not going to fight any more about it.

Mr. TURNER. Mr. Speaker, I only rise because I think a wrong impression is being left with the general public in the debate on this question. I do not consider that the advancement of bills on Thursday is dilly dallying. That sort of procedure takes place in almost every legislative or parliamentary body that I know of. The custom has been to work three days a week, and on Thursday, before you get into the tail end of the session, you merely advance those bills which you can advance with the kind of a body you have. That is not dilly dallying, that is advancing bills, advancing the calendar and clearing it, but it means that the House has decided that as far as a Thursday session is concerned, they will not take up controversial measures.

I have sat here on Thursdays when I doubt if there were much more than the leader on the other side of the House and myself sitting in the House to advance bills. I do not remember ever complaining about that situation. It has been my custom for years to come here a day ahead and stay a day after the close of the session. I did not complain about that, but as far as the Thursday session is concerned, until you get into the actual period when you expect to wind up,—and you generally have a definite date for adjournment, it has been the custom of the House that when you arrive at Thursday to use that day for the advancement of non-controversial bills. That is not dilly dallying as far as I can see. That is proper procedure to advance legislation and advance the calendar and clear as much of it as you can out of the way.

As I said before, people have said to me, "Why don't you sit here all week?" I have sat here many times on Sunday night and even on Monday night I have been unable to get a history or unable to get a calendar, and I find that a lot of bills have not been printed. I can remember when we had to sit around two or three hours and remained until four or five o'clock in the morning because of that sort of thing. Let us be sensible about the matter. I can understand the feelings of men who sit here while other men go home, but on the other hand let us not confuse the issue. If you want to insist that the Members attend, that is one thing, but let us not throw bricks and mud all over ourselves about the Thursday session when the Thursday session has been a time-honored institution and has been countenanced for years. As I said it has been the custom in many parliamentary bodies including the Congress of the United States and Parliament.

PARLIAMENTARY INQUIRY

Mr. HEATHERINGTON. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HEATHERINGTON. Mr. Speaker, on the question of passing over third reading bills on Thursday or any other day, if one Member objects, do we have to vote on that bill?

The SPEAKER. If one Member objects, of course, the bill could not be passed over.

Mr. HEATHERINGTON. I thank you, Mr. Speaker.

The SPEAKER. The Chair would also add for the information of the gentleman from Allegheny that the House has the power by motion to place a bill on the postponed calendar.

LEAVE OF ABSENCE

Mr. DENNISON. Mr. Speaker, I now for the first time in three sessions ask for a leave of absence for myself for the balance of the week, and I wish to assure the gentleman from Cambria that while I was not sick at the time this discussion started, I am thoroughly sickened now.

The SPEAKER. The gentleman from Jefferson, Mr. Dennison, asks leave of absence for himself because of illness.

Mr. ANDREWS. Mr. Speaker, I would like to ask the gentleman from Jefferson just what particularly made him ill. Is the gentleman ill himself or a member of the family? I ask specially what made him ill.

Mr. DENNISON. Mr. Speaker, I have a weak stomach and this is more than I can stand.

Mr. ANDREWS. Mr. Speaker, may I interrogate further, was it any particular remark made by any gentleman on this side of the House that made the gentleman sick?

Mr. DENNISON. I would say, Mr. Speaker, that the whole proceeding smells.

Mr. ANDREWS. Mr. Speaker, I would like to ask the gentleman of what it smells.

Mr. DENNISON. Taking the oath referred to by the gentleman from Indiana, I would not want to mention that before the ladies.

Mr. ANDREWS. Mr. Speaker, I object to the granting of a leave of absence to the gentleman on the ground that he has named. If he wants to take the position that a discussion concerning the duties of the Members of this House has made him ill, I think that is hardly sufficient justification in view of his apparent impertinence and his evident health.

Mr. DENNISON. Mr. Speaker, I desire to inquire of the gentleman from Cambria if he is a medical authority.

The SPEAKER. Will the gentleman from Cambria permit himself to be interrogated?

Mr. ANDREWS. I shall, Mr. Speaker. I am not a medical authority, but I am an authority on brass.

The SPEAKER. The question is will the House grant the gentleman from Jefferson, Mr. Dennison, leave of absence. The Chair hears objection. Does the gentleman desire to be recognized further?

Mr. DENNISON. No, Mr. Speaker, if it is not the will of the House that I be excused I shall remain.

I ask for a division, Mr. Speaker.

A division having been asked for one hundred five Members or more than a majority having voted on the affirmative leave of absence was granted.

Mr. MORAN. Mr. Speaker, I call for the order of the day.

The SPEAKER. The Chair will proceed with the order of the day.

COMMITTEE REPORTS

Mr. RUDISILL from the Committee on Counties reported as committed House Bill No. 172, entitled:

An Act authorizing counties (except of the first class) cities (except of the first class), boroughs, incorporated towns and townships, either alone or jointly, to employ, retain or contract for planning engineers, consultants and professional planning services.

Mr. HABERLEN from the Committee on Counties reported as committed House Bill No. 578, entitled:

An Act to further amend the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," changing the conditions to borrow money for current expenses.

Mr. ERB from the Committee on Counties reported as committed House Bill No. 828, entitled:

An Act to further amend section two and to amend sections three and four of the act, approved the seventeenth day of June, one thousand nine hundred thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes." further regulating the returns of taxable property made by taxpayers under the provisions of said act.

Mr. HAMILTON from the Committee on Counties reported as committed House Bill No. 881, entitled:

An Act requiring boards of prison inspectors in counties of the fourth class, to pay the premium on all bonds required of employes appointed by the board.

Mr. FINNERTY from the Committee on Professional Licensure reported as committed House Bill No. 1141, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing, regulation, and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" by providing for the regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business by the State Real Estate Commission, instead of the Department of Public Instruction.

Mr. McATEE from the Committee on Municipal Corporations reported as committed Senate Bill No. 360, entitled:

An Act to amend the title and section two of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 340) entitled "An act empowering cities of the third class boroughs incorporated towns and townships to cooperate with each other through joint agreements in the exercise of their governmental powers duties and functions relating to the public health recreation zoning and municipal planning" by extending the power of municipalities to cooperate in the exercise of their powers duties and functions

Mr. PROPERT from the Committee on Municipal Cor-

porations reported as committed Senate Bill No. 523, entitled:

An Act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts, and vocational school districts; conferring powers and imposing duties on tax collectors, courts and various officers of said political subdivisions; and prescribing penalties

Mr. McKINNEY from the Committee on Municipal Corporations reported as committed Senate Bill No. 607, entitled:

An Act to amend the act approved the twenty-sixth day of May, one thousand nine hundred forty-three (P. L. 637), entitled "An act providing that the terms of constables hereafter elected in cities of the second, second class A and third classes, boroughs and townships, shall be for six years," by extending the terms of constables hereafter elected in incorporated towns to six years.

Mr. GREENWOOD from the Committee on Professional Licensure reported as amended House Bill No. 847, entitled:

An Act to protect and promote the public health, safety and welfare by providing for the registration and regulation of watchmakers; prescribing the terms upon which licenses or certificates of registration may be issued to watchmakers, including apprentices; providing for the appointment of a State Board of Examiners in Watchmaking and defining the duties of the said board, including the right to revoke license prescribing fees; defining certain misdemeanors and providing penalties for violation thereof; and repealing present laws in consistent therewith.

Mr. FLACK from the Committee on Counties reported as amended House Bill No. 1234, entitled:

An Act to further amend sections one and ten of the act, approved the fourth day of June, one thousand nine hundred thirty-seven (P. L. 1625) entitled "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the third class; and imposing certain charges on counties," extending and further regulating such retirement systems.

Mr. FLEMING from the Committee on Welfare reported as committed House Bill No. 705, entitled:

An Act amending clause (c) of section nine of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," by increasing the amount of pensions to be paid to blind persons.

Mrs. DYE from the Committee on Welfare reported as committed House Bill No. 1063, entitled:

An Act to provide for the appointment of a commission to study the conditions, practice, and laws of this Commonwealth relating to child welfare; to suggest revisions and amendments to the statutes of the Commonwealth of Pennsylvania which relate to children, especially those which relate to the dependent, defective, delinquent, neglected, incorrigible, or illegitimate children; defining the powers and duties of the commission; authorizing the examination of documents, records and papers; and making an appropriation to meet the expenses of the said commission.

Mr. STUART from the Committee on Welfare reported as committed House Bill No. 1184, entitled:

An Act to amend section two of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2045), entitled "An act relating to the support of indigent persons publicly cared for or assisted; providing for the support of such persons by certain relatives, and for the recovery of public moneys expended for care and assistance from the property and estates of such persons; providing for guardians of person and property of such persons; providing for the arrest and seizure and sale of the property of deserters; and providing procedure," by giving jurisdiction to the Municipal Court of Philadelphia County.

Mr. FINNERTY from the Committee on Welfare reported as committed House Bill No. 1258, entitled:

An Act to amend section three of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045) entitled "An act relating to the support of indigent persons publicly cared for or assisted providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure" by abolishing the liability of grandchildren and grandparents of indigent persons to care for maintain or financially assist such persons.

BILL ON FIRST READING

Mr. FLEMING asked and obtained unanimous consent for House Bill No. 705, to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 705, entitled:

An Act amending clause (c) of section nine of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board", by increasing the amount of pensions to be paid to blind persons.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 46

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 11, 1945.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 46, Printer's No. 171, entitled "An act to further amend section one of the act approved the thirteenth day of May, one thousand nine hundred twenty-five (P. L. 676), entitled as amended, 'An act providing for the burial of certain persons who are, have been, or shall be, soldiers, sailors, marines, or members of the enlisted nurse corps, designated as 'deceased service men'; defining the term 'deceased service men'; authorizing county commissioners to provide markers and burial plots for such deceased service men at the expense of such county in which they shall die or have a legal residence at the time of their death; and providing for the burial of widows of soldiers, sailors, or marines,' broadening the definition of the term "deceased service men" to include members of any women's organization officially connected with any of the armed forces of the United States, and requiring county commissioners of each county to contribute to the funeral expenses of such persons."

EDWARD MARTIN.

WOMEN'S CLUB WELCOMED

The SPEAKER. The Chair welcomes to the House this afternoon the Women's Club of Allentown, who are guests of the Members from Lehigh County.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. STOCKHAM asked and obtained permission for the Committee on Public Utilities to meet during the session of the House.

Mr. HELM asked and obtained permission for the Committee on Welfare to meet during the session of the House.

The SPEAKER. The Chair requests the gentleman from Allegheny, Mr. Leonard, to preside.

MR. LEONARD IN THE CHAIR

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 509, entitled:

An Act to further amend section five hundred forty-two of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" making hubsands liable for payment of per capita taxes levied against their wives and authorizing collection thereof from such husbands

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 670, entitled:

An Act to amend section one of the act approved the eighth day of June one thousand eight hundred ninety-three (P. L. 344) entitled "An act relating to husband and wife enlarging her capacity to acquire and dispose of property to sue and be sued and to make a last will and enabling them to sue and to testify against each other in certain cases" prescribing how husband may join in a wife's mortgage or conveyance

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 755, entitled:

An Act to add section eight hundred eighteen to the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) enttiled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" further providing for the election of councilmen when the terms of all encumbrants expire in the same year

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1024, entitled:

An Act relating to judgments providing for the lien thereof and the duration and revival of such liens prescribing the circumstances under which executions to enforce payment of judgments may be levied on real property and imposing duties on prothonotaries sheriffs and other court and county officers

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1088, entitled:

An Act to amend section six hundred two point one of article six of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further regulating the sale of land or any interest therein

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1104, entitled:

An Act relating to soil conservation and soil erosion and land use practices contributing to soil wastage and soil erosion providing for the organization of the various counties into soil conservation districts the appointment of their officers and employes and prescribing their powers and duties creating the State Soil Conservation Commission in the Department of Agriculture and fixing its powers and duties relative to the enforcement of this act

providing financial assistance to such soil conservation districts and authorizing county commissioners to make appropriations thereto providing for disposition and operation of existing districts and repealing existing laws

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1250, entitled:

An Act providing a uniform method for taking samples of food or processed food for the purpose of analysis or examination by duly authorized representatives of any city county township borough or other political subdivision or governmental agency of the Commonwealth

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 210, entitled:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by eliminating the requirements of a periodic enumeration of adults who are not citizens and of persons ten years of age or over who are unable to read write or speak English

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 224, entitled:

An Act to extend the lien of taxes and municipal claims and the period for the redemption of real property where the commencement of proceedings or actions for the collection of taxes or municipal claims or sales for the collection thereof are stayed by a court pursuant to the Soldiers' and Sailors' Civil Relief Act of 1940 or the period for the redemption of real property expires before the end of six months after termination of the military service of a person having the right to redeem such real property.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 482, entitled:

An Act to add section two thousand two point two to the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing for cooperation of State Teachers' Colleges with other agencies in vocational rehabilitation education of veterans and defense workers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 544, entitled:

An Act to regulate the sale and possession of penicillium (penicillin) and its derivatives, preparations and compounds in the interest of public health.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS NOT ON FILE

The SPEAKER pro tempore. The following bills on first reading on pages 4 and 5 of today's calendar are not on file and will be passed over:

House Bill No. 127, Printer's No. 510
House Bill No. 568, Printer's No. 518
House Bill No. 839, Printer's No. 519
House Bill No. 888, Printer's No. 520
House Bill No. 908, Printer's No. 521 and
House Bill No. 995, Printer's No. 522

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 279, entitled:

An Act defining and providing for the licensing and regulation of private trade schools and classes conferring powers and imposing duties on the State Board for Vocational Education and prescribing penalties

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

THE SPEAKER (Ira T. Fiss) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Allegheny, Mr. Leonard, for presiding.

BILL ON SECOND READING

Agreeably to order,
The House proceeded to the second reading and consideration of Senate Bill No. 423, entitled:

An Act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities, counties and townships as herein defined: prescribing the rights, powers and duties of such Authorities; authorizing such authorities to acquire, construct, improve, maintain, and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such authorities, authorizing such authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof, conferring exclusive jurisdiction on certain courts over rates

The first section was read.
On the question,
Will the House agree to the section?

BILL RECOMMITTED

Mr. WATKINS. Mr. Speaker, I move that this bill be recommitted to the Committee on State Government for the purpose of further study and amendment.
The motion was agreed to.

BILLS ON FINAL PASSAGE

BILL PASSED OVER

There being no objection

House Bill No. 717, Printer's No. 500.

was passed over at the request of the SPEAKER.

BILLS NOT ON FILE

The SPEAKER. The following bills on final passage on pages 8 and 9 are not on file and will be passed over:

House Bill No. 1017, Printer's No. 508 and

House Bill No. 1190, Printer's No. 509.

TIME EXTENDED ON BILL

Mr. SHAFFER. Mr. Speaker, in the absence of the sponsor, I move that the time on House Bill No. 853, Printer's No. 401, entitled:

An Act to further amend section four hundred two of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 853) entitled "An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws" by further providing for the assessment and valuation of buildings under construction repair or reconstruction in counties of the second class

on page 9 of today's calendar, bills on final passage postponed, be extended five days.

The motion was agreed to.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection

House Bill No. 181, Printer's No. 195

House Bill No. 183, Printer's No. 196

House Bill No. 149, Printer's No. 462

House Bill No. 936, Printer's No. 363 and

House Bill No. 391, Printer's No. 465

on pages 10 and 11 of today's calendar, bills on third reading were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 763, as follows:

An Act to amend section one of the act approved the twentieth day of May one thousand nine hundred twenty-one (P. L. 936) entitled "An act authorizing receivers of taxes in and for cities of the first class to furnish certificates of taxes and claims which are liens on real estate and fixing the fees for such services" by providing for the appointment of a custodian of delinquent tax records elimination of fees and relieving the receiver of taxes of the liability for the accuracy of tax memoranda

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act appoved the twentieth day of May one thousand nine hundred twenty-one (P. L. 936) entitled "An act authorizing receivers of taxes in and for cities of the first class to furnish certificates of taxes and claims which are liens on real estate and fixing the fees for such services" is hereby amended to read as follows

Section 1 Be it enacted &c That the receiver of taxes acting in and for any city of the first class shall [furnish upon application certificates of all the taxes and claims which are a lien on real estate located in any such city and shall receive and collect For each certificate of taxes on real estate the sum of fifty cents for each certificate of water rents the sum of fifty cents and for each lien and claim certified the sum of five cents] appoint for the convenience of the general public a custodian of delinquent tax and delinquent water rent records who upon application of any member of the general public shall give without charge to the applicant a memorrandum as to any delinquent taxes or delinquent water rents upon any piece of real estate in the county and city of Philadelphia Povided however That the receiver of taxes is not personally liable for the accuracy of any such memorandum

Section 2 The custodian of delinquent taxes and delinquent water rents records shall upon application in writing by the owner of any piece of real estate in the county and city of Philadelphia give to the said owner a duplicate tax receipt without charge upon affidavit of the owner of the real estate that the original receipt has been lost mislaid or stolen

Section 3 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—195

Andrews,	Fullerton,	Madigan,	Reynolds,
Baker,	Gaffney,	Mahany,	Riley,
Barrett,	Gallagher,	Matthews,	Robertson,
Barton,	Gardner,	McAtee,	Root,
Baumunk,	Getchey,	McClester,	Royer,
Bentzel,	Gibson,	McCormack,	Rudisill,
Boies,	Goodling,	McDowell,	Salus,
Bonawitz,	Gore,	McKinney,	Scanlon,
Boney,	Grant,	McLanahan,	Schuster,
Boorse,	Green,	McMillen,	Serrill,
Boory,	Greer,	McNair,	Shaffer,
Bower,	Guthrie,	McNally,	Shoemaker,
Brancato,	Gyger,	Mikula,	Skale,
Breisch,	Haberlen,	Miller,	Sloan,
Brice,	Hamilton,	Milliken,	Smith,
Brown,	Hall,	Mills,	Snider,
Brunner, C. H.,	Hare,	Modell,	Snyder,
Brunner, P. A.,	Haudenshield,	Mooney,	Sollenberger,
Burns,	Heatherington,	Moore, C. E.,	Sorg,
Cadwalader,	Helm,	Moore, W. J.,	Stank,
Chudoff,	Hennihan,	Moran,	Stockham,
Cohen,	Hersch,	Moser,	Stonier,
Coleman,	Hewitt,	Munley,	Stuart,
Cook,	Hoffman,	Murray, M. L.,	Swope,
Cooper,	Hoggard,	Murray, P. G.,	Tahl,
Corrigan,	Howells,	Myhan,	Tittle,
Costa,	Hunter,	Nagel,	Trachtman,
Coulson,	Huntley,	Nelson,	Trent,
Coyle,	James,	O'Brien,	Trout,
Cullen,	Jones,	O'Connor,	Turbett,
Dague,	Kennedy,	O'Dare,	Turner,
Dalrymple,	Kirley,	O'Donnell,	Varallo,
Depuy,	Kline,	O'Neill,	Verona,
Dillon,	Kolankiewicz,	Owens,	Wachhaus,
Dix,	Komorofski,	Pentrack,	Wagner,
Dougherty,	Kurtz,	Petrosky,	Waterhouse,
Duffy,	Lane,	Pettigrew,	Watkins,
Dye,	Laughner,	Pickens,	Weiss,
Elder,	Lee,	Polaski,	Welsh,
Elish,	Leisey,	Polen,	Wescott,
Ewing,	Leonard,	Powers,	White,
Erb,	Levy,	Propert,	Wood, L. H.,
Finnerty,	Lichtenwalter,	Readinger,	Wood, N.,
Flack,	Loftus,	Reagan,	Worley,
Fleming,	Longo,	Reese, D. P.,	Wright,

Foor,	Lopez,	Reese, R. E.,	Yeakel,
Fox,	Lovett,	Regan,	Yester,
Freed,	Lyons,	Reidenbach,	Fiss,
Frost,	Madden,	Reilly,	Speaker.

NAYS—0

NOT VOTING—4

Bentley,	Brothers,	Herman,	Hoopes,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 861, Printer's No. 479

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 871, as follows:

An Act to further amend section twenty-seven of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" further limiting the application of the section and making such further limitation retroactive

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twenty-seven of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred seventy-nine" as amended by the act approved the twenty-fifth day of April one thousand nine hundred twenty-nine (P. L. 668) is hereby further amended to read as follows

Section 27 That from and after the passage of this act every incorporated company or limited partnership whatever whether the same be incorporated formed or organized under the laws of this or any other State or Territory and doing business within this Commonwealth and liable to taxation therein which is not subject to the taxes imposed by the twenty-first or twenty-fourth sections of this act except incorporated banks and savings institutions having capital stock and foreign insurance companies shall annually upon the fifteenth day of March of each year make report to the Department of Revenue setting forth the entire amount of net earnings or income received by said company or limited partnership from all sources during the preceding year and such other information as the Department may require and upon such net earnings or income the said company association or limited partnership as the case may be shall pay into the State Treasury through the Department of Revenue for the use of the Commonwealth within the time prescribed by law for the payment of State taxes settled by the Department of Revenue three percentum upon such annual net earnings or income in addition to any taxes on personal property to which it may be subject under the first section of this act The penalty for failure to make such report shall be as provided as law Provided That this section shall not apply to corporations and limited partnerships chartered or organized for manufacturing purposes nor to cooperative agricultural associations organized under the laws of this or any other State.

There shall be no liability for tax under the provisions of this act from any cooperative agricultural association doing business in the Commonwealth of Pennsylvania prior to the passage of this amendment

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Andrews,	Gaffney,	Mahany,	Riley,
Baker,	Gallagher,	Matthews,	Robertson,
Barrett,	Gardner,	McAtee,	Root,
Barton,	Getchey,	McClester,	Royer,
Baumunk,	Gibson,	McCormack,	Rudisill,
Bentzel,	Goodling,	McDowell,	Salus,
Boies,	Gore,	McKinney,	Scanlon,
Bonawitz,	Grant,	McLanahan,	Schuster,
Boney,	Green,	McMillen,	Serrill,
Boorse,	Greer,	McNair,	Shaffer,
Boory,	Guthrie,	McNally,	Shoemaker,
Bower,	Gyger,	Mikula,	Skale,
Brancato,	Haberlen,	Miller,	Sloan,
Breisch,	Hall,	Milliken,	Smith,
Brice,	Hamilton,	Mills,	Snider,
Brown,	Hare,	Modell,	Snyder,
Brunner, C. H.,	Haudenshield,	Mooney,	Sollenberger,
Brunner, P. A.,	Heatherington,	Moore, C. E.,	Sorg,
Burns,	Helm,	Moore, W. J.,	Stank,
Cadwalader,	Hennihan,	Moran,	Stockham,
Chudoff,	Hersch,	Moser,	Stonier,
Cohen,	Hewitt,	Munley,	Stuart,
Coleman,	Hoffman,	Murray, M. L.,	Swope,
Cook,	Hoggard,	Murray, P. G.,	Tahl,
Cooper,	Howells,	Myhan,	Tate,
Corrigan,	Hunter,	Nagel,	Tittle,
Costa,	Huntley,	Nelson,	Trachtman,
Coulson,	James,	O'Brien,	Trent,
Coyle,	Jones,	O'Connor,	Trout,
Cullen,	Kennedy,	O'Dare,	Turbett,
Dague,	Kirley,	O'Donnell,	Turner,
Dalrymple,	Kline,	O'Neill,	Varallo,
Depuy,	Kolankiewicz,	Owens,	Verona,
Dillon,	Komorofski,	Pentrack,	Wachhaus,
Dix,	Kurtz,	Petrosky,	Wagner,
Dougherty,	Lane,	Pettigrew,	Waterhouse,
Duffy,	Laughner,	Pickens,	Watkins,
Dye,	Lee,	Polaski,	Weiss,
Elder,	Leisey,	Polen,	Welsh,
Elish,	Leonard,	Powers,	Wescott,
Erb,	Levy,	Propert,	White,
Ewing,	Lichtenwalter,	Readinger,	Wood, L. H.,
Finnerty,	Loftus,	Reagan,	Wood, N.,
Flack,	Longo,	Reese, D. P.,	Worley,
Fleming,	Lopez,	Reese, R. E.,	Wright,
Foor,	Lovett,	Regan,	Yeakel,
Fox,	Lyons,	Reidenbach,	Yester,
Freed,	Madden,	Reilly,	Fiss,
Frost,	Madigan,	Reynolds,	Speaker.
Fullerton,			

NAYS—0

NOT VOTING—4

Bentley,	Brothers,	Herman,	Hoopes,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 1209, Printer's No. 494,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 421, as follows:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows

Section 1 That the following amendment to the Constitution of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That article nine of the Constitution of the Commonwealth of Pennsylvania be amended by adding thereto a section to read as follows

Section 21 In addition to the purposes stated in article nine section four of this Constitution the Commonwealth may be authorized by law to create debt and to issue bonds to the amount of fifty million dollars ($50,000,000) for the construction of public buildings highways drainage and sanitary systems anti-stream pollution and flood control projects for purposes of reforestation and for the rehabilitation and hospitalization of war veterans

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Andrews,	Gaffney,	Mahany,	Riley,
Baker,	Gallagher,	Matthews,	Robertson,
Barrett,	Gardner,	McAtee,	Root,
Barton,	Getchey,	McClester,	Royer,
Baumunk,	Gibson,	McCormack,	Rudisill,
Bentzel,	Goodling,	McDowell,	Salus,
Boies,	Gore,	McKinney,	Scanlon,
Bonawitz,	Grant,	McLanahan,	Schuster,
Boney,	Green,	McMillen,	Serrill,
Boorse,	Greer,	McNair,	Shaffer,
Boory,	Guthrie,	McNally,	Shoemaker,
Bower,	Gyger,	Mikula,	Skale,
Brancato,	Haberlen,	Miller,	Sloan,
Breisch,	Hall,	Milliken,	Smith,
Brice,	Hamilton,	Mills,	Snider,
Brown,	Hare,	Modell,	Snyder,
Brunner, C. H.,	Haudenshield,	Mooney,	Sollenberger,
Brunner, P. A.,	Heatherington,	Moore, C. E.,	Sorg,
Cadwalader,	Helm,	Moore, W. J.,	Stank,
Chudoff,	Hennihan,	Moran,	Stockham,
Cohen,	Hersch,	Moser,	Stonier,
Coleman,	Hewitt,	Munley,	Stuart,
Cook,	Hoffman,	Murray, M. L.,	Swope,
Cooper,	Hoggard,	Murray, P. G.,	Tahl,
Corrigan,	Howells,	Myhan,	Tate,
Costa,	Hunter,	Nagel,	Tittle,
Coulson,	Huntley,	Nelson,	Trachtman,
Coyle,	James,	O'Brien,	Trent,
Cullen,	Jones,	O'Connor,	Trout,
Dague,	Kennedy,	O'Dare,	Turbett,
Dalrymple,	Kirley,	O'Donnell,	Turner,
Depuy,	Kline,	O'Neill,	Varallo,
Dillon,	Kolankiewicz,	Owens,	Verona,
Dix,	Komorofski,	Pentrack,	Wachhaus,
Dougherty,	Kurtz,	Petrosky,	Wagner,
Duffy,	Lane,	Pettigrew,	Waterhouse,
Dye,	Laughner,	Pickens,	Watkins,
Elder,	Lee,	Polaski,	Weiss,
Elish,	Leisey,	Polen,	Welsh,
Erb,	Leonard,	Powers,	Wescott,
Ewing,	Levy,	Propert,	White,
Finnerty,	Lichtenwalter,	Readinger,	Wood, L. H.,
Flack,	Loftus,	Reagan,	Wood, N.,
Fleming,	Longo,	Reese, D. P.,	Worley,
Foor,	Lopez,	Reese, R. E.,	Wright,
Fox,	Lovett,	Regan,	Yeakel,
Freed,	Lyons,	Reidenbach,	Yester,
Frost,	Madden,	Reilly,	Fiss,
Fullerton,	Madigan,	Reynolds,	Speaker.

NAYS—0

NOT VOTING—4

Bentley, Brothers, Herman, Hoopes,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 122, as follows:

An Act to further amend section 1 of the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" by exempting and excluding therefrom all public loans and obligations of any county city borough town township school district and incorporated district of this Commonwealth and the bonds and obligations of bodies corporate and politic of this Commonwealth known as municipal authorities by exempting personal property held in certain employee pension trusts and personal property held under certain circumstances for the benefit of non-residents of this Commonwealth and by exempting annuities and shares of stock of corporations liable to a gross premium tax and shares of stock of corporations relieved of the capital stock tax

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" as last amended by the acts approved the twenty-ninth day of July one thousand nine hundred forty-one (P. L. 548 552 and 556) is hereby further amended to read as follows

Section 1 Be it enacted &c That all personal property of the classes hereinafter enumerated owned held or possessed by any resident which as used in this section shall mean any person persons copartnership or unincorporated association or company resident located or liable to taxation within this Commonwealth or by any joint-stock company or association limited partnership bank or corporation whatsoever formed erected or incorporated by under or in pursuance of any law of this Commonwealth or of the United States or of any other state or government and liable to taxation within this Commonwealth whether such personal property be owned held or possessed by such resident in his her their or its own right or as active trustee agent attorney-in-fact or in any other capacity or by any resident as trustee agent or attorney-in-fact jointly with one or more trustees agents or attorney-in-fact domiciled in another state where such personal property is held and managed in this Commonwealth except as executor or administrator of the estate of a nonresident decedent and except as trustee for a resident or nonresident religious charitable

or educational organization no part of the net earnings of which insures to the benefit of any private stockholder or individual for the use benefit or advantage of any other person copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation and the equitable interest in any such personal property of the classes hereinafter enumerated owned held or possessed by any resident where the legal title to such personal property is vested in a trustee agent or attorney-in-fact domiciled in another state or where the legal title to such personal property is vested in more than one trustee agent attorney-in-fact one or more of whom are domiciled in another state and one or more of whom are domiciled within this Commonwealth and such personal property is held and managed in another state and where such resident is entitled to receive all or any part of the income therefrom is hereby made taxable annually for county purposes and in cities coextensive with counties for city and county purposes at the rate of four mills on each dollar of the value thereof and no failure to assess or return the same shall discharge such owner or holder thereof from liability therefor that is to say

All mortgages all moneys owing by solvent debtors whether by promissory note or penal or single bill bond or judgment all articles of agreement and accounts bearing interest all public loans whatsoever except those issued by this Commonwealth or the United States and except the public loans and obligations of any county city borough town township school district and incorporated district of this Commonwealth and except the bonds and obligations of bodies corporate and politic of this Commonwealth known as municipal authorities [and those made taxable for State purposes by section seventeen of the act approved the twenty-second day of June one thousand nine hundred thirty-five (P. L. 414) as reenacted and amended] all loans issued by any corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other state or government including car-trust securities and loans secured by bonds or any other form of certificate or evidence of indebtedness whether the interest be included in the principal of the obligation or payable by the terms thereof except such loans as are made taxable for State purposes by section seventeen of the act approved the twenty-second day of June one thousand nine hundred thirty-five (P. L. 414) as reenacted and amended all shares of stock in any bank corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other state or Government except shares of stock in any bank bank and trust company national banking association savings institution corporation or limited partnership liable to a tax on its shares [or the capital stock or franchise tax imposed by section twenty-one of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) and its amendments and supplements] or a gross premiums tax or liable to or relieved from the capital stock or franchise tax for State purposes under the laws of this Commonwealth and all moneys loaned or invested in other states territories the District of Columbia or foreign countries all other moneyed capital owing to individual citizens of the State [and the principal value of all annuities yielding annually over two hundred dollars] Provided That this section shall not apply to bank notes or notes discounted or negotiated by any bank or banking institution savings institution or trust company nor to loans shares of stock or other securities held by bankers or brokers solely for trading purposes nor to accounts or debit balances owing by customers of bankers or brokers in the usual courses of business nor to interest bearing accounts in any bank or banking institution savings institution employes' thrift or savings association whether operated by employes or the employer or trust company nor to personal property held in the commercial department and owned in its own right by a banking institution savings institution or trust company in liquidation by a receiver trustee or by a banking institution in its own right but assigned other fiduciary nor to personal property formerly held by it to one or more trustees for liquidation and payment to the creditors and stockholders of such banking institutions it being the intent and purpose of this proviso that no tax be assessed or collected for the years one thousand nine hundred and thirty-five one thousand nine hundred and thirty-six one thousand nine hundred and thirty-seven one thousand nine hundred and thirty-eight one thousand nine hundred and thirty-nine one thousand nine hundred and forty and thereafter upon the personal property enumerated herein nor shall this act apply to the proceeds of any life insurance policy held in whole or in part by the insurer nor the principal value of annuities nor to any personal property held in any trust forming part of a stock bonus pension or profit sharing plan of an employer for the exclusive benefit of his employees or their beneficiaries which trust under the latest ruling of the Commissioner of Internal Revenue is exempted from Federal income tax And provided further That the provisions of this act shall not apply to building and loan associations or to shares of stock issued by building and loan associations or to savings institutions having no capital stock and if at any time either now or hereafter any persons individuals or bodies corporate have agreed or shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the said four mills tax herein provided for or any part thereof or have agreed or shall hereafter agree to pay the same nothing herein contained shall be so construed as to relieve or exempt him it or them from paying the said four mills tax on any of the said such securities bonds or other evidences of indebtedness as may be held owned by or owing to the said savings institution having no capital stock And provided further That the provisions of this act shall not apply to fire companies firemen's relief associations life casualty or fire insurance corporations having no capital stock secret and beneficial societies labor unions and labor union relief associations and all beneficial organizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members of such associations societies or unions And provided further That corporations limited partnerships and joint-stock associations liable to tax on their shares or the aforesaid capital stock or franchise tax for State purposes shall not be required to make any report or pay any further tax under this section on the mortgages bonds and other securities owned by them in their own right but corporations limited partnerships and jointstock associations holding such securities as trustees executors administrators guardians or in any other manner except as executor or administrator of the estate of a nonresident decedent and except as trustee for a resident or nonresident religious charitable or educational organization no part of the net earnings of which inures to the benefit of any private stockholder or individual shall return and pay the tax imposed by this section upon all securities so held by them as in the case of individuals And provided further That none of the classes of property made taxable by this section for county purposes and in cities coextensive with counties for city and county purposes shall be taxed or taxable for any other local purpose under the laws of this Commonwealth And provided further That the provisions of this section shall not apply to personal property of the class hereinabove enumerated received or acquired with proceeds of money or property received from any person or persons copartnership or unincorporated association or company nonresident in or not located within this Commonwealth or from any joint-stock company or association limited partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United States or of any state or government other than this Commonwealth by any person or persons copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation as active trustee

agent attorney-in-fact or in any other capacity for the use benefit or advantage of any person or persons co-partnership or unincorporated association or company nonresident in or not located within this Commonwealth or for the use benefit or advantage of any joint-stock company or association limited partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United States or of any state or government other than this Commonwealth nor shall the provisions of this section apply to personal property held for the use benefit or advantage of any resident who shall have in each of the ten preceding calendar years given or contributed all of his net income to any corporation organized or operated exclusively for religious charitable scientific literary or educational purposes

The value of the equitable interest in any personal property made subject to tax by this section shall be measured by ascertaining the value of the personal property in which such resident has the sole equitable interest or in case of divided equitable interests in the same personal property then by ascertaining such part of the value of the whole of such personal property as represents the equitable interest of such resident therein

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Andrews,	Gaffney,	Mahany,	Riley.
Baker,	Gallagher,	Matthews,	Robertson,
Barrett,	Gardner,	McAtee,	Root,
Barton,	Getchey,	McClester,	Royer,
Baumunk,	Gibson,	McCormack,	Rudisill,
Bentzel,	Goodling,	McDowell,	Salus,
Boies,	Gore,	McKinney,	Scanlon,
Bonawitz,	Grant,	McLanahan,	Schuster,
Boney,	Green,	McMillen,	Serrill,
Boorse,	Greer,	McNair,	Shaffer,
Boory,	Guthrie,	McNally,	Shoemaker,
Bower,	Gyger,	Mikula,	Skale,
Brancato,	Haberlen,	Miller,	Sloan,
Breisch,	Hall,	Milliken,	Smith,
Brice,	Hamilton,	Mills,	Snider,
Brown,	Hare,	Modell,	Snyder,
Brunner, C. H.,	Haudenshield,	Mooney,	Sollenberger,
Brunner, P. A.,	Heatherington,	Moore, C. E.,	Sorg,
Burns,	Helm,	Moore, W. J.,	Stank,
Cadwalader,	Hennihan,	Moran,	Stockham,
Chudoff,	Hersch,	Moser,	Stonier,
Cohen,	Hewitt,	Munley,	Stuart,
Coleman,	Hoffman,	Murray, M. L.,	Swope,
Cook,	Hoggard,	Murray, P. G.,	Tahl,
Cooper,	Howells,	Myhan,	Tate,
Corrigan,	Hunter,	Nagel,	Tittle,
Costa,	Huntley,	Nelson,	Trachtman,
Coulson,	James,	O'Brien,	Trent,
Coyle,	Jones,	O'Connor,	Trout,
Cullen,	Kennedy,	O'Dare,	Turbett,
Dague,	Kirley,	O'Donnell,	Turner,
Dalrymple,	Kline,	O'Neill,	Varallo,
Depuy,	Kolankiewicz,	Owens,	Verona,
Dillon,	Komorofski,	Pentrack,	Wachhaus,
Dix,	Kurtz,	Petrosky,	Wagner,
Dougherty,	Lane,	Pettigrew,	Waterhouse,
Duffy,	Laughner,	Pickens,	Watkins,
Dye,	Lee,	Polaski,	Weiss,
Elder,	Leisey,	Polen,	Welsh,
Elish,	Leonard,	Powers,	Wescott,
Erb,	Levy,	Propert,	White,
Ewing,	Lichtenwalter,	Readinger,	Wood, L. H.,
Finnerty,	Loftus,	Reagan,	Wood, N.,
Flack,	Longo,	Reese, D. P.,	Worley,
Fleming,	Lopez,	Reese, R. E.,	Wright,
Foor,	Lovett,	Regan,	Yeakel,
Fox,	Lyons,	Reidenbach,	Yester,
Freed,	Madden,	Reilly,	Fiss,
Frost,	Madigan,	Reynolds,	Speaker.
Fullerton,			

NAYS—0

NOT VOTING—4

Bentley,	Brothers,	Herman,	Hoopes,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 671, as follows:

An Act to amend section six hundred eight of the act approved the twenty-eighth day of April one thousand nine hundred thirty-seven (P. L. 417) entitled "An act relating to milk and the products thereof creating a Milk Control Commission establishing its jurisdiction powers and duties regulating the production transportation manufacturing processing storage distribution delivery and sale of milk and certain products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers authorizing the holding of hearings and the issuance of subpoenas by the commission conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules regulations and orders of the commission authorizing the commission to adopt rules regulations and orders and to enter into interstate and Federal compacts requiring persons who weigh measure sample or test milk to procure permits or certificates to take examinations to pay fees therefor to furnish certain notices records and statements and to use certain methods of weighing measuring sampling and testing authorizing the commission to examine the business papers and premises of milk dealers and producers requiring the keeping of records and the filing of reports by milk dealers and permitting with limitations the use of information obtained thereby authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor and conferring certain powers upon the Governor with respect thereto providing for appeals to the courts from decisions of the commission and for the burden of proof upon such appeals prescribing penalties fines and imprisonment for violations of this act and rules regulations and orders of the commission defining perjury defining remedies repealing legislation supplied and superseded by this act and saving rights duties and proceedings thereunder and making appropriations" by requiring milk dealers to give daily reports of milk delivered by milk producers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six hundred eight of the act approved the twenty-eighth day of April one thousand nine hundred thirty-seven (P. L. 417) entitled "An act relating to milk and the products thereof creating a Milk Control Commission establishing its jurisdiction powers and duties regulating the production transportation manufacturing processing storage distribution delivery and sale of milk and certain products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers authorizing the holding of hearings and the issuance of subpoenas by the commission conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules regulations and orders of the commission

authorizing the commission to adopt rules regulations and orders and to enter into interstate and Federal compacts requiring persons who weigh measure sample or test milk to procure permits or certificates to take examinations to pay fees therefor to furnish certain notices records and statements and to use certain methods of weighing measuring sampling and testing authorizing the commission to examine the business papers and premises of milk dealers and producers requiring the keeping of records and the filing of reports by milk dealers and permitting with limitations the use of information obtained thereby authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor and conferring certain powers upon the Governor with respect thereto providing for appeals to the courts from decisions of the commission and for the burden of proof upon such appeals prescribing penalties fines and imprisonment for violations of this act and rules regulations and orders of the commission defining perjury defining remedies repealing legislation supplied and superseded by this act and saving rights duties and proceedings thereunder and making appropriations" is hereby amended to read as follows

Section 608 Payment for Milk Statement Milk dealers shall determine weight measure and butterfat content of milk as provided in this act or in rules regulations or orders of the commission pertaining thereto and consistent with this act Payment for milk shall be made either upon the basis of weight measure or butterfat content or any combination thereof as the rules regulations or orders of the commission may require

Milk dealers buying or receiving milk from producers shall furnish to each producer or his agent a written statement showing the amount of milk delivered daily during the period for which payment is made and unless the commission otherwise provides the average butterfat test of the milk delivered for such period Such statement shall set forth such information as may be required by the commission shall be furnished periodically at the time of payment prescribed by the commission and in no event less often than monthly Provided however That a written statement of weights [may] shall be given daily to the producer or his agent upon written request of a majority of the producers who deliver milk to any one dealer each receiving station to be petitioned separately in lieu of such periodic statement of the amount of milk delivered unless the commission otherwise provides.

It shall be unlawful to use as the basis of payment for milk any amount or percentage of butterfat therein which has been ascertained from a sample containing milk that has been so treated as to cause it to test lower or higher than the milk from which it was taken

It shall be unlawful for any person including any milk dealer to knowingly fraudulently or negligently weigh measure sample or test milk or cause milk to be weighed measured sampled or tested in such manner as to cause or tend to cause loss or injury to milk producers stores or milk consumers or to make any false or misleading statement with respect to the weight measurement sampling or testing of milk

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. MAHANY. Mr. Speaker, I would like to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Blair, Mr. Erb, permit himself to be interrogated?

Mr. ERB. I shall, Mr. Speaker.

Mr. MAHANY. What report, Mr. Speaker, would be required by this bill to be given to milk producers which are not now required by law to be given?

Mr. ERB. Mr. Speaker, this bill is to send daily milk bills back to the farmers or to the producers from the buyers.

Mr. MAHANY. Would these reports be easily made up by the milk buyer.

Mr. ERB. They must weigh the milk each day as it comes in, and therefore they can send their report back daily to the farmer in the milk game; send it back to his farm.

Mr. MAHANY. Would it require a man to be stationed right at the weighing station, that is an extra man to make out this report so that it could be sent back to the farmer on that day?

Mr. ERB. No, Mr. Speaker, but the man who weighs the milk must take the weight of it as he weighs it, therefore, it is to be presumed that he could put a tag on the can and put on the actual weight of the milk as he weighs it. It does not involve any clerical work or any red tape. The only thing is, it would give the farmer a daily record of the weight of the milk instead of monthly whereby the farmer has in the past been cheated of many thousands of pounds of milk in a month.

Mr. MAHANY. Is there any direct evidence that people have been cheated under the present law?

Mr. ERB. There is Mr. Speaker. One farmer alone in my locality has lost in the month of March by a shortage about three hundred pounds of milk.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Andrews,	Gaffney,	Mahany,	Riley,
Baker,	Gallagher,	Matthews,	Robertson,
Barrett,	Gardner,	McAtee,	Root,
Barton,	Getchey,	McClester,	Royer,
Baumunk,	Gibson,	McCormack,	Rudisill,
Bentzel,	Goodling,	McDowell,	Salus,
Boies,	Gore,	McKinney,	Scanlon,
Bonawitz,	Grant,	McLanahan,	Schuster,
Boney,	Green,	McMillen,	Serrill,
Boory,	Greer,	McNair,	Shaffer,
Boorse,	Guthrie,	McNally,	Shoemaker,
Bower,	Gyger,	Mikula,	Skale,
Brancato,	Haberlen,	Miller,	Sloan,
Breisch,	Hall,	Milliken,	Smith,
Brice,	Hamilton,	Mills,	Snider,
Brown,	Hare,	Modell,	Snyder,
Brunner, C. H.,	Haudenshield,	Mooney,	Sollenberger,
Brunner, P. A.,	Heatherington,	Moore, C. E.,	Sorg,
Burns,	Helm,	Moore, W. J.,	Stank,
Cadwalader,	Hennihan,	Moran,	Stockham,
Chudoff,	Hersch,	Moser,	Stonier,
Cohen,	Hewitt,	Munley,	Stuart,
Coleman,	Hoffman,	Murray, M. L.,	Swope,
Cook,	Hoggard,	Murray, P. G.,	Tahl,
Cooper,	Howells,	Myhan,	Tate,
Corrigan,	Hunter,	Nagel,	Tittle,
Costa,	Huntley,	Nelson,	Trachtman,
Coulson,	James,	O'Brien,	Trent,
Coyle,	Jones,	O'Connor,	Trout,
Cullen,	Kennedy,	O'Dare,	Turbett,
Dague,	Kirley,	O'Donnell,	Turner,
Dalrymple,	Kline,	O'Neill,	Varallo,
Depuy,	Kolankiewicz,	Owens,	Verona,
Dillon,	Komorofski,	Pentrack,	Wachhaus,
Dix,	Kurtz,	Petrosky,	Wagner,
Dougherty,	Lane,	Pettigrew,	Waterhouse,
Duffy,	Laughner,	Pickens,	Watkins,
Dye,	Lee,	Polaski,	Weiss,
Elder,	Leisey,	Polen,	Welsh,
Elish,	Leonard,	Powers,	Wescott,
Erb,	Levy,	Propert,	White,
Ewing,	Lichtenwalter,	Readinger,	Wood, L. H.,
Finnerty,	Loftus,	Reagan,	Wood, N.,
Flack,			

Fleming,	Longo,	Reese, D. P.,	Worley,
Foor,	Lopez,	Reese, R. E.,	Wright,
Fox,	Lovett,	Regan,	Yeakel,
Freed,	Lyons,	Reidenbach,	Yester,
Frost,	Madden,	Reilly,	Fiss,
Fullerton,	Madigan,	Reynolds,	Speaker.

NAYS—0

NOT VOTING—4

Bentley,	Brothers,	Herman,	Hoopes,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 715, Printer's No. 495 and

House Bill No. 806, Printer's No. 493

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 872, as follows:

An Act to provide revenue for State purpose by imposing an excise tax on the net income of co-operative agricultural associations having capital stock in lieu of all other taxes except tax on real estate providing for the assessment collection settlement and resettlement of tax and reviews and appeal therefrom conferring powers and imposing duties on certain persons cooperative agricultural associations having capital stock State and county officers boards and departments and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 This act shall be known and may be cited as the "Co-operative Agricultural Association Corporate Net Income Tax Act"

Section 2 Definitions The following words terms and phrases when used in this act shall have the meaning ascribed to them in this section except where the context clearly indicates a different meaning

"Co-operative Agricultural Association" An incorporated co-operative agricultural association composed of persons engaged in agriculture and instituted for the purposes of mutual help having capital stock either organized under the laws of this Commonwealth the United States or any state territory or foreign country or dependency and doing business in this Commonwealth or having capital or property employed or used in this Commonwealth by or in the name of itself or any person partnership or association

"Association" Means any co-operative agricultural association as hereinbefore defined

"Department" The Department of Revenue of this Commonwealth

"Net Income" In case the entire business transacted by the association is transacted within this Commonwealth net income for the calendar year or fiscal year shall be only an amount equal to the sum of the dividends declared or declared and paid on the shares of common and preferred stock during the year

In case the entire business is not transacted by the association within this Commonwealth the tax imposed by this act shall be based upon such portion of the net income for the calendar or fiscal year as defined herein as shall be attributed to business transacted in this Commonwealth by multiplying such net income by a fraction of which the numerator is the gross receipts received from business transacted within the Commonwealth and of which the denominator is the amount of the gross receipts received from all the business

Section 3 Imposition of Tax Every association shall be subject to and shall pay for the privilege of doing business in this Commonwealth or having capital or property employed or used in the Commonwealth by or in the name of itself or any other person partnership or association a State excise tax at the rate of four per centum (4%) per annum upon each dollar of the net income which tax shall be collected in lieu of any other excise tax including corporate net income tax or property tax The property shall be free from any county tax excepting tax on real estate

Section 4 Report and Payment of Tax For the purpose of ascertaining the amount of tax payable under this act it shall be the duty of every association liable to pay tax under this act on or before the fifteenth day of April of each year to transmit to the department upon a form prescribed prepared and furnished by the department a report under oath or affirmation of its president vice-president or other principal officer and of its treasurer or assistant treasurer of net income taxable under the provisions of this act

The failure of any association liable to pay tax under this act to procure or receive any report form shall not excuse it from making a report Every association upon the date its report is required herein to be made shall pay to the department the tax due to the Commonwealth by it for the preceding year

The amount of the tax imposed under this act not paid on or before the time as above provided shall bear interest at the rate of six per centum (6%) per annum from the date it is due and payable until paid Provided however That any association may pay the full amount of such tax or any part thereof together with interest due to the date of payment without prejudice to its right to present and prosecute a petition for resettlement a petition for review or an appeal to court If it be thereafter determined that such taxes were overpaid the department shall enter a credit to the amount of such association which may be used by it in the manner prescribed by law

If the officers of any association shall neglect or refuse to make any report as herein required or shall knowingly make any false report an additional ten per centum (10%) of the amount of the tax shall be added by the department to the tax determined to be due

If any association closes its fiscal year not upon the thirty-first day of December but upon some other date such association shall certify such fact to the Department of Revenue and shall make the report herein required on or before the fifteenth day of the fourth month after the close of its fiscal year

Section 5 Extension of Time to File Reports The department may upon application made to it in such form as it shall prescribe on or prior to the last day for filing any report and upon proper cause shown grant to the association required to file such report an extension of not more than sixty (60) days within which such report may be filed but the amount of tax due shall in such cases nevertheless be subject to interest from the due date and at the rate fixed by this act

Section 6 Settlement and Resettlement (a) All tax due under this act shall be settled by the department and such settlement shall be subject to audit and approval by the Department of the Auditor General and shall so far as possible be made so that notice thereof may reach the taxpayer before the end of a year after the tax report was required to be made

(b) Promptly after the date of any such settlement the department shall send by mail or otherwise a copy thereof to such association The tax imposed by this act shall be settled resettled and otherwise imposed and adjusted in the same manner within the same periods of time and right of resettlement review appeal and refund as provided by law in the case of capital stock and franchise taxes imposed upon business corporations

(c) If within a period of two (2) years after the

date of any settlement the department is not satisfied with such settlement the department is hereby authorized and empowered to make a resettlement of the tax due by such association based upon the facts contained in the report or upon any information within its possession or that shall come into its possession.

Whenever a resettlement shall have been made hereunder the department shall resettle the account according to law and shall credit or charge as the case may be the amount resulting from such resettlement upon the current accounts of the association with which it is made

The resettlement shall be subject to audit and approval by the Department of the Auditor General as in the case of original settlement and in case of the failure of the two departments to agree the resettlement shall be submitted to the Board of Finance and Revenue as in the case of original settlements

(d) If any association shall neglect or refuse to make any report and payment of tax required by this act the department shall estimate the tax due by such association and subject to audit and approval by the Department of Auditor General settle the amount due by it for tax penalties and interest thereon as prescribed herein from which settlement there shall be no right of review or appeal but the department with the approval of the Department of Auditor General may require a report to be filed and thereupon make a settlement based upon such report and cancel the estimated settlement

Section 7 Enforcement Rules and Regulations Inquisitorial Powers of the Department (a) The department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations not inconsistent with this act relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act and the collection of tax penalties and interest imposed by this act The department is hereby required to have such rules and regulations promulgated and adopted printed and shall distribute the same to any person upon request

(b) The department or any agent authorized in writing by it is hereby authorized to examine the books papers and records and to investigate the character of the business transacted by any association in order to verify the accuracy of any report made or if no report was made by such association to ascertain and settle the tax imposed by this act Every such association is hereby directed and required to give to the department or its duly authorized agent the means facilities and opportunity for such examinations and investigations as are hereby provided and authorized Any information gained by the department as a result of any returns investigations or verifications required to be made by this act shall be confidential except for official purposes and any person divulging such information shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100) or more than one thousand dollars ($1,000) and costs of prosecution or to undergo imprisonment for not more than six (6) months or both in the discretion of the court

(c) Whenever any person acting for or on behalf of the department shall in good faith institute legal proceedings for any violations of the provisions of this act and for any reason shall fail to recover costs of record such costs shall be a charge upon the proper county as shall such costs in the event defendant is imprisoned for failure to pay fine or costs or both and shall be audited and paid as are costs of like character in said county

(d) The powers conferred by this act upon the department relating to the administration or enforcement of this act shall be in addition to but not exclusive of any other powers heretofore or hereafter conferred upon the department by law

Section 8 Retention of Records by Associations Penalty Each association shall maintain and keep for a period of three (3) years after any report is filed under this act such record or records of business transacted by it within this Commonwealth for the period covered by such report and other pertinent papers as may be required by the department

Any person violating any of the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and costs of prosecution or to undergo imprisonment for not more than six (6) months or both in the discretion of the court

Section 9 Penalties (a) Any person who shall wilfully make a false and fraudulent return of net income made taxable by this act shall be guilty of willful and corrupt perjury and upon conviction thereof shall be subject to punishment as provided by law Such penalty shall be in addition to any other penalties imposed by this act

(b) Any person who wilfully fails neglects or refuses to make a report or to pay the tax as herein prescribed or who shall refuse to permit the department to examine the books papers and records of any association liable to pay tax under this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and costs of prosecution or to undergo imprisonment not exceeding six (6) months or both in the discretion of the court Such penalty shall be in addition to any other penalties imposed by this act

Section 10 Constitutional Construction The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 11 This act shall become effective immediately upon its final enactment and its provisions shall be applicable to settlements of tax for the calendar year ending the thirty-first day of December one thousand nine hundred forty-four or fiscal year ending in the calendar year one thousand nine hundred forty-five and every year thereafter

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Andrews,	Gaffney,	Mahany,	Riley,
Baker,	Gallagher,	Matthews,	Robertson,
Barrett,	Gardner,	McAtee,	Root,
Barton,	Getchey,	McClester,	Royer,
Baumunk,	Gibson,	McCormack,	Rudisill,
Bentzel,	Goodling,	McDowell,	Salus,
Boies,	Gore,	McKinney,	Scanlon,
Bonawitz,	Grant,	McLanahan,	Schuster,
Boney,	Green,	McMillen,	Serrill,
Boorse,	Greer,	McNair,	Shaffer,
Boory,	Guthrie,	McNally,	Shoemaker,
Bower,	Gyger,	Mikula,	Skale,
Brancato,	Haberlen,	Miller,	Sloan,
Breisch,	Hall,	Milliken,	Smith,
Brice,	Hamilton,	Mills,	Snider,
Brown,	Hare,	Modell,	Snyder,
Brunner, C. H.,	Haudenshield,	Mooney,	Sollenberger,
Brunner, P. A.,	Heatherington,	Moore, C. E.,	Sorg,
Burns,	Helm,	Moore, W. J.,	Stank,
Cadwalader,	Hennihan,	Moran,	Stockham,
Chudoff,	Hersch,	Moser,	Stonier,
Cohen,	Hewitt,	Munley,	Stuart,
Coleman,	Hoffman,	Murray, M. L.,	Swope,
Cook,	Hoggard,	Murray, P. G.,	Tahl,
Cooper,	Howells,	Myhan,	Tate,
Corrigan,	Hunter,	Nagel,	Tittle,
Costa,	Huntley,	Nelson,	Trachtman,

Coulson,	James,	O'Brien,	Trent,
Coyle,	Jones,	O'Connor,	Trout,
Cullen,	Kennedy,	O'Dare,	Turbett,
Dague,	Kirley,	O'Donnell,	Turner,
Dalrymple,	Kline,	O'Neill,	Varallo,
Depuy,	Kolankiewicz,	Owens,	Verona,
Dillon,	Komorofski,	Pentrack,	Wachhaus,
Dix,	Kurtz,	Petrosky,	Wagner,
Dougherty,	Lane,	Pettigrew,	Waterhouse,
Duffy,	Laughner,	Pickens,	Watkins,
Dye,	Lee,	Polaski,	Weiss,
Elder,	Leisey,	Polen,	Welsh,
Elish,	Leonard,	Powers,	Wescott,
Erb,	Levy,	Propert,	White,
Ewing,	Lichtenwalter,	Readinger,	Wood, L. H.,
Finnerty,	Loftus,	Reagan,	Wood, N.,
Flack,	Longo,	Reese, D. P.,	Worley,
Fleming,	Lopez,	Reese, R. E.,	Wright,
Foor,	Lovett,	Regan,	Yeakel,
Fox,	Lyons,	Reidenbach,	Yester,
Freed,	Madden,	Reilly,	Fiss,
Frost,	Madigan,	Reynolds,	Speaker.
Fullerton,			

NAYS—0

NOT VOTING—4

Bentley,	Brothers,	Herman,	Hoopes,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS NOT ON FILE

The SPEAKER. The following bills on third reading on pages 16, 17 and 18 are not on file and will be passed over:

House Bill No. 62, Printer's No. 505
House Bill No. 78, Printer's No. 506 and
House Bill No. 807, Printer's No. 507.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 44, as follows:

An Act to further amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 814) entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of regitration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and board of school directors and imposing penalties" by further regulating and changing the provisions of the act relating to cancellation of registration upon the failure to vote within two years and providing for the reinstatement of electors' registrations after failing to vote during two calendar years

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 814) entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" as amended by the Act of August 1 1941 P. L. 686 is hereby further amended by adding thereto immediately after subsection (u) a new subsection to read as follows

Section 3 Definitions

* * *

(v) "Calendar year" shall mean the period commencing the first day of January and ending the thirty-first day of December next following

Section 2 Section thirty-nine of said act is hereby amended to read as follows

Section 39 Cancellation of Registration Upon Failure to Vote [Within] During Two Calendar Years Request for Reinstatement Within three month after [the municipal election held in the year one thousand nine hundred and thirty-seven and within three months after each general and municipal election thereafter] January first of each year the registration commission shall cause all of the district registers to be examined and in the case of each elector who has been registered for a period of at least two immediately preceding calendar years and who is not recorded as having voted at any election or primary [within the period of two years immediately preceding the date of said municipal or general election] during said period the commission shall send to such elector by mail at his address appearing upon his registration card a notice setting forth that the records of the commission indicate that he has not voted [within a period of] during the two immediately preceding calendar years and that his registration will be cancelled at the expiration of then days from the date of mailing such notice unless he shall within that period file with the commission either personally or by mail a written request for reinstatement of his registration setting forth his place of residence and signed by him At the expiration of the time specified in the notice the commission shall cancel the registration of such elector unless he has filed with the commission a signed request for reinstatement of his registration as above provided The cancellation of the registration of any such elector for failure to vote [within a period of] during the two immediately preceding calendar years shall not affect the right of any such elector to subsequently re-register by personal application to the commission or a commissioners or a registrar or a clerk in the manner provided by this act

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Andrews,	Fullerton,	Madigan,	Reynolds,
Baker,	Gaffney,	Mahany,	Riley,
Barrett,	Gallagher,	Matthews,	Robertson,
Barton,	Gardner,	McAtee,	Root,

Baumunk,	Getchey,	McClester,	Royer,
Bentzel,	Gibson,	McCormack,	Rudisill,
Boies,	Goodling,	McDowell,	Salus,
Bonawitz,	Gore,	McKinney,	Scanlon,
Boney,	Grant,	McLanahan,	Schuster,
Boorse,	Green,	McMillen,	Serrill,
Boory,	Greer,	McNair,	Shaffer,
Bower,	Guthrie,	McNally,	Shoemaker,
Brancato,	Gyger,	Mikula,	Skale,
Breisch,	Haberlen,	Miller,	Sloan,
Brice,	Hall,	Milliken,	Smith,
Brown,	Hamilton,	Mills,	Snider,
Brunner, C. H.,	Hare,	Modell,	Snyder,
Brunner, P. A.,	Haudenshield,	Mooney,	Sollenberger,
Burns,	Heatherington,	Moore, C. E.,	Sorg,
Cadwalader,	Helm,	Moore, W. J.,	Stank,
Chudoff,	Hennihan,	Moran,	Stockham,
Cohen,	Hersch,	Moser,	Stonier,
Coleman,	Hewitt,	Munley,	Stuart,
Cook,	Hoffman,	Murray, M. L.,	Swope,
Cooper,	Hoggard,	Murray, P. G.,	Tahl,
Corrigan,	Howells,	Myhan,	Tate,
Costa,	Hunter,	Nagel,	Tittle,
Coulson,	Huntley,	Nelson,	Trachtman,
Coyle,	James,	O'Brien,	Trent,
Cullen,	Jones,	O'Connor,	Trout,
Dague,	Kennedy,	O'Dare,	Turbett,
Dalrymple,	Kirley,	O'Donnell,	Turner,
Depuy,	Kline,	O'Neill,	Varallo,
Dillon,	Kolankiewicz,	Owens,	Verona,
Dix,	Komorofski,	Pentrack,	Wachhaus,
Dougherty,	Kurtz,	Petrosky,	Wagner,
Duffy,	Lane,	Pettigrew,	Waterhouse,
Dye,	Laughner,	Pickens,	Watkins,
Elder,	Lee,	Polaski,	Weiss,
Elish,	Leisey,	Polen,	Welsh,
Erb,	Leonard,	Powers,	Wescott,
Ewing,	Levy,	Propert,	White,
Finnerty,	Lichtenwalter,	Readinger,	Wood, L. H.,
Flack,	Loftus,	Reagan,	Wood, N.,
Fleming,	Longo,	Reese, D. P.,	Worley,
Foor,	Lopez,	Reese, R. E.,	Wright,
Fox,	Lovett,	Regan,	Yeakel,
Freed,	Lyons,	Reidenbach,	Yester,
Frost,	Madden,	Reilly,	Fiss,

Speaker.

NAYS—0

NOT VOTING—4

Bentley,	Brothers,	Herman,	Hoopes,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 45, as follows:

An Act to further amend sections three and thirty-nine of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation" by further regulating and changing the provisions of the act relating to cancellation of registration upon the failure to vote within two years

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedures for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation" as amended by the Act of August 1 1941 P. L. 694 is hereby further amended by adding thereto immediately after subsection (u) a new subsection to read as follows

Section 3 Definitions

* * *

(v) "Calendar year" shall mean the period commencing the first day of January and ending the thirty-first day of December next following

Section 2 Section thirty-nine of said act as amended by the Act of August 1 1941 P. L. 659 is hereby further amended to read as follows

Section 39 Cancellation of Registration Upon Failure to Vote [Within] During Two Calendar Years Request for Reinstatement With three months after [the municipal election held in the year one thousand nine hundred and thirty-seven and within three months after each general and municipal election thereafter] January first of each year except in such years as the commission shall conduct a check of electors in compliance with the clause (c) of section thirty-one of this act the registration commission shall cause all of the district registers to be examined and in the case of each elector who has been registered for a period of at least two immediately preceding calendar years and who is not recorded as having voted at any election or primary [within the period of two years immediately preceding the date of said municipal or general election] during said period the commission shall send to such voter by mail at his address appearing upon his registration card a notice setting forth that the records of the commission indicate that he has not voted [within a period of] during the two immediately preceding calendar years and that his registration will be cancelled at the expiration of ten days from the date of mailing such notice unless he shall within that period file with the commission either personally or by mail a written request for reinstatement of his registration setting forth his place of residence and signed by him At the expiration of the time specified in the notice the commission shall cancel the registration of such elector unless he has filed with the commission a signed request for reinstatement of his registration as above provided The cancellation of the registration of any such elector for failure to vote [within a period of] during the two immediately preceding calendar years shall not affect the right of any such elector to subsequently re-register by personal application to the commission or a commissioner or a registrar or a clerk in the manner provided by this act

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Andrews,	Gaffney,	Mahany,	Riley,
Baker,	Gallagher,	Matthews,	Robertson,
Barrett,	Gardner,	McAtee,	Root,
Barton,	Getchey,	McClester,	Royer,
Baumunk,	Gibson,	McCormack,	Rudisill,
Bentzel,	Goodling,	McDowell,	Salus,
Boles,	Gore,	McMillen,	Scanlon,
Bonawitz,	Grant,	McKinney,	Schuster,
Boney,	Green,	McLanahan,	Serrill,
Boorse,	Greer,	McNair,	Shaffer,
Boory,	Guthrie,	McNally,	Shoemaker,
Bower,	Gyger,	Mikula,	Skale,
Brancato,	Haberlen,	Miller	Sloan,
Breisch,	Hall,	Milliken,	Smith,
Brice,	Hamilton,	Mills,	Snider,
Brown,	Hare,	Modell,	Snyder,
Brunner, C. H.,	Haudenshield,	Mooney,	Sollenberger,
Brunner, P. A.,	Heatherington,	Moore, C. E.,	Sorg,
Burns,	Helm,	Moore, W. J.,	Stank,
Cadwalader,	Hennihan,	Moran,	Stockham,
Chudoff,	Hersch,	Moser,	Stonier,
Cohen,	Hewitt,	Munley,	Stuart,
Coleman,	Hoffman,	Murray, M. L.,	Swope,
Cook,	Hoggard,	Murray, P. G.,	Tahl,
Cooper,	Howells,	Myhan,	Tate,
Corrigan,	Hunter,	Nagel,	Tittle,
Costa,	Huntley,	Nelson,	Trachtman,
Coulson,	James,	O'Brien,	Trent,
Coyle,	Jones,	O'Connor,	Trout,
Cullen,	Kennedy,	O'Dare,	Turbett,
Dague,	Kirley,	O'Donnell,	Turner,
Dalrymple,	Kline,	O'Neill,	Varallo,
Depuy,	Kolankiewicz,	Owens,	Verona,
Dillon,	Komorofski,	Pentrack,	Wachhaus,
Dix,	Kurtz,	Petrosky,	Wagner,
Dougherty,	Lane,	Pettigrew,	Waterhouse,
Duffy,	Laughner,	Pickens,	Watkins,
Dye,	Lee,	Polaski,	Weiss,
Elder,	Leisey,	Polen,	Welsh,
Elish,	Leonard,	Powers,	Wescott,
Erb,	Levy,	Propert,	White,
Ewing,	Lichtenwalter,	Readinger,	Wood, L. H.,
Finnerty,	Loftus,	Reagan,	Wood, N.,
Flack,	Longo,	Reese, D. P.,	Worley,
Fleming,	Lopez,	Reese, R. E.,	Wright,
Foor,	Lovett,	Regan,	Yeakel,
Fox,	Lyons,	Reidenbach,	Yester,
Freed,	Madden,	Reilly,	Fiss,
Frost,	Madigan,	Reynolds,	Speaker.
Fullerton			

NAYS—0

NOT VOTING—4

Bentley,	Brothers,	Herman,	Hoopes,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 46, as follows:

An Act to further amend section two and thirty-eight of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prohtonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by further regulating and changing the provisions of the act relating to cancellation or registration upon failure to vote within two years

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" as amended by the Act of August 1 1941 Pamphlet Laws 664 is hereby further amended by adding thereto immediately after subsection (t) a new subsection to read as follows

Section 2 Definitions

* * *

(u) "Calender year" shall mean the period commencing the first day of January and ending the thirty-first day of December next following

Section 2 Section thirty-eight of said act as amended by the Act of August 1 1941 P. L. 654 is hereby further amended to read as follows

Section 38 Cancellation of Registration Upon Failure to Vote [Within] During Two Calendar Years Request for Reinstatement Within three months after [the municipal election held in the year one thousand nine hundred and thirty-nine and within three months after each general and municipal election thereafter] January first of each year except in such years as the commission shall conduct a check of electors in compliance with clause (c) of section thirty of this act the registration commission shall cause all of the district registers to be examined and in the case of each elector who has been registered for a period of at least two immediately preceding calendar years and who is not recorded as having voted at any election or primary [within the period of two years immediately preceding the date of said municipal or general election] during said period the commission shall send to such elector by mail at his address appearing upon his registration card a notice setting forth that the records of the commission indicate that he has not voted [within a period of] during the two immediately preceding calendar

years and that his registration will be [cancelled] suspended at the expiration of ten days from the date of mailing such notice unless he shall within that period file with the commission either personally or by mail a written request for reinstatement of his registration setting forth his place of residence and signed by him At the expiration of the time specified in the notice the commission shall cancel the registration of such elector unless he has filed with the commission a signed request for reinstatement of his registration as above provided The cancellation of the registration of any such elector for failure to vote [within a period of] during the two immediately preceding calendar years shall not affect the right of any such elector to subsequently register by personal application to the commission or a commissioner or a registrar or a clerk in the manner provided by this act

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Andrews,	Fullerton,	Madigan,	Reynolds,
Baker,	Gaffney,	Mahany,	Riley,
Barrett,	Gallagher,	Matthews,	Robertson,
Barton,	Gardner,	McAtee,	Root,
Baumunk,	Getchey,	McClester,	Royer,
Bentzel,	Gibson,	McCormack,	Rudisill,
Boies,	Goodling,	McDowell,	Salus,
Bonawitz,	Gore,	McKinney,	Scanlon,
Boney,	Grant,	McLanahan,	Schuster,
Boorse,	Green,	McMillen,	Serrill,
Boory,	Greer,	McNair,	Shaffer,
Bower,	Guthrie,	McNally,	Shoemaker,
Brancato,	Gyger,	Mikula,	Skale,
Breisch,	Haberlen,	Miller,	Sloan,
Brice,	Hall,	Milliken,	Smith,
Brown,	Hamilton,	Mills,	Snider,
Brunner, C. H.,	Hare,	Modell,	Snyder,
Brunner, P. A.,	Haudenshield,	Mooney,	Sollenberger,
Burns,	Heatherington,	Moore, C. E.,	Sorg,
Cadwalader,	Helm,	Moore, W. J.,	Stank,
Chudoff,	Hennihan,	Moran,	Stockham,
Cohen,	Hersch,	Moser,	Stonier,
Coleman,	Hewitt,	Munley,	Stuart,
Cook,	Hoffman,	Murray, M. L.,	Swope,
Cooper,	Hoggard,	Murray, P. G.,	Tahl,
Corrigan,	Howells,	Myhan,	Tate,
Costa,	Hunter,	Nagel,	Tittle,
Coulson,	Huntley,	Nelson,	Trachtman,
Coyle,	James,	O'Brien,	Trent,
Cullen,	Jones,	O'Connor,	Trout,
Dague,	Kennedy,	O'Dare,	Turbett,
Dalrymple,	Kirley,	O'Donnell,	Turner,
Depuy,	Kline,	O'Neill,	Varallo,
Dillon,	Kolankiewicz,	Owens,	Verona,
Dix,	Komorofski,	Pentrack,	Wachhaus,
Dougherty,	Kurtz,	Pettigrew,	Wagner,
Duffy,	Lane,	Petrosky,	Waterhouse,
Dye,	Laughner,	Pickens,	Watkins,
Elder,	Lee,	Polaski,	Weiss,
Elish,	Leisey,	Polen,	Welsh,
Erb,	Leonard,	Powers,	Wescott,
Ewing,	Levy,	Propert,	White,
Finnerty,	Lichtenwalter,	Readinger,	Wood, L. H.,
Flack,	Loftus,	Reagan,	Wood, N.,
Fleming,	Longo,	Reese, D. P.,	Worley,
Foor,	Lopez,	Reese, R. E.,	Wright,
Fox,	Lovett,	Regan,	Yeakel,
Freed,	Lyons,	Reidenbach,	Yester,
Frost	Madden,	Reilly,	Fiss,

Speaker.

NAYS—0

NOT VOTING—4

Bentley,	Brothers,	Herman,	Hoopes,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 48, as follows:

An Act to further amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1132) entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and ther enrollment as members of political parties as a further condition of ther right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by further regulating and changing the provisions of the act relating to cancellation of registration upon the failure to vote within two years

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1132) entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" as amended by the Act of August 1, 1941 P. L. 680 is hereby further amended by adding thereto immediately after subsection (u) a new subsection to read as follows

Section 3 Definitions

* * *

(v) "Calendar year" shall mean the period commencing the first day of January and ending the thirty-first day of December next following

Section 2 Section thirty-nine of said act is hereby amended to read as follows

Section 39 Cancellation of Registration Upon Failure to Vote [Within] during Two Calendar Years Request for Reinstatement Within three months after [the municipal election held in the year one thousand nine hundred and thirty-seven and within three months after each general and municipal election thereafter] January first of each year the registration commission shall cause all of the district registers to be examined and in the case of each

elector who has been registered for a period of at least two immediately preceding calendar years and who is not recorded as having voted at any election or primary [within the period of two years immediately preceding the date of said municipal or general election] during said period the commission shall send to such elector by mail at his address appearing upon his registration card a notice setting forth that the records of the commission indicate that he has not voted within a period of] during the two immediately preceding calendar years and that his registration will be cancelled at the expiration of ten days from the date of mailing such notice unless he shall within that period file with the commission either personally or by mail a written request for reinstatement of his registration setting forth his place of residence and signed by him At the expiration of the time specified in the notice the commission shall cancel the registration of such elector unless he has filed with the commission a signed request for reinstatement of his registration as above provided The cancellation of the registration of any such elector for failure to vote [within a period of] during the two immediately preceding calendar years shall not affect the right of any such elector to subsequently re-register by personal application to the commission or a commissioner or a registrar or a clerk in the manner provided by this act

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Andrews,	Gaffney,	Mahany,	Riley,
Baker,	Gallagher,	Matthews,	Robertson,
Barrett,	Gardner,	McAtee,	Root,
Barton,	Getchey,	McClester,	Royer,
Baumunk,	Gibson,	McCormack,	Rudisill,
Bentzel,	Goodling,	McDowell,	Salus,
Boles,	Gore,	McKinney,	Scanlon,
Bonawitz,	Grant,	McLanahan,	Schuster,
Boney,	Green,	McMillen,	Serrill,
Boorse,	Greer,	McNair,	Shaffer,
Boory,	Guthrie,	McNally,	Shoemaker,
Bower,	Gyger,	Mikula,	Skale,
Brancato,	Haberlen,	Miller,	Sloan,
Breisch,	Hall,	Milliken,	Smith,
Brice,	Hamilton,	Mills,	Snider,
Brown,	Hare,	Modell,	Snyder,
Brunner, C. H.,	Haudenshield,	Mooney,	Sollenberger,
Brunner, P. A.,	Heatherington,	Moore, C. E.,	Sorg,
Burns,	Helm,	Moore, W. J.,	Stank,
Cadwalader,	Hennihan,	Moran,	Stockham,
Chudoff,	Hersch,	Moser,	Stonier,
Cohen,	Hewitt,	Munley,	Stuart,
Coleman,	Hoffman,	Murray, M. L.,	Swope,
Cook,	Hoggard,	Murray, P. G.,	Tahl,
Cooper,	Howells,	Myhan,	Tate,
Corrigan,	Hunter,	Nagel,	Tittle,
Costa,	Huntley,	Nelson,	Trachtman,
Coulson,	James,	O'Brien,	Trent,
Coyle,	Jones,	O'Connor,	Trout,
Cullen,	Kennedy,	O'Dare,	Turbett,
Dague,	Kirley,	O'Donnell,	Turner,
Dalrymple,	Kline,	O'Neill,	Varallo,
Depuy,	Kolankiewicz,	Owens,	Verona,
Dillon,	Komorofski,	Pentrack,	Wachhaus,
Dix,	Kurtz,	Petrosky,	Wagner,
Dougherty,	Lane,	Pettigrew,	Waterhouse,
Duffy,	Laughner,	Pickens,	Watkins,
Dye,	Lee,	Polaski,	Weiss,
Elder,	Leisey,	Polen,	Welsh,
Elish,	Leonard,	Powers,	Wescott,
Erb,	Levy,	Propert,	White,
Ewing,	Lichtenwalter,	Readinger,	Wood, L. H.,
Finnerty,	Loftus,	Reagan,	Wood, N.,
Flack,	Longo,	Reese, D. P.,	Worley,
Fleming,	Lopez,	Reese, R. E.,	Wright,
Foor,	Lovett,	Regan,	Yeakel,
Fox,	Lyons,	Reidenbach,	Yester,
Freed,	Madden,	Reilly,	Fiss,
Frost,	Madigan,	Reynolds,	Speaker.
Fullerton,			

NAYS—0

NOT VOTING—4

Bentley,	Brothers,	Herman,	Hoopes,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same with amendments in which the concurrence of the Senate is requested.

RECONSIDERATION OF VOTE

Mr. SORG. Mr. Speaker, I move that the vote by which Senate Bill No. 45, Printer's No. 329, entitled:

An Act to further amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legislation", by further regulating and changing the provisions of the act relating to suspension of registration upon the failure to vote within two years and providing for the reinstatement of electors' registrations after failing to vote during two calendar years

on page 20 of today's calendar, bills on third reading, passed finally be reconsidered.

Mr. COHEN. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Elk Mr. Sorg vote on the final passage of this bill?

Mr. SORG. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Philadelphia Mr. Cohen vote on the final passage of this bill?

Mr. COHEN. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. SORG. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring.

Will the House agree to the bill on third reading?

Mr. SORG. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend sec. 2 (sec. 39), page 3, line 21, by inserting a lightface bracket before and after the word "With" and inserting thereafter "Within".

The SPEAKER. Will the House give unanimous consent to the offering of amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

STUDENTS WELCOMED

The SPEAKER. The Chair welcomes to the House this afternoon the Eighth Grade Class of the Lakemont School, Logan Township, who are the guest of the Members from Blair County.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

SENATE BILL No. 195.

An Act relating to suits by shareholders against officers or directors in a corporation, domestic or foreign, to enforce a secondary right because the corporation refuses to enforce rights which may be asserted by it; requiring that plaintiff be a shareholder at the time of the transaction of which he complains or that his shares thereafter devolved upon him by operation of law; requiring security for defendant's expenses, including attorneys' fees; and providing for the assessment and recovery of such expenses, and including attorneys' fees.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGES

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 344.

An Act to further amend section five hundred and forty of the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" further defining the duties of the secretary to the board of supervisors and providing for the preservation and turning over to the successor in office of township records and for the destruction of certain records

HOUSE BILL No. 475.

An Act requiring cities boroughs towns and townships to notify adjacent political subdivisions of proposed streets roads and highways leading into them

HOUSE BILL No. 695.

An Act to amend Section eight hundred one of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing for special meetings of school directors under jurisdiction of county superintendents.

With the information that the Senate has passed the same without amendment.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1.

An Act to amend the title and certain sections, and to add certain new sections to the act approved the twenty-second day of June, one thousand nine hundred thirty-seven, (P. L. 1987), entitled "An act to preserve and improve the purity of the water of the Commonwealth for the protection of the public health, animal and aquatic life, and for industrial consumption, and recreation; empowering and directing the creation of indebtedness or the issuing of non-debt revenue bonds by political subdivisions to provide works to abate pollution; providing protection of water supply; providing for the jurisdiction of courts, magistrates, aldermen and justices of the peace in the enforcement thereof; and providing additional remedies for abating pollution of waters; imposing certain penalties; and repealing certain acts", by changing the definitions of "establishment" and "industrial waste", by changing requirement of notice to discontinue discharges of industrial waste by changing penalties for violations and requiring prosecutions to be instituted or approved by the Attorney General by prohibiting the discharge of silt into any waters of the Commonwealth and regulating the discharge of acid mine drainage into waters thereof authorizing the Sanitary Water Board to establish standards of purity and to determine the time for compliance with the provisions of the act in certain cases and requiring the Board's approval of plans for opening reopening or extending coal mines, by authorizing the acquisition by purchase or condemnation or otherwise by the Sanitary Water Board of easements or right of ways and the acquisition or construction of pipes conduits drains or tunnels and providing for the payment of a portion of the costs thereof by the Commonwealth in certain cases

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 2, by striking out in lines 2 and 3 the following: "changing requirement of notice to discontinue discharges of industrial waste by"; also in line 17, by inserting after the word "tunnels" the words "and pumps and pumping equipment"; also in line 18, by striking out after the word "of" the words "a portion of"; also in line 19, by striking out after the word "Commonwealth" the words "in certain cases".

Amend Section 2, page 5, line 25, by striking out after the word "to" the word "'includue" and inserting in lieu thereof the word "include".

Amend Section 3, page 6, line 14, by striking out the light faced bracket before the word "on"; also in line 17, by striking out after the word "or" the word "injuries"

and inserting in lieu thereof the word "injurious"; also in line 23, by striking out the light faced bracket after the word "nevertheless" and the following "and such discharge shall"; also by striking out the light faced bracket before the word "whether" in line 24, and after the word "not" in line 25.

Amend Section 6, page 10, line 23, by inserting after the word "Commonwealth" the following: "until the Commonwealth after the Sanitary Water Board has approved plans of drainage pursuant to section three hundred thirteen hereof and has set a reasonable time not to exceed one year within which such pipes conduits drains or tunnels as may be necessary to receive such acid mine drainage at the point or points where such acid mine drainage is delivered as provided in section three hundred twelve hereof shall be constructed and put into operation by the Commonwealth and the Commonwealth has failed to construct and put into operation the same within such time."

Amend Section 7, page 11, line 16, by inserting after the word "tunnels" the words "and such pumps and pumping equipment"; also in line 20, by inserting after the word "thereof" the words "including such pumping of the drainage as may be necessary"; also on page 15, line 9, by inserting after the word "Mines" the following: "and the person or persons operating the mine"; also on same page by striking out lines 10 to 18 inclusive and inserting in lieu thereof the following:

"Section 313 Approval of Plans of Drainage Before any existing or new coal mine may be opened or reopened and before any existing coal mine may be continued in operation a plan of the proposed drainage and disposal of industrial wastes and acid mine drainage of such mine shall be submitted to the Sanitary Water Board and it shall be unlawful to open or reopen any such mine or to continue the operation of any mine or to change or alter any already approved plan of drainage and disposal of industrial wastes and acid mine drainage from such mine unless and until the Board after consultation with the Department of Mines has approved such plan or change of plan provided however that this section shall not apply to the continuation of the operation of an existing mine until sixty (60) days after the effective date of this act."

On the question,

Will the House concur in the amendments made by the Senate?

PARLIAMENTARY INQUIRY

Mr. CHARLES H. BRUNNER, Jr. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CHARLES H. BRUNNER, Jr. Has the Chair put the question yet?

The SPEAKER. The amendments have been read. The Chair now recognizes the gentleman from Montgomery, Mr. Brunner.

Mr. CHARLES H. BRUNNER, Jr. Mr. Speaker, House Bill 1 has been returned to this House with some Senate amendments. I do not wish to attack any or all of these amendments, but due to the far reaching effect of this bill and these amendments, it warrants the use of extreme caution. There may be no defects in the measure, but I am certain that all of the Members of the General Assembly want to be assured of that fact. To feel otherwise would denote a lack of sincerity in these objectives. For these reasons we feel that a Conference Committee should consider this bill thoroughly and check it carefully.

I therefore move that the House do non-concur in the amendments of the Senate.

On the question,

Will the House agree to the motion?

Mr. COHEN. Mr. Speaker, I desire to interrogate the gentleman from Montgomery, Mr. Brunner.

The SPEAKER. Will the gentleman from Montgomery permit himself to be interrogated?

Mr. CHARLES H. BRUNNER, Jr. I shall, Mr. Speaker.

Mr. COHEN. Mr. Speaker, I should like to ask the gentleman, "Does your bill taste different lately?"

Mr. CHARLES H. BRUNNER, Jr. Mr. Speaker, may I inquire of the gentleman whether he wants me to sing, "Is you is or is you ain't my baby?"

Mr. COHEN. Mr. Speaker, if I were the gentleman from Montgomery I would disown it.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGES

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being intoduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 548.

An Act providing that when the contract of a fiduciary is made by him or approved by court inadequacy of price or an offer to deal on other terms shall not relieve the fiduciary of his obligation or constitute ground for any court to set aside the contract or to refuse to enforce it

With the infomation that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 1, line 6, by inserting after the word "shall" the words "except as otherwise agreed by the parties"; also in line 9, by inserting after the word "otherwise" the following: "Provided that this act shall not affect or change the inherent right of a court to set aside a contract for fraud accident or mistake or for gross inadequacy of price."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. COHEN. Mr. Speaker, I move that the House do non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 223.

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof,

including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," and known as The Fiscal Code, by authorizing the Commonwealth of Pennsylvania to petition for a resettlement of claims against the Commonwealth by the Auditor General and State Treasurer, and to petition for a review of settlements by the Board of Finance and Revenue and to appeal from the decisions of the Board of Finance and Revenue to the Court of Common Pleas of Dauphin County.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 4, page 8, line 13, by inserting after the word "appealing" the words "other than the Commonwealth".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Andrews,	Gaffney,	Mahany,	Riley,
Baker,	Gallagher,	Matthews,	Robertson,
Barrett,	Gardner,	McAtee,	Root,
Barton,	Getchey,	McClester,	Royer,
Baumunk,	Gibson,	McCormack,	Rudisill,
Bentzel,	Goodling,	McDowell,	Salus,
Boles,	Gore,	McKinney,	Scanlon,
Bonawitz,	Grant,	McLanahan,	Schuster,
Boney,	Green,	McMillen,	Serrill,
Boorse,	Greer,	McNair,	Shaffer,
Boory,	Guthrie,	McNally,	Shoemaker,
Bower,	Gyger,	Mikula,	Skale,
Brancato,	Haberlen,	Miller,	Sloan,
Breisch,	Hall,	Milliken,	Smith,
Brice,	Hamilton,	Mills,	Snider,
Brown,	Hare,	Modell,	Snyder,
Brunner, C. H.,	Haudenshield,	Mooney,	Sollenberger,
Brunner, P. A.,	Heatherington,	Moore, C. E.,	Sorg,
Burns,	Helm,	Moore, W. J.,	Stank,
Cadwalader,	Hennihan,	Moran,	Stockham,
Chudoff,	Hersch,	Moser,	Stonier,
Cohen,	Hewitt,	Munley,	Stuart,
Coleman,	Hoffman,	Murray, M. L.,	Swope,
Cook,	Hoggard,	Murray, P. G.,	Tahl,
Cooper,	Howells,	Myhan,	Tate,
Corrigan,	Hunter,	Nagel,	Trachtman,
Costa,	Huntley,	Nelson,	Tittle,
Coulson,	James,	O'Brien,	Trent,
Coyle,	Jones,	O'Connor,	Trout,
Cullen,	Kennedy,	O'Dare,	Turbett,
Dague,	Kirley,	O'Donnell,	Turner,
Dalrymple,	Kline,	O'Neill,	Varallo,
Depuy,	Kolankiewicz,	Owens,	Verona,
Dillon,	Komorofski,	Pentrack,	Wachhaus,
Dix,	Kurtz,	Petrosky,	Wagner,
Dougherty,	Lane,	Pettigrew,	Waterhouse,
Duffy,	Laughner,	Pickens,	Watkins,
Dye,	Lee,	Polaski,	Weiss,
Elder,	Leisey	Polen,	Welsh,
Elish,	Leonard,	Powers,	Wescott,
Erb,	Levy,	Propert,	White,
Ewing,	Lichtenwalter,	Readinger,	Wood, L. H.,
Finnerty,	Loftus,	Reagan,	Wood, N.,
Flack,	Longo,	Reese, D. P.,	Worley,
Fleming,	Lopez,	Reese, R. E.,	Wright,
Foor,	Lovett,	Regan,	Yeakel,
Fox,	Lyons,	Reidenbach,	Yester,
Freed	Madden,	Reilly,	Fiss,
Frost,	Madigan,	Reynolds,	Speaker.
Fullerton,			

NAYS—0

NOT VOTING—4

Bentley,	Brothers,	Herman,	Hoopes,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

PERMISSION TO ADDRESS HOUSE

Mr. BAKER asked and obtained unanimous consent to address the House.

Mr. Speaker, one of the most outstanding happenings of recent years is the tremendous kicking around that the solid old city of Pittsburgh is taking from some of its own citizens.

This criticism may be well meant and intended for progress.

But the general effect has been a lessening of confidence on the part of the public in the future of the city, in its own civic leadership, its institutions and its municipal government.

According to remarks we have heard, editorials we have read, speeches we have listened to, Pittsburgh is in a desperate condition and on the verge of financial and economic ruin.

Such a dark, gloomy picture has been painted that people turn away to look for something that appears brighter, painted up in gayer colors. Some neighboring city, perhaps, that people wouldn't leave Pittsburgh to live in under any circumstances, anyway, given the choice.

Can this pessimistic, negative view really be true of a city that is the heart of a great industrial district, the Workshop of the World? Then where is our pride, our energy, our patriotism?

Let us dip our brush into a pot of bright paint and put this on the canvas. Pittsburgh is not broke. Nor has it ever been in financial distress. At the time when many other cities were paying off in script Pittsburgh was meeting its obligations in good United States currency.

While the revenues and expenditures of other cities are steadily increasing, the revenues of Pittsburgh have decreased over a 12 year period.

Services have been maintained, nevertheless, and in many respects were extended, not only to residents within the city limits but also to those of adjoining communities.

The local tax rate is lower, perhaps, in the neighboring towns and boroughs, but they consist mainly of residential areas, whence journey daily many workers and business men to enjoy the privileges and prestige of a great city.

Those non-residents have no participation in the cost

and maintenance of the numerous free institutions, art galleries, museums, zoological gardens and conservatories, concert and lecture halls, and other cultural auditoriums where admission is free. In many other cities children and adults pay admission, if they attend, to similar institutions, but in Pittsburgh the doors are open to rich and poor alike.

These free beneficial advantages are taken by the public too much for granted.

Aspirants for public office often declare (and a candidate for Republican nomination for the office of Mayor has recently stated) that if elected they will increase public service and reduce taxes.

That is an easy thing to say but how often is the thought developed in fact when the candidate is elected and takes office?

But in Pittsburgh this very thing has happened!

In the early nineteen thirties taxes in Pittsburgh were reduced to such an extent that revenue fell off some four to five million dollars annually.

Due to tremendous pressure from real estate groups assessed valuations were reduced year after year until they have resulted in a total reduction of over two hundred million dollars; 130 million dollars in land and 70 million dollars in buildings, within the past twelve years.

Bonded indebtedness has also been reduced during this period more than five million dollars.

That is an accomplishment that any city administration may justly point to with pride.

But in Pittsburgh we hear more about what other cities have done than we do about local achievements.

The real estate men declare that their business is poor.

If this is true it is not the fault of anyone but themselves.

If the business of the motion picture operators would decline their theatre managers would demand more attractive pictures for the public view. But few real estate owners or agents make much effort to attract buyers because the old and worn out buildings and dwellings they offer have no appeal.

Properties have been allowed to deteriorate out of all proportion to their income. There are many locations in the triangle where the rent income was six or seven times greater than the total annual tax.

If proper accounting routine had been applied on commercial property, depreciation reserves would have provided the funds for replacing or repairing buildings that have been allowed to go to seed, resulting in obsolete and blighted areas.

Poor management, through neglect and lack of attention to the properties themselves, has brought about the situation now mourned by the real estate fraternity.

The property owner has a high stake in a city. Therefore, he should combine with his fellow citizens in working out problems for the general betterment of the city, to help make it more attractive and liveable.

Pittsburgh is a great metropolis and will continue to flourish if the citizens will indicate their love and faith by helping to further its interests for the public good in every way possible.

Let us meet our obligations to our city and again see it rise and shine in newfound pride and glory.

ADDITIONAL SPONSORS TO RESOLUTION

Mr. HAUDENSHIELD asked and obtained unanimous consent to add two additional sponsors to a resolution.

CONDOLENCE RESOLUTIONS

Messrs. HAUDENSHIELD, COOPER, LAUGHNER and EWING offered a resolution which was read, considered and unanimously adopted as follows:

In the House of Representatives, April 11, 1945.

The Honorable William Harry Prosser, a former Member of this House, died at the Mercy Hospital, Pittsburgh, on Saturday, March 17th.

He was born in Mercer County on November 17, 1876, and moved to Carnegie with his parents when only six years old.

He engaged in the general contracting and hauling business for fifty-five years, and was active in a number of organizations and societies of the Chartiers Valley.

In 1924 he was elected a Member of this House and served during the regular Session of 1925 and the special Session of 1926. Among the clubs and associations of which he was a member, were the 4-H Club, Washington County Fair Board, Lafayette Lodge F. & A. M., Cyrus Chapter R. A. 280, Chartiers Commandery 78, Syria Temple, Veterans of Foreign Wars, IOOF and Jr. O.U.A.M. At the time of his death he was serving as superintendent of the Sunday School of Gladden U. P. Church, and was an elder in that church.

He is survived by his wife, Ada Christy Prosser; one daughter, Mrs. Fred Bader; one brother, A. E. Prosser of Carnegie, and a sister, Mrs. O. A. Wardell; therefore be it

Resolved, That this House of Representatives hereby extends its most sincere sympathy to the widow of the Honorable William Harry Prosser on the great loss she has suffered and directs the Chief Clerk of the House to forward to her a copy of this resolution.

Messrs. REIDENBACH and O'NEILL offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and unanimously adopted as follows:

In the House of Representatives, April 11, 1945.

Word has been received of the death of Mrs. Sara Trucker Goodman, wife of M. L. Goodman, co-publisher of The Scrantonian and The Scranton Tribune.

Mrs. Goodman, who was sixty-one years of age, had been in ill health for several months, but the news of her death came as a severe shock to her wide circle of friends throughout Scranton and Lackawanna Counties

Mrs. Goodman took a prominent part in the activities of the congregation of Temple Israel and was active in the affairs of numerous local charities; therefore be it

Resolved, That the House of Representatives hereby extends its sympathy to the husband and family of the deceased and directs the chief clerk of the House to transmit a copy of this resolution to Mr. M. L. Goodman of Scranton, Pennsylvania.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 344.

An Act to further amend section five hundred and forty of the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amend-

ing revising consolidating and changing the law relating thereto" further defining the duties of the secretary to the board of supervisors and providing for the preservation and turning over to the successor in office of township records and for the destruction of certain records

HOUSE BILL No. 475.

An Act requiring cities boroughs towns and townships to notify adjacent political subdivisions of proposed streets roads and highways leading into them

HOUSE BILL No. 695.

An Act to amend Section eight hundred one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws, general special or local or any parts thereof that are or may be inconsistent therewith" providing for special meetings of school directors under jurisdiction of county superintendents

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

COMMITTEE MEETINGS

There will be meetings of the Committee on:

Agriculture on Tuesday, April 12 at 10:00 a. m. in Room No. 331.

Judiciary Special on Thursday, April 12 at 10:15 a. m. in Room No. 325.

State Government on Thursday, April 12 at 10:30 a. m. in Room No. 324.

There will be a Public Hearing before the Committee on City and County—First Class on House Bill No. 915 on Wednesday, April 18 at 11 a. m. in Room No. 521.

ADJOURNMENT

Mr. KURTZ. Mr. Speaker, I move that this House do now adjourn until Thursday, April 12, 1945, at 11 a. m.

The motion was agreed to, and (at 4:15 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1945. 136th of the General Assembly.

Vol. 29. HARRISBURG, PA., THURSDAY, APRIL 12, 1945. No. 44.

SENATE

THURSDAY, April 12, 1945.

The Senate met at 11:00 o'clock, a. m., Eastern War Time.

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the Chair.

PRAYER

In the absence of the Chaplain prayer was offered by the Senator from Berks, Mr. RUTH.

Almighty God, to whom all hearts are open, all desires known, and from whom no secrets are hidden, we submit ourselves unto Thee today for guidance and direction. May our work be so done as to compensate those who place their trust in us and bring great honor and glory to Thy Holy Name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HEYBURN and Mr. CARR, the further reading was dispensed with, and the Journal was approved.

LEAVES OF ABSENCE

Mr. Wade asked and obtained leave of absence for Mr. TYLER.

He also asked and obtained leave of absence for Mr. SNOWDEN.

He also asked and obtained leave of absence for Mr. CRIDER.

He also asked and obtained leave of absence for Mr. EDMONDS.

Mr. HALUSKA. Mr. President, I desire to interrogate the gentleman from Cumberland.

The PRESIDENT. Will the gentleman from Cumberland permit himself to be interrogated?

Mr. WADE. I will, Mr. President.

Mr. HALUSKA. I ask the gentleman from Cumberland to tell me why he asked leaves of absence for the gentlemen he mentioned awhile ago; for what purpose were the leaves of absence requested.

Mr. WADE. Mr. President, I should have limited my consent to be interrogated and since the question is of the nature it is I will ask permission of the Chair for a ten minute recess.

The PRESIDENT. The Senate will be at ease. Such requests are granted when requested.

(The Senate was at ease.)

Mr. HALUSKA. Mr. President, I desire to ask the gentleman from Cumberland, Senator Wade, what reasons he might have had for asking for leaves of absence for the members that he mentioned.

Mr. WADE. Mr. President, I have gathered what information I could with regard to the reasons for the requests for leaves of absence and I find in most cases it is because of ill health. I submit to the Chair the question is improper, since the leaves of absence have already been granted.

Mr. HALUSKA. Mr. President, there has been a lot of commotion here this morning over my brief remarks, or my request. I had nothing in mind, I did not intend to poll the Senate or anything like that; I only wanted information because members on this side of the Senate are absent, as well as members on the other side.

Mr. President, I find that every Thursday we only have sufficient men here to carry on. We are all busy. If a man is sick and has a definite reason to ask to be absent, that is one thing, but I find practically the same crew of men are absent every Thursday and a few of us are left to carry on. If we are going to have four day sessions it is the duty of every man to be in this Chamber to carry on the work. I want to get back home and I am sure we all do. But I am not going to stay here every Thursday and look at the same faces, when others go home Wednesday night.

I had nothing in mind today, but next Thursday, Mr. President, I shall poll the house and I shall object to any leave of absence unless the man can definitely prove that he might be sick or because of pressing needs at home. If we are going to finish this session it is time that we get down to work, not a few of us, but all of us.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

MESSAGE TO THE GENERAL ASSEMBLY OF PENNSYLVANIA BY MAJOR GENERAL EDWARD MARTIN, GOVERNOR OF PENNSYLVANIA, THURSDAY, APRIL 12, 1945

Members of the General Assembly:

Supplementing my Budget Message of January 2, 1945,

in addition to the amounts recommended at that time, I am herewith making additional recommendations as follows:

More funds are necessary for construction at mental and penal institutions, and I am recommending that $4,250,000 be added for that purpose.

For medical examination of school children, I am recommending an additional amount of $1,500,000.

For matching funds contributed by local governments or by the Federal Government for the planning and building of airports, I am recommending an appropriation of $3,725,000.

For the establishment of a permanent Pennsylvania Maritime Academy, I am recommending an appropriation of $2,000,000.

For stream clearance, I am recommending an additional appropriation of $1,500,000.

Some smaller amounts recommended are $220,000 additional for the Department of Revenue; $75,000 additional for forest fire control, and $50,000 for mine rescue apparatus. I also recommend $110,000 for the payment of local vital statistics registrars, a cost now borne by the counties.

At this time I am making no additional recommendation for school subsidies. A bill increasing teachers' salaries and subsidies has been reported from the House Committee on Education, which goes far beyond our available funds. This bill, in addition to the $27,000,000 for cost of living adjustments, would require about $36,000,000 for the 1945-1947 biennium, and the cost would increase considerably above $36,000,000 for several bienniums thereafter.

In a few years the additional cost would be about $95,000,000 for a two-year period, assuming that the pupil attendance stays at the present level. If pupil attendance regains the prewar level the increased cost would be about $126,000,000.

Moreover, the above mentioned bill, while imposing this great additional cost on the Commonwealth would at the same time bring about greatly increased costs to local districts. This bill cannot be financed by anticipated revenue from existing measures.

It is, therefore, apparent that it will be necessary to accompany this proposed legislation by a new tax bill to supply the funds required to finance it.

The amounts I am now recommending above the original Budget total $13,430,000. The additional revenue to cover this amount would be derived from a revised estimate of receipts from State liquor store profits, the corporate net income tax, inheritance taxes, and institutional collections.

EDWARD MARTIN.

HOUSE MESSAGE

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 223

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 223, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "Fiscal Code," and known as The Fiscal Code, by authorizing the Commonwealth of Pennsylvania to petition for a resettlement of claims against the Commonwealth by the Auditor General and State Treasurer and to petition for a review of settlements by the Board of Finance and Revenue and to appeal from the decisions of the Board of Finance and Revenue to the Court of Common Pleas of Dauphin County.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) announced that the Acting Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 63, entitled:

An Act to further amend section one of the act approved the thirteenth day of June, one thousand eight hundred eighty-three (P. L. 118), entitled "An act ceding concurrent jurisdiction of this State over certain lands owned or hereafter acquired by the United States", by further regulating cession of jurisdiction by the Commonwealth of Pennsylvania to the United States of America.

Senate Bill No. 172, entitled:

An Act providing for the appointment of guardian in inter vivos deeds or gifts or under insurance or annuity policies.

House Bill No. 223, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "Fiscal Code," and known as The Fiscal Code, by authorizing the Commonwealth of Pennsylvania to petition for a resettlement of claims against the Commonwealth by the Auditor General and State Treasurer, and to petition for a review of settlements by the Board of Finance and Revenue and to appeal from the decisions of the Board of Finance and Revenue to the Court of Common Pleas of Dauphin County.

Senate Bill No. 300, entitled:

An Act to further amend sections twenty-five, twenty-six, and thirty-six of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1237), entitled "An act affecting marital relations; prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages; and amending, revising, and consolidating the law relating thereto," by providing that libels in divorce may be presented to, subpoenas awarded and masters appointed by a judge at chambers.

Senate Bill No. 303, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Allentown State Hospital to acquire a certain tract of land for the use of said hospital and making an appropriation therefor.

Whereupon,

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the presence of the Senate signed the same.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE BILL No. 421

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 421, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section

with the information that the House has passed the same without amendments.

SENATE BILL No. 44 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 44, entitled:

An Act to further amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 814), entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration, and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," as amended, by further regulating and changing the provisions of the act relating to cancellation of registration upon the failure to vote within two years

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended, will appear on Monday's Calendar.

SENATE BILL No. 46 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 46, entitled:

An Act to further amend sections two and thirty-eight of the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487), entitled "An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," as amended, by further regulating and changing the provisions of the act relating to cancellation of registration upon failure to vote within two years

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended, will appear on Monday's Calendar.

SENATE BILL No. 48 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 48, entitled:

An Act to further amend the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1132) entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," as amended, by further regulating and changing the provisions of the act relating to cancellation of registration upon the failure to vote within two years

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended, will appear on Monday's Calendar.

HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 1

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 1, entitled:

An Act to amend the title and certain sections and to add certain new sections to the act approved the twenty-second day of June one thousand nine hundred thirty-seven (P. L. 1987) entitled "An act to preserve and improve the purity of the waters of the Commonwealth for the protection of the public health animal and aquatic life and for industrial consumption and recreation empowering and directing the creation of indebtedness or the issuing of non-debt revenue bonds by political subdivisions to provide works to abate pollution providing protection of water supply providing for the jurisdiction of courts magistrates aldermen and justices of the peace in the enforcement thereof and providing additional remedies for abating pollution of waters imposing certain penalties and repealing certain acts" by changing the definitions of 'establishment' and 'industrial waste' by eliminating requirement of notice to discontinue discharges of industrial waste, by changing penalties for violations, by prohibiting the discharge of silt into any waters of the Commonwealth and the discharge of acid mine drainage into clean waters thereof, by authorizing the purchase or condemnation by the Sanitary Water Board and certain persons of easements or right of ways, and providing for the payment of a portion of the costs thereof by the Commonwealth in certain cases.

SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 1

Mr. HEYBURN. Mr. President, I move that the Senate insist upon its amendments non-concurred in by the House to the foregoing bill.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 548

He also informed the Senate that the House has non-concurred in amendments made by the Senate to House Bill No. 548, entitled:

An Act providing that when the contract of a fiduciary is made by him or approved by court inadequacy of price or an offer to deal on other terms, shall not relieve the fiduciary of his obligation or constitute ground for any court to set aside the contract or to refuse to enforce it

SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 548

Mr. HEYBURN. Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to the foregoing bill.

Mr. BECKER. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 122, entitled:

An Act to further amend Section 1 of the act approved the seventeenth day of June, one thousand nine hundred thirteen, (P. L. 507-, entitled "Intangible Personal Property Tax Law." as last amended b ythe act of July twenty-nine, one thousand nine hundred forty-one (P. L. 552), by exempting and excluding therefrom all public loans and obligations of any county, city, borough, town, township, school district and incorporated district and incorporated district of this Commonwealth, and the bonds and obligations of bodies corporate and politic of this Commonwealth known as municipal authorities.

Which was committed to the Committee on Finance.

House Bill No. 671, entitled:

An Act to amend section six hundred eight of the act, approved the twenty-eighth day of April, one thousand nine hundred thirty-seven (P. L. 417), entitled "Milk Control Law." by requiring milk dealers to give daily reports of milk delivered by milk producers.

Which was committed to the Committee on Agriculture.

House Bill No. 763, entitled:

An Act to amend section one of the act approved the twentieth day of May, one thousand nine hundred twenty-one (P. L. 936), entitled "An act authorizing receivers of taxes in and for cities of the first class to furnish certificates of taxes and claims which are liens on real estate and fixing the fees for such services," by relieving the receiver of taxes of the liability for the accuracy of said certificate.

Which was committed to the Committee on Municipal Government.

House Bill No. 871, entitled:

An Act to further amend section twenty-seven of the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act, entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," further limiting the application of the section and making such further limitation retroactive.

Which was committed to the Committee on Finance.

House Bill No. 872, entitled:

An Act to provide revenue for State purposes by imposing an excise tax on the net income of co-operative agricultural associations having capital stock, in lieu of all other taxes except tax on real estate; providing for the assessment, collection, settlement and resettlement of tax and reviews and appeal therefrom; conferring powers and imposing duties on certain persons, co-operative agricultural associations having capital stock, State and County officers, boards, and departments; and providing penalties.

Which was committed to the Committee on Finance.

REPORTS FROM COMMITTEES

Mr. WOODWARD, from the Committee on State Government, reported as committed, Senate Bill No. 675, entitled:

An Act to repeal The General State Authority Act of 1935 and abolish The General State Authority upon the payment of its bonds and obligations and the transfer and conveyance of all its properties to the Commonwealth.

Mr. CARR, from the Committee on Public Health, reported as amended, House Bill No. 2, entitled:

An Act to amend section seven of the act approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 899), entitled "An act regulating public bathing places, swimming pools, public bath houses, public and private natatoriums, turkish bath houses, all places hired for any form of bathing or swimming, and all related appurtenances; fixing license fees; providing, in the matters of sanitation, cleanliness and safety, for supervision by the Department of Health; and prescribing penalties for violations," by eliminating certain annual fees.

He also, from the Committee on Insurance, reported as committed, House Bill No. 553, entitled:

An Act to further amend section two hundred twelve of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws," changing the retaliatory provisions of law so as to equalize the burdens and prohibitions as herein defined placed on and relating to the insurance business and the insurance of motorists and motor vehicles between other states and this Commonwealth

Mr. MALLERY, from the Committee on Corporations, reported as committed, Senate Bill No. 684, entitled:

An Act authorizing and empowering any corporation for profit, heretofore or hereafter organized under any general or special law of this Commonwealth, by action of its board of directors, to make contributions, out of its income in any taxable year, for public and charitable

purposes, to an amount which does not exceed fifteen per centum (15%) of the net income of such corporation for such taxable year, as returned by it to the Federal Government for income tax purposes, and ratifying contributions heretofore made.

Mr. BERGER, from the Committee on State Government reported as committed, Senate Bill No. 116, entitled:

An Act to further amend sections one, eleven and twelve of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," as amended, by modifying certain definitions and imposing further powers and duties upon the retirement board, prescribing the rights and liabilities of withdrawing contributors and of disability annuitants.

Mr. HOMSHER, from the Committee on Appropriations, re-reported as committed, Senate Bill No. 524, entitled:

An Act to amend the act, approved the twenty-sixth day of May, one thousand nine hundred forty-three (P. L. 635), entitled "An act creating a commission to study the methods of maintaining and supporting public schools, and the method of participation by the Commonwealth, and local school districts in the maintenance of a thorough and efficient public school system; prescribing its powers and duties; and making an appropriation," continuing such commission; changing its purpose; and making an appropriation.

Mr. JAMES, from the Committee on Forests and Waters, Game and Fish, reported as committed, Senate Bill No. 628, entitled:

An Act to amend section thirteen hundred four of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," increasing the annual amount available for bear damages.

He also, from the Committee on Forests and Waters, Game and Fish, re-reported as committed, Senate Bill No. 577, entitled:

An Act to amend section seven hundred eight and to further amend clause (f) of section seven hundred thirty-one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by controlling the removal and transportation of big game requiring report of such killing and providing penalties

Mr. WADE, from the Committee on State Government, reported as committed, Senate Bill No. 473, entitled:

An Act making an appropriation to the Department of Property and Supplies for the purchase or condemnation of land for the preparation of a comprehensive plan for the Capitol Park Extension for the construction of new buildings including a memorial building to honor the memory of William Penn and other necessary buildings for the State archives libraries and museum for the repair demolition and improvement of existing buildings in Capitol Park and Capitol Park Extension for the razing of buildings the relocation of water sewerage utility lines and other facilities or payment to the City of Harrisburg for such relocation and for grading paving and otherwise delevoping Capitol Park and the Capitol Park Extension.

He also, from the Committee on Banking, reported as committed, Senate Bill No. 402, entitled:

An Act to amend subsection B of section three of the act, approved the eighth day of April, one thousand nine hundred thirty-seven (P. L. 262), entitled "An act relating to consumer credit in amounts of one thousand dollars ($1,000) or less; requiring licenses from the Secretary of Banking; restricting licenses to domestic business corporations; fixing minimum capital requirements; conferring certain powers on the Secretary of Banking; limiting interest and other charges; providing certain exemptions; and imposing penalties," excluding domestic corporations owned exclusively by and for members of the medical and dental professions from the provisions thereof.

He also, on behalf of Mr. CROWE, from the Committee on Insurance, reported as committed, House Bill No. 329, entitled:

An Act to further amend section three hundred one and section three hundred three and to amend section three hundred four of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by further regulating the computation of the reserve liability of life insurance companies deficiency reserve requirements and the acceptance of valuations made by other states

He also, on behalf of Mr. CROWE, from the Committee on Insurance, reported as committed, House Bill No. 330, entitled:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by amending section four hundred ten (410) thereof relating to uniform policy provisions by adding thereto section four hundred ten A (410A) relating to nonforefeiture benefits and cash surrender values required in life insurance policies and by amending section four hundred twenty C (420C) thereof relating to uniform industrial policy provisions.

Mr. JONES, from the Committee on Corporations, reported as committed, Senate Bill No. 599, entitled:

An Act to further amend the act, approved the fifth

day of May, one thousand nine hundred and thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by changing and adding provisions relative to corporate names and addresses, advertising, filing of certificates by foreign corporations, revocation of certificates of authority, making certain certificates prima facie evidence in certain cases and by providing penalties.

He also, from the Committee on Municipal Government, reported as amended, House Bill No. 384, entitled:

An Act to add clause XXV XXVI and XXVII to section seven hundred and two of the act, approved the first day of May, one thousand nine hundred and thirty-three, (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating and changing the law relating thereto," authorizing townships to adopt ordinances to prescribe and enforce penalties for violation thereof; and providing the procedure in such cases and the payment of fines and penalties collected into the township treasury and providing for an appeal to the Court of Quarter Sessions

Mr. HOLLAND, from the Committee on Corporations, reported as committed, Senate Bill No. 600, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289), entitled "An act relating to non-profit corporations; defining and providing for the organization, merger, consolidation and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for service required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by changing and adding provisions relative to corporate names and addresses, advertising, filing of certificates by foreign nonprofit corporations, revocation of certificates of authority, making certain certificates prima facie evidence in certain cases and by providing penalties.

Mr. STEVENSON, from the Committee on Forests and Waters, Game and Fish, reported as committed, House Bill No. 1095, entitled:

An Act to amend section one thousand one hundred one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" requiring the Pennsylvania Game Commission to pay bounties to public employees.

He also, from the Committee on Forests and Waters, Game and Fish, reported as committed, Senate Bill No. 629, entitled:

An Act to amend section six hundred four of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto"; permitting for purposes of conservation, the designation and posting of beaver colonies; prohibiting the trapping of beavers at any time in such colonies and imposing penalties.

He also, from the Committee on Forests and Waters, Game and Fish, reported as amended, Senate Bill No. 626, entitled:

An Act to add section one point one to the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-one (P. L. 202), entitled "An act providing for the licensing and regulation of motor boats operated or navigated upon any public stream, artificial or natural body of water, or non-tidal waters of any river within the Commonwealth; conferring powers and imposing duties on certain police officers and the Board of Fish Commissioners, including the enforcement of certain existing laws; and prescribing penalties," by further limiting the operation of motor boats on certain waters.

Mr. RUTH, from the Committee on State Government, reported as amended, Senate Bill No. 673, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor to convey to the County of Blair and the City of Altoona, certain real property located in said county and heretofore acquired by the Commonwealth for development as an airport.

Mr. GOURLEY, from the Committee on State Government, reported as committed, Senate Bill No. 537, entitled:

An Act to amend section twenty-eight and to repeal section twenty-nine of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 414), entitled "An act relating to vital statistics and to make uniform the law with reference thereto," providing for payment of the compensation of local registrars by the Commonwealth, and relieving counties from such payments.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 560, entitled:

An Act to amend sections two hundred five, two hundred six, five hundred one, five hundred two, five hundred five, five hundred six and eight hundred seven of the act, approved the fifth day of August, one thousand nine hundred forty-one (P. L., 752), entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth; vesting in the State Civil Service Commission and a Personnel Director certain powers and duties; providing for classification of positions, adoption of compensation schedules and certification of payrolls; imposing duties upon certain officers and employes of the Commonwealth; authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service; defining certain crimes and misdemeanors; imposing penalties; making certain appropriations, and repealing certain acts and parts thereof," by further regulating and improving the civil service of certain departments and agencies of the Commonwealth.

Mr. WALKER, from the Committee on State Government, reported as committed, Senate Bill No. 679, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America, of approximately three-tenth of an acre of land in the County of Delaware, upon which is erected the Chester Range Front Light, and ceding jurisdiction to the United States.

He also, from the Committee on State Government, reported as amended, Senate Bill No. 618, entitled:

An Act relating to and regulating the practice of the profession of engineering including civil engineering, mechanical engineering, electrical engineering, mining engineering, chemical engineering, surveying and constituent parts and combinations thereof as herein defined; providing for the licensing and registration of persons practicing said profession and the certification of engineers in training and the suspension and revocation of said licenses, registrations and certifications for violation of this act; prescribing the powers and duties of the State Registration Board for Professional Engineers, the Department of Public Instruction and the courts; prescribing penalties; and repealing existing laws.

PERMISSION TO ADDRESS THE SENATE

Mr. WALKER asked and obtained unanimous consent to address the Senate.

Mr. WALKER. Mr. President, I have a series of bills here that are the result of some studies in an attempt to streamline the state government and I would like to read in place and present to the Chair these bills at this time.

Mr. President, I do not look for these bills to be passed at this session because, frankly, I think they come under that type of legislation that has to be approached very gradually, yet I earnestly recommend a careful study by the members of the Senate of these bills during the interim, so that they will be fully advised as to the contents of these bills when they are re-introduced by some fortunate Senator in 1947.

BILLS INTRODUCED AND COMMITTED

Mr. WALKER read in his place and presented to the Chair Senate Bill No. 707, entitled:

An Act to amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers;; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by further reorganizing the administrative departments of the Commonwealth and their boards, commissions, and officers; creating the Department of Assistance and Welfare, the Department of Mental Health and the Department of Corrections; prescribing their functions, powers, and duties, and fixing the salaries of certain officers, abolishing the Department of Public Assistance, and the Department of Welfare, and transferring certain powers and duties to the Department of Health; placing the Pennsylvania Board of Parole as a departmental administrative board within the Department of Corrections and changing its membership, powers and duties.

Which was committed to the Committee on State Government.

He also read in his place and presented to the Chair, Senate Bill No. 708, entitled:

An Act to further amend the act, approved the sixth day of August, one thousand nine hundred forty-one (P. L. 861) entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth; establishing the 'Pennsylvania Board of Parole'; conferring and defining its jurisdiction, duties, powers and functions, including the supervision of persons placed upon probation in certain designated cases; providing for the method of appointment of its members; regulating the appointment, removal and discharge of its officers, clerks and employes; dividing the Commonwealth into administrative districts for purposes of parole; fixing the salaries of members of the board and of certain other officers and employes thereof; making violations of certain provisions of this act misdemeanors; providing penalties therefor; and for other cognate purposes, and making an appropriation," by making the Pennsylvania Board of Parole a departmental administrative board within the Department of Corrections, transferring certain powers, duties and property of the board to the said departments, and further prescribing the powers and duties thereof.

Which was committed to the Committee on State Government.

He also read in his place and presented to the Chair Senate Bill No. 709, entitled:

An Act to amend clause (c) of section three of, and to add section six hundred eight to the act, approved the fifth day of August, one thousand nine hundred forty-one (P. L. 752), entitled 'An act regulating and improving the civil service of certain departments and agencies of the Commonwealth; vesting in the State Civil Service Commission and a Personnel Director certain powers and duties; providing for classification of positions, adoption of compensation schedules and certification of payrolls; imposing duties upon certain officers and employes of the Commonwealth; authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service; defining certain crimes and misdemeanors; imposing penalties; making certain appropriations, and repealing certain acts and parts thereof," by extending the provisions of said act to the offices and positions in the Department of Assistance and Welfare, the Department of Corrections, the Department of Health, and the Department of Mental Health; and fixing the status of employes of departments and agencies to which said act is or shall hereafter be extended.

Which was committed to the Committee on State Government.

He also read in place and presented to the Chair Senate Bill No. 710, entitled:

An Act relating to the filing, reviving, release and satisfaction of liens for taxes, rates and other municipal charges in counties of the second class, creating the office of Consolidated Lien Bureau in such counties; providing

for the consolidation of such liens; providing for the appointment and compensation of the personnel thereof; imposing certain duties upon the solicitors, treasurers and/or tax collectors of counties, cities, boroughs, townships, school districts and institution districts within counties of the second class; and repealing certain laws.

Which was committed to the Committee on County Government.

Mr. HOLLAND read in his place and presented to the Chair Senate Bill No. 711, entitled:

An Act to further amend subsection six of section one of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858) entitled, "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by further defining State Employe to include per diem employes.

Which was committed to the Committee on State Government.

He also read in his place and presented to the Chair Senate Bill No. 712, entitled:

An Act requiring all contracts for printing awarded and entered into by counties of the first and second class and cities of the first, second and second class A to contain a clause or stipulation concerning the skill and wages of the workmen and mechanics engaged in such printing.

Which was committed to the Committee on State Government.

Mr. LETZLER read in his place and presented to the Chair Senate Bill No. 713, entitled:

An Act to amend sections three and five of Article nineteen of an act, approved the ninth day of June, one thousand nine hundred eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania, and for the protection and preservation of property connected therewith," by making provisions for those who have served in the armed forces of the United States who are candidates for mine inspectors and who have been appointed mine inspectors.

Which was committed to the Committee on Mines and Mining.

Messrs. GELTZ and DENT read in place and presented to the Chair Senate Bill No. 714, entitled:

An Act to amend sections eight, nine and thirteen of the act, approved the twenty-first day of May, one thousand nine hundred thirty-seven (P. L. 774), entitled "An act to facilitate vehicular traffic between the eastern and western sections of the Commonwealth by providing for the construction, operation and maintenance of a turnpike from a point at or near Middlesex in Cumberland County to a point at or near Irwin in Westmoreland County; providing for the creation of the Pennsylvania Turnpike Commission, and conferring powers and imposing duties on said commission; authorizing the issuance of turnpike revenue bonds of the Commonwealth, payable solely from tolls, to pay the cost of such turnpike; providing that no debt of the Commonwealth shall be incurred in the execrise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds and for the cost of maintenance, operation and repair of the turnpike; making such bonds exempt from taxation; constituting such bonds legal investments in certain instances; prescribing conditions upon which such turnpike shall become free; providing for condemnation; granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission; and authorizing the issuance of turnpike revenue refunding bonds," by providing for the issuance of additional bonds and regulating the sale and the use of the proceeds thereof.

Which was committed to the Committee on Judiciary General.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. STEVENSON. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on April 12, 1945.

Mr. TALLMAN. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 12, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate F. L. Clark, 216 E. State Street, Media, Delaware County, for reappointment as a Notary Public in and for the Borough of Media, Delaware County, for a term of four years to compute from April 14, 1945.

EDWARD MARTIN.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 12, 1945.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

George L. Vesonder, McKeesport.

CAMBRIA COUNTY

Robert J. Wharton, Johnstown.

FRANKLIN COUNTY

Miss Anna M. Hess, Greene Twp., Letterkenny Ordnance Depot, Chambersburg.

LACKAWANNA COUNTY

Maxwell D. Shepherd, Carbondale.

NORTHAMPTON COUNTY

Milton A. Hoffman, Easton.

NORTHUMBERLAND COUNTY

Miss Stella M. Bridy, Mt. Carmel.

WASHINGTON COUNTY

Miss Elizabeth McBurney, East Washington.

EDWARD MARTIN.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. STEVENSON and Mr. TALLMAN,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37

Barr,	Farrell,	Klein,	Tallman,
Becker,	Geltz,	Leader,	Taylor,
Berger,	Gourley,	Letzler,	Thomas,
Blass,	Haluska,	Mallery,	Troutman,
Bowers,	Heyburn,	Margie,	Wade,
Carr,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Ruth,	Walker,
Cox,	James,	Stevenson,	Wilson,
Crowe,	Jones,	Stiefel,	Woodward,
Dent,			

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

BILLS ON FINAL PASSAGE CALENDAR

OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 696, on final passage, entitled:

An Act to further amend sections one two three and four of the act approved the twenty-first day of May one thousand nine hundred thirty-seven (P. L. 787) entitled as amended, "An act authorizing subject to approval of the court of common pleas the compromise or reduction of tax and municipal claims on real property purchased by any county city borough town school district or poor district at any sale for the nonpayment of taxes or municipal claims and the reconveyance or private sale of such property" requiring such reconveyance and private sale to have the approval of a majority of the municipalities having an interest therein

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 805 on final passage, entitled:

An Act to amend Article VIII of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by making it unlawful to injure, tap or make unauthorized connections with telegraph and telephone facilities, to receive or send communications by means of such unauthorized connections or to induce such actions by another; and providing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 4, as follows:

An Act making an appropriation to the State Veterans' Commission for the expenses of the commission preparing and printing a compilation of veterans' laws furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents for participation in certain defense activities for the rehabilitation and care of veterans including the acquisition of land by purchase condemnation or gift and construction of buildings for such purpose

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of eight hundred ninety thousand dollars ($890,000) or so much thereof as may be necessary is hereby appropriated to the State Veterans' Commission for the two fiscal years beginning June first one thousand nine hundred forty-five for the payment of traveling expenses and other authorized disbursements of the commission salaries wages and expenses of its employes for preparing and printing a compilation of laws relating to war veterans for furnishing funds to provide the necessities of life for and to assist otherwise such Pennsylvania veterans of any war or the widows and infant children or dependents of such veterans as are sick disabled or indigent and who are without means for cooperation in any way with the State Council of Defense in civilian defense activities for planning and providing for the rehabilitation and care of veterans and for the acquisition of land by purchase condemnation or gift and the construction of buildings with the approval of the Governor as may be deemed necessary for the rehabilitation and care of veterans

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37

Barr,	Farrell	Klein,	Tallman,
Becker,	Geltz,	Leader,	Taylor,
Berger,	Gourley,	Letzler,	Thomas,
Blass,	Haluska,	Mallery,	Troutman,
Bowers,	Heyburn,	Margie,	Wade,
Carr,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Ruth,	Walker,
Cox,	James,	Stevenson,	Wilson,
Crowe,	Jones,	Stiefel,	Woodward,
Dent,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 8, as follows:

An Act to authorize the Pennsylvania Post-War Planning Commission under certain conditions to enter into agreements with political subdivisions of this Commonwealth for the financing of plans and specifications for public works and making an appropriation

Whereas it is hereby declared that it is the policy of the General Assembly of the Commonwealth of Pennsylvania to support and implement the efforts of private industry to supply employment to supplement the employment-creating efforts of private enterprise through necessary and worthwhile public works and to develop and supply such public facilities and services as may be needed to protect and improve our American standard of living

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Definitions The following words and phrases as used in this act shall have the following meanings unless the context clearly requires otherwise

"Commission" means the Pennsylvania Post-War Planning Commission as created and established under and by the authority of the Act approved the twenty-eighth day of April one thousand nine hundred forty-three (P. L. 90)

"Political subdivision" means any county city borough incorporated town township school district vocational school district county institution district and municipal authority

Section 2 Any political subdivision of this Commonwealth may submit preliminary plans prepared by or for it to the Commission involving the construction reconstruction replacement addition improvement of public works including public buildings highways drainage and sanitary systems anti-stream pollution flood control airports parkways bridges waterways waterworks harbors parks recreation centers forest reservations slum clearance and housing

Section 3 If the Commission upon investigation and examination of the preliminary plans finds the project submitted to be worthwhile necessary and funds available it may enter into a written agreement with the political subdivision to pay fifty percent of the cost of preparation of detailed plans and specifications for said project Said agreement may among other things provide for periodic payments to the political subdivision of the sum agreed upon as the Commonwealth's contribution to the preparation of said detailed plans and specifications supervision or examination of the detailed plans and specifications during their preparation and such other provisions deemed necessary by the Commission to insure the proper expenditure of funds to be contributed by the Commonwealth All agreements shall be approved in writing by the Governor

Section 4 In reaching a decision concerning the preliminary plans submitted to it and during the period when detailed plans and specifications are being prepared the Commission shall as far as practicable utilize the services and facilities of existing administrative departments boards and commissions of the Commonwealth the universities colleges and other educational or endowed institutions of the Commonwealth and civic and other planning bodies of the Commonwealth

Section 5 The Commission shall make a detailed report to the General Assembly within one week after it convenes of all agreements entered into by it and the status of the work undertaken as a result of said agreements

Section 6 The moneys herein appropriated shall be ratably allocated by the Commission to the counties according to their respective populations as shall have been determined by the last preceding United States decennial census

Section 7 The provisions of this act shall not be deemed to repeal or impair any law now in effect and shall not curtail the powers and functions of any administrative department board or commission of the Commonwealth or of any political subdivision of the Commonwealth

Section 8 The sum of one million dollars ($1,000,000) or so much thereof as may be necessary is hereby specifically appropriated to the Commission for the purposes of this act

Section 9 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37

Barr,	Farrell,	Klein,	Tallman,
Becker,	Geltz,	Leader,	Taylor,
Berger,	Gourley,	Letzler,	Thomas,
Blass,	Haluska,	Mallery,	Troutman,
Bowers,	Heyburn,	Margle,	Wade,
Carr,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Ruth,	Walker,
Cox,	James,	Stevenson,	Wilson,
Crowe,	Jones,	Stiefel,	Woodward,
Dent,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 10, as follows:

An Act making an appropriation to the Department of Military Affairs for the payment of certain moral claims providing for the hearing adjustment and paying of moral claims of persons injured and dependent relatives members of families and personal representatives of persons killed through negligence in the operation of trucks of or under the control of the Pennsylvania National Guard

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of twenty-five thousand ($25,000) dollars is hereby specifically appropriated to the Department of Military Affairs for the purpose of compensating any person for hospital medical and miscellaneous expenses loss of wages pain and suffering and to compensate any dependent relative or member of the family or personal representative of any person for hospital medical funeral and incidental expenses and loss of support where any such person was injured or killed in an accident between a passenger motor vehicle and a truck of or under control of the Pennsylvania National Guard and where no insurance was carried by the Commonwealth on such truck and where such person dependent relatives and members of a family are otherwise barred by law from recovery against the Commonwealth

Section 2 Any such person so heretofore or hereafter injured or any dependent relative member of a family or personal representative of such person so heretofore or hereafter killed as provided in section one of this act may present a claim for compensation to the Board of Finance and Revenue and for the purpose of hearing and adjusting such claims the Adjutant General of the Commonwealth shall become a member of said board with full powers of a member thereof

Section 3 The Board of Finance and Revenue shall hear and determine all such claims and if in any case

the board determines that such injury or death was caused by the negligence of the operator of the truck of the Pennsylvania National Guard that no insurance was carried on such truck by the Commonwealth that a moral claim exists against the Commonwealth for such injury or death and that such claim or claims are not adjustable or recoverable under existing law against the Commonwealth it shall make a finding to that effect and shall fix the sum which in its opinion will compensate any such injured person or the dependent relative or members of the family or any person killed and shall certify such findings to the Adjutant General

Any amount so fixed by the Board of Finance and Revenue shall be payable from the appropriation hereinbefore made by requisition of the Adjutant General in the manner provided by law and to each such requisition shall be attached the findings of the Board of Finance and Revenue

Section 4 The action of the Board of Finance and Revenue in allowing or disapproving a claim shall be final and there shall be no appeal therefrom but the board in its discretion may grant rehearings on any claim and make new findings in accordance with this act

Section 5 This act shall become effective on the first day of June one thousand nine hundred and forty-five

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37

Barr,	Farrell,	Klein,	Tallman,
Becker,	Geltz,	Leader,	Taylor,
Berger,	Gourley,	Letzler,	Thomas,
Blass,	Haluska,	Mallery,	Troutman,
Bowers,	Heyburn,	Margle,	Wade,
Carr,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Ruth,	Walker,
Cox,	James,	Stevenson,	Wilson,
Crowe,	Jones,	Stiefel,	Woodward,
Dent			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 32, as follows:

An Act making an appropriation to the Department of Property and Supplies for the acquisition of land and buildings by purchase condemnation or gift the construction and equipment and furnishing of any buildings and the alteration removal remodeling or replacing of existing buildings to be used for barracks and training facilities for the Pennsylvania State Police

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of two million fifty thousand dollars ($2,050,000) or so much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the acquisition of land and buildings by purchase condemnation or gift the construction furnishing and equipment thereof and of existing structures and buildings for the use of the Pennsylvania State Police as barracks and training facilities

Section 2 Within the meaning of this act the word "construction" shall include the construction of new buildings altering improving adding to or replacing existing buildings the construction of sewage treatment plants reservoirs water supply systems electrical and other facilities altering improving adding to or replacing existing sewage treatment plants reservoirs water supply systems electrical and other facilities the purchase and installation of all necessary equipment in new or remodeled buildings and the payment of the cost of necessary plans specifications advertising for bids supervision and architectural and engineering and surveying fees

Section 3 The amount of the foregoing appropriation to be expended for or upon any of the purposes for which this appropriation is made shall be recommended by the Commissioner of the Pennsylvania State Police and approved by the Governor

Section 4 This bill shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provision of the Constitution, and were as follows, viz:

YEAS—37

Barr,	Farrell,	Klein,	Tallman,
Becker,	Geltz,	Leader,	Taylor,
Berger,	Gourley,	Letzler,	Thomas,
Blass,	Haluska,	Mallery,	Troutman,
Bowers,	Heyburn,	Margle,	Wade,
Carr,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Ruth,	Walker,
Cox,	James,	Stevenson,	Wilson,
Crowe,	Jones,	Stiefel,	Woodward,
Dent,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 40, on third reading, entitled:

An Act to amend or further amend the title and sections one, five, seven, nine and ten of the act approved the eighth day of June, one thousand nine hundred seven (P. L. 496), entitled "An act to establish a Board of Commissioners of Navigation for the river Delaware and its navigable tributaries; regulating their jurisdiction over ships, vessels, and boats, and wharves, piers, bulkheads, docks, slips, and basins; and exempting cities of the first class from certain of its provisions; and making an appropriation therefor," excepting the Port of Chester from certain provisions of said act and from the jurisdiction of the Navigation Commission for the Delaware River and its navigable tributries

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 67, on third reading, entitled:

An Act making an appropriation for the maintenance, repair and improvement of the Port of Philadelphia

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 122, entitled:

An Act to amend sections one and two, and to further amend section three of the act approved the eighth day of June, one thousand eight hundred ninety-three (P. L. 344, No. 284), entitled "An act relating to husband and wife, enlarging her capacity to acquire and dispose of property, to sue and be sued, and to make a last will. and enabling them to sue and to testify against each other in certain cases," authorizing a married woman to mortgage or convey her real property to the same extent as a married man, to make contracts as if unmarried; and to become surety on any bond, bail or recognizance

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. COX. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 2, (Sec. 2), page 2, line 28, by inserting immediately after the word "and]" "A married woman may mortgage her real property without her husband joining in the mortgage"; Amend Sec. 2, (Sec. 2), page 2, line 29, by inserting after the word "instrument" "other than a mortgage"; Amend Sec. 5, page 3, lines 19 and 20, by striking out both of said lines.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

And said bill having been read at length the third time, as amended,

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 132, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

PERMISSION TO ADDRESS SENATE

Mr. WOODWARD asked and obtained unamious consent to address the Senate.

Mr. WOODWARD. Mr. President, I have received my orders from authority to ask that this bill go over in its order—or disorder—I do not like to do it very much, and so I think I had better tell a little story connected with this bill.

As far as I can discover there is only one member of this Senate who is opposed to this bill, a Senator from Philadelphia, and he wants to be recorded as voting "no". He is not present, and so I am asked to put this bill over so that the Senator from Philadelphia can be present on Monday and be recorded as voting "no".

Therefore, reluctantly, against my wishes, and bowing to senatorial courtesy, I ask unanimous consent that Senate Bill No. 132 go over in its order.

BILL OVER IN ORDER

Mr. WOODWARD. Mr. President, I ask unanimous consent that Senate Bill No. 132, on third reading, entitled:

A Joint Resolution proposing an amendment to article fourteen of the Constitution of the Commonwealth of Pennsylvania abolishing County of Philadelphia as a separate political entity and providing for administering of county functions by City of Philadelphia

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 219, as follows:

An Act authorizing the Department of Military Affairs to collect and to preserve the selective service and war records of the Commonwealth of Pennsylvania authorizing the storage of such records in available buildings or the construction of a new building to accommodate them if necessary and making an appropriation therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Military Affairs is hereby authorized and directed to collect and to preserve all selective service and war records of residents of the Commonwealth of Pennsylvania

Section 2 When said records are compiled they shall be kept in any suitable space in any State owned building In the event no suitable space is available the Department of Military Affairs with the approval of the Governor is authorized to procure the construction of a suitable building to accomplish the purpose of this act

Section 3 Within the meaning of this act the word "construction" shall include not only the construction of a building but also the purchase or construction of electrical and other facilities the purchase and installation of all necessary equipment the payment of the cost of necessary plans specifications advertising for bids supervision architectural engineering and surveying fees

Section 4 The sum of five hundred thousand dollars ($500,000) or so much thereof as may be necessary is hereby appropriated to the Department of Military Affairs to accomplish the purposes of this act and shall be available for salaries and wages of employes supplies and equipment cost of construction and any other expenses which may be required

Section 5 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37

Barr,	Farrell,	Klein,	Tallman,
Becker,	Geltz,	Leader,	Taylor,
Berger,	Gourley,	Letzler,	Thomas,
Blass,	Haluska,	Mallery,	Troutman,
Bowers,	Heyburn,	Margie,	Wade,
Carr,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Ruth,	Walker,
Cox,	James,	Stevenson,	Wilson,
Crowe,	Jones,	Stiefel,	Woodward,
Dent,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask uanimous consent that House Bill No 295, on third reading, entitled:

An Act to repeal certain obsolete and supplied penal laws

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 296, on third reading, entitled:

An Act providing that taxes levied by political subdivisions of the Commonwealth on real estate of service persons shall not bear interest or be subject to penalties; and providing for abatement of certain accrued interest and penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 312, on third reading, entitled:

An Act to amend clause (c) of section nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance Pensions for the blind old age assistance and the State Emergency Relief Board" increasing the pension of a blind person

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 410, on third reading, entitled:

An Act relating to and regulating the care and maintenance of children away from their parents; providing for the certification and licensing of child welfare organizations and foster homes; imposing duties and conferring powers upon the Department of Welfare; imposing duties upon juvenile courts; prohibiting certain advertising and prescribing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 423, on third reading, entitled:

An Act to add section two thousand three hundred eleven point one of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing temporarily for payment of State appropriations where schools are closed on account of impassable roads heavy snow or floods

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 426, as follows:

An Act to further amend subsection (b) of section four hundred fifteen of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by increasing the amount of group life insurance covering certain borrowers and purchasers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of section four hundred fifteen of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" as last amended by the act approved the sixteenth day of May one thousand nine hundred thirty-nine (P. L. 144) is hereby further amended to read as follows

Section 415 * * * * * *

(b) The following forms of life insurance are hereby declared to be group life insurance within the meaning of this act (1) Life insurance covering the members of one or more companies batteries troops battalions divisions or other units of the National Guard or naval militia of any State written under a policy issued to the

commanding general of the National Guard or commanding officer of the naval militia as the case may be who shall be deemed to be the employer for the purposes of this act the premium on which is to be paid by the members of such units for the benefit of persons other than the employer Provided however That when the benefits of the policy are offered to all eligible members of the unit of the National Guard or naval militia not less than seventy-five per centum of the members of such unit may be so insured (2) life insurance covering the members of one or more troops or other units of the State troopers or State police of any State written under a policy issued to the commanding officer of the State troopers or State police who shall be deemed to be the employer for the purposes of this act the premium on which is to be paid by the members of such units for the benefit of persons other than the employer Provided however That when the benefits of the policy are offered to all eligible members of a unit of the State troopers or State police not less than seventy-five per centum of the members of such a unit may be so insured (3) life insurance covering the members of any labor union or organization of police employed by any municipal county or State authority or any organization or association of State employes or public school teachers or nurses written under a policy issued to such union or organization which shall be deemed to be the employer for the purposes of this act the premium on which is to be paid by the union or organization or by the union or organization and its members jointly and insuring its members for the amounts of insurance based upon some plan which will preclude individual selection for the benefit of persons other than the union or organization or the officials of either Provided however That when the premium is to be paid by the union or organization and its members jointly and the benefits are offered to all eligible members not less than seventy-five per centum of such members may be so insured Provided further That when members apply and pay for additional amounts of insurance a smaller percentage of members may be insured for such additional amounts if they pass satisfactory medical examinations and (4) life insurance covering only the lives of members of a group of persons for not more than [one] two thousand five hundred dollars on any one life numbering not less than one hundred new entrants to the group yearly who become borrowers from one lending institution including subsidiary or affiliated companies under agreement to repay the sum borrowed in instalments or who become purchasers of securities merchandise or other property from one vendor under agreement to repay the sum borrowed or to pay the balance of the price of the securities merchandise or other property purchased in instalments in either event to the extent of their indebtedness to said lending institution or vendor but not to exceed [one] two thousand five hundred dollars on any one life written under a policy which may be issued upon the application of and made payable to the lending institution or vendor or other creditor to whom such vendor may have transferred title to the indebtedness as beneficiary the premium on such policy to be payable by the borrower lending institution vendor or other creditor

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37

Barr,	Farrell,	Klein,	Tallman,
Becker,	Geltz,	Leader,	Taylor,
Berger,	Gourley,	Letzler,	Thomas,
Blass,	Haluska,	Mallery,	Troutman,
Bowers,	Heyburn,	Margie,	Wade,
Carr,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Ruth,	Walker,
Cox,	James,	Stevenson,	Wilson,
Crowe,	Jones,	Stiefel,	Woodward,
Dent,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 468, on third reading, entitled:

An Act authorizing the alteration improvement and construction of buildings equipment and facilities for the Pennsylvania Maritime Academy by the Navigation Commission for the Delaware River and making an appropriation

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 474, on third reading, entitled:

An Act providing for the granting of certificates of licensure to practice professions or work at any trade or occupation in this Commonwealth for which licenses are issued by any State board or other State agency to certain persons who served in the military or naval forces of the United States

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 505, as follows:

An Act relating to the practice of veterinary medicine defining such practice and providing for the licensing and registration of persons engaged therein and for the revocation and suspension of such licenses and registrations subject to appeal and for their reinstatement defining the powers and duties of the State Board of Veterinary Medical Examiners and the Department of Public Instruction providing penalties and repealing existing laws

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act shall be known and may be cited as "The Veterinary Law"

Section 2 Definitions (a) A person engages in the "practice of veterinary medicine" within the meaning of this act who for hire fee compensation or reward promised offered expected received or accepted either directly or indirectly diagnoses prognoses treats administers prescribes oprates or manipulates or applies any apparatus or appliance for any disease pain deformity defect injury wound or physical condition of any animal including poultry or for the prevention or to test the presence of any disease or who holds himself or herself out as being legally authorized to do so

(b) For the purpose of this act the term "practice of veterinary medicine" does not include

(1) The calling into this Commonwealth for consultation of a duly licensed veterianrian of any other State with respect to any case under treatment by a veterinarian registered under the provisions of this act

(2) The practice of veterinary medicine by any person in the performance of his official duties in the service of the United States government either civil or military

(3) The practice of veterinary medicine by a veterinarian residing on the border of a neighboring State and duly authorized under the laws thereof to practice veterinary medicine therein when his practice extends into the limits of this Commonwealth if he does not open an office or appoint a place to meet patients or receive calls within the limits of this Commonwealth

(4) The experimentation and scientific research activities of biological chemists engaged in the study and development of methods and techniques directly or indirectly applicable to the problems of veterinary medical practice

(c) The word "Board" as used in this act means the State Board of Veterinary Medical Examiners

Section 3 General Powers of the State Board of Veterinary Medical Examiners The State Board of Veterinary Medical Examiners (hereinafter called the board) created appointed and organized in accordance with the provisions of the Administrative Code and its amendments shall have the power

(a) To establish and alter from time to time the standards of preliminary and profesisonal education and the training required for licensure to practice veterinary medicine

(b) To investigate and determine the acceptability and to approve and disapprove institutions and colleges of this State and of other States and countries for the education of students desiring to be licensed to practice veterinary medicine and to revoke approvals where such institutions and colleges no longer are deemed proper

(c) To provide for and to regulate the licensing of and to license to practice veterinary medicine after examination any duly qualified applicant who is a citizen of the United States at least twenty-one years of age of good moral character not addicted to the use of intoxicating liquor or narcotic drugs who has obtained the required education together with a diploma from an approved institution or college conferring upon him or her the degree of doctor of veterinary medicine or other established veterinary degree

(d) To prescribe the subjects character manner time and place of examinations and the filing of applications for examinations and to conduct and provide for the conduct of the examinations to make written reports of such examinations which reports shall be preserved in the Department of Public Instruction for a period of not less than five years to collect such fees for such examinations as may be fixed according to law and to issue licenses to such applicants as successfully pass such examination

(e) To authorize the professional title or other designation which any person licensed under this act may use in connection with his or her name in the practice of veterinary medicine to regulate the use of the same and to prosecute those who illegally use the same

(f) To investigate and conduct hearings either before the membership of the board or committees thereof and to discipline and prosecute those guilty of illegal practices

(g) To suspend and revoke by majority action of the entire board the license or registration of any licensee who has been guilty of a crime or misdemeanor involving moral turpitude or of a violation of any of the provisions of this act or any other act which imposes a duty upon him as a practicing veterinarian or of fraudulent or unlawful practices or fraudulent misleading or deceptive representations or of unprofessional conduct or of false misleading or deceptive advertising as respects the skill of the operator the quality of materials drugs medicines or biologicals used or methods practiced or habitual intemperance or who is addicted to the use of narcotic drugs or is insane and to reinstate licenses and registrations in any cases where a majority of the entire board shall determine the same to be just and proper

(h) To provide for regulate and require all persons licensed in accordance with the provisions of this act to register annually with the board to prescribe the form of such registration to require as a condition precedent to such annual registration the payment of such annual registration fee as shall be fixed according to law to issue annual registration certificates to such persons and to suspend or revoke the license or registration of such persons as fail refuse or neglect to register annually or pay such fee The Department of Public Instruction shall be required to publish annually a list of the persons registered for that particular year

(i) To keep a record and it shall be the duty of the board so to do of all licenses and registrations issued and all registrations made with the board and to prescribe the form of such record

(j) To submit biennially to the Department of Public Instruction an estimate of the financial requirements of the board for administrative investigative legal and miscellaneous expenses

(k) To administer and enforce the laws of the Commonwealth relating to the practice of veterinary medicine and to instruct and require its agents to bring prosecutions for unauthorized and unlawful practices

(l) To keep minutes and records of all its transactions and proceedings

(m) To adopt promulgate and enforce such rules and regulations as may be deemed necessary by the board and proper to carry into effect the provisions of this act

Section 4 Licensed Veterinarians of Other States or Countries Persons registered or licensed to practice veterinary medicine in other States or Countries shall not be admitted to practice or be licensed or registered in this Commonwealth unless they shall pass the examination and possess all other requirements provided by this act

Section 5 Examination Failure Any applicant for licensure who shall fail in more than two subjects at any examination authorized by this act shall have the privilege of a second examination to be taken between six months and two years thereafter without the payment of an additional fee

In case of failure in not more than two subjects a reexamination in that subject or those subjects only is required

Section 6 Fees The fee for an applicant for examination and licensure to practice veterinary medicine in this Commonwealth shall be fixed by the Department of Public Instruction in accordance with existing law It shall be the duty of all persons now qualified and engaged in the practice of veterinary medicine or who shall hereafter be licensed by the board to register annually with said board and pay for each such annual registration such fee as may be fixed by the Department of Public Instruction

Section 7 Hearing on Suspensions and Revocation of Licenses and Registrations Appeals Before the license of any licensee or any registration is suspended or revoked by the board a written copy of the complaint made shall be furnished to the licensee or registrant against whom the same is directed and an opportunity be afforded him or her to be heard before the board personally and by counsel At least ten days' written notice of the time and place of such hearing shall be given the licensee or registrant by registered mail addressed to the post office address as shown on the annual registration or other record or information in possession of the board

Any person aggrieved by the action of the board in suspending or revoking a license or registration or by any other action of the board which is alleged to be improper unreasonable or unlawful may appeal from such action of the board in writing to the court of common pleas of Dauphin County

Appeals from suspensions and revocations of licenses

and registrations must be taken within thirty days after such suspension or revocation of which immediate notice shall be given the licensee or registrant by registered mail addressed as above provided In the case of appeals from other actions of the board the appeal may be taken at any time by the person aggrieved by such action No such appeal shall act as supersedeas except on special allowance of the court before which the appeal is pending

Appeals shall be taken by serving upon the department written notice of such appeal together with reasons for such appeal Such service shall be made either by filing the said notice of appeal in the office of the department or in the event that a hearing has been had by delivering the same to the deputy whether general or special before whom the hearing in the case was had

Within thirty days after the service of such notice of appeal the department shall file with the prothonotary of the said court of common pleas a transcript of the records of the proceedings if any in its office duly certified over the seal of the department which record shall include all papers on file with the department affecting or relating to the inquiry or investigation if any conducted by the department and all evidence taken in the hearing if any including the stenographic notes of testimony Notice of the filing of the said transcript with the term and number to which filed shall be forthwith given by the department to the licensee or registrant and as well to the party or parties if any upon whose complaint the proceedings before the department were instituted The cost of the said transcript at twenty-five cents per folio and one dollar for certification shall be entered as part of the record costs in the cause to be paid as the court may direct In all proceedings upon such appeal the Department of Justice shall appear for and represent the Commonwealth

The court upon application by the board or the appellant shall fix a time and place for hearing at which time or at any adjournment thereof the appeal shall be heard by the judge or judges of the court without a jury by whom the proceedings before the department if any its findings and ruling shall be given similar weight force and effect as are accorded to the findings and report of a referee selected or appointed under the provisions of the act entitled "An act to provide for the submission of civil cases by agreement of the parties to a refere learned in the law" approved the fourteenth day of May one thousand eight hundred and seventy-four and its supplements After hearing the court may sustain modify or reverse the action of the board as in its judgment the facts shall warrant

Either party may appeal from the decision of the court of common pleas of Dauphin County to the Superior court but not later than thirty days after the entry of the decree by said court Such appeals shall be taken and prosecuted in the same manner and with like effect as is provided by law in other cases of appeal to the Superior court and the records certified to the Superior court shall contain all that was before the court of common pleas The decree of the Superior court shall be final and conclusive

Section 8 Records to be Public and be Received in Evidence The records of the board shall be public and open to inspection during business hours Copies thereof duly certified by the Superintendent of Public Instruction or any of his deputies shall be received in evidence in all courts and elsewhere

Section 9 Status of Existing Practitioners Preserved Any person who has heretofore been licensed to practice veterinary medicine in this Commonwealth may upon the payment of the registration fee herein required be registered under the provisions of this act without being required to take the examination provided by this act Any person licensed and registered or registered under the provisions of this section shall thereafter continue to possess the same rights and privileges with respect to the practice of veterinary medicine provided by this act subject however to the power of the board as herein provided to suspend or revoke the license of any such person for any of the causes set forth in this act and subject to the requirement of annual registration as provided in this act

Section 10 Employes and Assistants The Department of Public Instruction shall assign to the board such clerks stenographers assistants and investigators as may be deemed necessary to carry out and enforce the provisions of this act

Section 11 Penalties It is unlawful for any person to practice veterinary medicine or to advertise or hold himself or herself out as a practitioner of or entitled or authorized to practice veterinary medicine or to assume or use any title of "veterinarian" or hospital or other titles words or letters in connection with his or her name which in any way represent him or her as being engaged in the practice of veterinary medicine or authorized so to do unless he or she has been duly licensed registered and authorized to engage in such practice under the provisions of this act

It is unlawful for any person to practice veterinary medicine under a name other than that on his or her license and annual registration or induce any person to practice veterinary medicine in violation of this act

It is unlawful for any person other than a veterinarian licensed and registered under the provisions of this act to own maintain conduct operate or manage a veterinary office veterinary dental parlor veterinary hospital or dog cat or animal hospital unless the same is under the direct supervision of a veterinarian licensed and registered under the provisions of this act who is employed for that purpose and it is unlawful to advertise any of the aforesaid either by publication or posted sign unless the name of the owner appears in such advertisement or on such sign and also the name of such supervising veterinarian when the owner is not a licensed and registered veterinarian

It is unlawful for any person to practice veterinary medicine unless his or her license and annual registration are displayed in his or her regularly established office or place of practice

It is unlawful for any person to sell offer to sell or barter or exchange any diploma or document conferring or purporting to confer any veterinary degree or any license or registration certificate issued under the provisions of any act regulating the licensing of veterinaians or to alter any such document with fraudulent intent or to use it as a license or registration certificate to practice veterinary medicine under an assumed name or to make any false statement in an affidavit relating to or in an application for a license

Any person violating any of the provisions of this act or any of the rules and regulations adopted by the board pursant to this act shall upon conviction thereof in any summary proceeding before any magistrate alderman or justice of the peace for the first offense be sentenced to pay a fine of not less than fifty dollars ($50.00) and not more than one hundred dollars ($100.00) and in default of the payment of such fine and costs to undergo imprisonment in the county jail for a period of not exceeding thirty (30) days and for the second and each subsequent offense to pay a fine of not less than one hundred dollars ($100.00) and not more than five hundred dollars ($500.00) and in default of the payment of such fine and costs to undergo imprisonment in the county jail for a period of not exceeding sixty (60) days

Section 12 Effective Date This act shall take effect on the first day of January one thousand nine hundred and forty-six

Section 13 Repeals The following acts of Assembly are hereby repealed absolutely

The act approved the fifth day of May one thousand nine hundred fifteen (P. L. 248) entitled "An act regulating the practice of veterinary medicine including veterinary surgery and veterinary dentistry or any branch thereof and establishing as incidental thereto a State Board of Veterinary Medical Examiners and defining its powers and duties"

The act approved the eighth day of May one thousand nine hundred nineteen (P. L. 135) entitled "An act to amend section thirteen of an act approved the fifth day of May one thousand nine hundred fifteen (P. L. 248)

entitled 'An act regulating the practice of veterinary medicine including veterinary surgery and veterinary dentistry or any branch thereof and establishing as incidental thereto a State Board of Veterinary Medical Examiners and defining its powers and duties' "

Section 14 All other acts and parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37

Barr,	Farrell,	Klein,	Tallman,
Becker,	Geltz,	Leader,	Taylor,
Berger,	Gourley,	Letzler,	Thomas,
Blass,	Haluska,	Mallery,	Troutman,
Bowers,	Heyburn,	Margie,	Wade,
Carr,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Ruth,	Walker,
Cox,	James,	Stevenson,	Wilson,
Crowe,	Jones,	Stiefel,	Woodward,
Dent,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 641, on third reading, entitled:

An Act to amend the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 447), entitled "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents; rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," as amended by further modifying the terms, qualifications, and other conditions under which the investment of trust funds may be made by fiduciaries

go over in its order

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 649, as follows:

An Act providing for the disposition of fines penalties and forfeitures collected in summary proceedings and imposing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All fines penalties and forfeitures collected by magistrates aldermen and justices of the peace in summary proceedings under the provisions of any general local or special law unless disposition thereof is therein otherwise specifically provided for or unless disposition thereof is provided for by general law shall be paid quarterly into the county treasury for the use of the county

If under existing law the Commonwealth is entitled to any such fines penalties or forfeitures the same shall be paid monthly into the State Treasury through the Department of Revenue If under existing law any political subdivision other than a county is entitled to any such fines penalties or forfeitures the same shall be paid quarterly into the treasury of the county in which such political subdivision is located and shall within thirty (30) days thereafter be paid by the county treasurers to the treasurer of such political subdivision

All the aforesaid payments shall be accompanied by an affidavit of the magistrate alderman or justice of the peace giving the names addresses offenses charged amounts collected and the dates of the offenses

If the magistrates aldermen or justices of the peace fail or neglect to comply with the above requirements and provisions a penalty of six per cent interest is hereby imposed on the amount of money in the possession of said magistrates aldermen or justices of the peace until such time as payment is made

Section 2 All acts general local or special inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37

Barr,	Farrell,	Klein,	Tallman,
Becker,	Geltz,	Leader,	Taylor,
Berger,	Gourley,	Letzler,	Thomas,
Blass,	Haluska,	Mallery,	Troutman,
Bowers,	Heyburn,	Margie,	Wade,
Carr,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Ruth,	Walker,
Cox,	James,	Stevenson,	Wilson,
Crowe,	Jones,	Stiefel,	Woodward,
Dent,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 749, as follows:

An Act to amend section eight hundrel ninety-two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" permitting and protecting the sale of American War Mothers' carnations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eight hundred ninety-two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" is hereby amended to read as follows

Section 892 Illegal Sale of Veterans' Flowers Whoever imitates sells or offers to sell the labeled artificial flowers of the American Legion Veterans of Foreign Wars Spanish-American War Veterans American War Mothers and Disabled American Veterans of the World War namely the poppy the buddy poppy carnation American War Mothers' carnation and the forget-me-not except on the day or days designated or appointed by the respective veterans' organizations to conduct such sales shall upon conviction in a summary proceeding be sentenced to pay a fine of not more than fifty dollars ($50) and in default of the payment of such fine and costs shall be sentenced to imprisonment for ten (10) days

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37

Barr,	Farrell,	Klein,	Tallman,
Becker,	Geltz,	Leader,	Taylor,
Berger,	Gourley,	Letzler,	Thomas,
Blass,	Haluska,	Mallery,	Troutman,
Bowers,	Heyburn,	Margle,	Wade.
Carr,	Holland,	McGinnis,	Wagner,
Coleman,	Homsher,	Ruth,	Walker,
Cox,	James,	Stevenson,	Wilson,
Crowe,	Jones,	Stiefel,	Woodward.
Dent.			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 374, PRINTER'S No. 446

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, April 12, 1945.

Resolved (if the Senate concur), That House Bill No. 374, (Printer's No. 446), entitled:

An Act to further amend the second paragraph of section five of the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" making counties in which deceased service persons are buried liable for the cost of headstones

be recalled from the Governor for the purpose of further consideration.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 22, entitled:

An Act lapsing all unexpended or unencumbered balances of appropriations from all funds made by the General Assembly at its session of one thousand nine hundred and thirty-seven and prior sessions and at its regular sessions of one thousand nine hundred and thirty-nine and one thousand nine hundred and forty-one and the Special Sessions of one thousand nine hundred and thirty-eight and one thousand nine hundred and forty

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 45, entitled:

An Act to further amend section two hundred one of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" exempting from registration tractors and trailers used by farmers in certain cases

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 51, entitled:

An Act providing for the health and safety of persons employed in and about the coal mines of the Commonwealth of Pennsylvania the protection and preservation of property connected therewith the appointment of electrical inspectors by the Secretary of Mines with the consent and approval of the Governor the fixing of their salaries and necessary expenses incurred in the performance of their duties and the fixing of the qualifications which shall be possessed by persons appointed to the position of Electrical Inspector

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 54, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of said university the purchase of apparatus and equipment therefor and the maintenance of teaching facilities in hospitals for students in the School of Medicine of said university

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 65, entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia Pennsylvania for medical education

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 85, entitled:

An Act requiring owners operators and superintendents of anthracite coal mines in which from two to five persons are employed or engaged in work to prepare maps and plans of such mines and deposit the same with the proper mine inspector and to enter extensions made in such mines thereon including all extensions to the date of abandonment of the mine imposing duties on mine inspectors and providing penalties

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 95, on second reading, entitled:

An Act conferring upon the Councils of cities of the first class the power and devoling upon them the duty of fixing and determining the salaries wages and other compensation payable out of the treasury of such cities from and after the first day of January one thousand nine hundred and forty-six of all public officers clerks and other public employes except the salaries of elected officers whose salaries are fixed by law and except the salaries wages or other compensation of officers clerks and employes of the Courts which are fixed by law or by the Courts

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 98, on second reading, entitled:

An Act to amend an act approved the sixth day of June one thousand eight hundred and seventy-one (P. L. 1353) entitled "An act relative to plans of survey and regulations in the City of Philadelphia" by restricting the operation of the act to original plans and revisions changing the time and number and character of the newspapers in which notice of the proposed plans and revisions shall be published and of the hearing thereon eliminating the requirement that streets which are the subjects of such plans or revisions must extend from street to street as thoroughfares and must be called public streets and abrogating the provisions for widening the streets upon the petition of the owners or majority of feet frontage thereon or on one side thereof and by providing that all plans and revisions of plans of land subdivision shall after approval by the Board of Surveyors be recorded in the Office of the Recorder of Deeds and that owners and purchasers shall be conclusively presumed to have notice thereof

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 101, entitled:

An Act relating to the use of trailing cables on portable electric machinery in coal mines providing for the health and safety of persons employed therein and for the protection and preservation of property connected therewith and for the inspection of such equipment by the Department of Mines

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 136, entitled:

An Act to amend section one of the act approved the sixth day of May one thousand nine hundred forty-three (P. L. 190) entitled "An act authorizing in certain cases the renewal of old motor vehicles operators license for persons honorably discharged from the armed forces of the United States or from any women's organization officially connected therewith without a learner's permit examination or additional fee and while in such service the operation of motor vehicles without renewal of operator's license and the temporary suspension of existing laws requiring the same" by providing that honorably discharged veterans may make application for renewal of old motor vehicles operators' license for a period of one year from the date of honorable discharge in certain cases and authorizing such applications also to be certified by and sworn to before a notary public

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 146, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley amnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroukhs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" changing the definition of "dealer" and limiting the delivery and issuance of temporary registration plates or markers

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 194, entitled:

An Act to further amend section twenty of the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled "An act relating to dogs and the protection of live stock and poultry from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock and poultry by dogs and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and making an appropriation thereof and providing penalties" by increasing the fee for killing unlicensed dogs

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 231, entitled:

An Act to amend section seven of the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities person association or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purpose of this act" providing for and regulating the change of width grade lines or location of state highways in such cities the ascertainment and assessment of damages and benefits to abutting property in connection therewith and the payment of damages by cities and the Commonwealth including the cost of the removal of certain structures and making appropriations from the Motor License Fund

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 239, on second reading, entitled:

An Act to promote the public welfare and to protect mental defectives by prescribing circumstances under which selective sterilization of certain types of individuals may be performed without civil or criminal liability; and providing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 294, entitled:

An Act making an appropriation to the Department of Health for use in research and demonstration work dealing with the improvement of nutritional status of industrial workers and other civilians

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 340, entitled:

An Act to further amend subsection (c) of section seven of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain

collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State Government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" making further provision for designation and selection of representatives for the purposes of collective bargaining

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, in the absence of the sponsor, I ask unanimous consent that Senate Bill No. 404, on second reading, entitled:

An Act to further amend section ten of the act approved the twenty-first day of May one thousand nine hundred and thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by imposing certain duties and restrictions in the allocation and expenditures of the Liquid Fuels Tax Fund in the State Treasury on the county commissioners and the Department of Highways and changing the provisions as to reports to the Departments of the Auditor General and Revenue

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 439, entitled:

An Act providing for the establishment in counties of the second class of the lot and block plan for the registration of land titles for the accumulation of county tax liens and for the enumeration of the parcels of real estate to be assessed for county city borough township school and institution district taxation providing for the incurring of indebtedness for the installation thereof and imposing duties upon the county controller and the deed registrar in each of such counties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 448, entitled:

An Act to add section nineteen and two-tenths to the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" by providing for the admission of assessors into membership of such retirement systems

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 501, on second reading, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" by further defining real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 528, on second reading, entitled:

An Act to repeal subsection (f) of section nine hundred two of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties pro-

viding for the disposition of fines forfeitures fees and miscellaneous receipes making an appropriation and providing for refunds" as last amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2329)

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 561, on second reading, entitled:

An Act to amend section one of the act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 796) entitled "An act establishing as state highways certain highways and requiring their construction repair and maintenance as such" by limiting the highways and structures which may become the responsibility of the Commonwealth thereunder

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 613, entitled:

An Act to amend the act, approved the eighth day of April, one thousand nine hundred thirty-seven (P. L. 262), entitled "An act relating to consumer credit in amount of one thousand dollars ($1,000) or less; requiring licenses from the Secretary of Banking; restricting licenses to domestic business corporations; fixing minimum capital requirements; conferring certain powers on the Secretary of Banking; limiting interest and other charges; providing certain exemptions; and imposing penalties," by changing the short title of the act redefining the term "charges"; changing the form of the application; restricting the conduct of business by a licensee; enlarging the authority of the Secretary of Banking; altering the powers of licensees; altering the requirements and limitations applicable to licensees and altering the form of certain statements.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. GELTZ offered the following amendments:

Amend Section 1, page 2, line 2 by striking out the word "and" after the word "fifteen" and before the word "sixteen" and inserting after the word "sixteen" the following "and seventeen"; Amend by inserting between lines 3 and 4 on page 19 the following "Section 17 Scope of Act This act shall not affect any existing laws special or general authorizing a charge for the loan of money in excess of interest at the legal rate This act shall not apply to any person persons partnership association or corporation operating under the laws related to banking institutions building and loan associations credit unions or licensed under the Small Loans Act approved June seventeen one thousand nine hundred fifteen and supplements or amendments or licensed by the Secretary of Banking of the Commonwealth of Pennsylvania under the provisions of any other statute This act shall not apply to any bona fide sale of personal property by a person regularly engaged in the sale of such personal property wherein the purchaser may pay any part or all of the purchase price in stated installments nor to any such bona fide sale under a conditional sale contract lease or bailment wherein the purchaser lessee or bailee has the option of becoming or is bound to become the owner of the property upon full compliance with the terms of the agreement This act shall not apply to non-profit corporations of the first class organized under the laws of the Commonwealth of Pennsylvania which are owned and controlled exclusively for and by the members of the medical and dental professions in the Commonwealth of Pennsylvania engaged in among other activities the financing of personal obligations arising from the rendering of professional services by the members of such non-profit corporations which are limited strictly to medical and/or dental diagnostic and treatment services and/or nursing and hospital care."

They were agreed to.

The section was agreed to as amended.

The second and third sections were read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. GELTZ offered the following amendment:

Amend title, line 16 by striking out the word "and" after the word "licensees" and before the word "altering" and inserting after the word "statements" the following "and excluding certain domestic corporations".

It was agreed to.

The section was agreed to as amended.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. GELTZ. Mr. President, I ask unanimous consent that Senate Bill No. 613, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 614, entitled:

An Act to further amend section nine hundred and three of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers provid-

ing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the maximum gross weight of certain commercial motor vehicles and truck tractors

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 616, on second reading, entitled:

An Act to further amend section two thousand one hundred three of the act approved the twenty-third day of June one thousand nine hundred thirty--one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" permitting additional hours of service by firemen for the duration of the present war

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 636, on second reading, entitled:

An Act to further amend section twelve hundred and eighteen of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by requiring pedestrians to comply with requests of peace officers

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 642, entitled:

An Act authorizing in certain cases the issuance of motor vehicle operators' licenses to persons honorably discharged from the armed forces of the United States or from any women's organization officially connected therewith without a learner's permit and the temporary suspension of existing laws requiring the same

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in the case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 644, entitled:

An Act to further amend section nine of the act approved the sixteenth day of May one thousand nine hundred twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of assembly" providing for the payment of interest in certain claims

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. COLEMAN. Mr. President, I ask unanimous consent that Senate Bill No. 658, on second reading, entitled:

An Act to further amend the act approved the fifth day of December one thousand nine hundred and thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" changing the provisions thereof and the rights obligations and procedure thereunder

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in the case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 663, entitled:

An Act to further amend section one of the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1625) entitled "An act providing for

the creation maintenance and operation of a county employes' retirement system in counties of the third class and imposing certain charges on counties" defining "County Employe" to include persons employed by independent poor districts

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 665, on second reading, entitled:

An Act to further amend paragraphs (a) and (d) of section five hundred five of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officers of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by further regulating the designation of State depositories and limiting the deposit of State moneys therein

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 680, entitled:

An Act to further amend section one of the act approved the twentieth day of April one thousand nine hundred and twenty-seven (P. L. 321) entitled "An act authorizing the Secretary of Highways to designate by letter or to name number or combine State highways or any part or parts thereof in such manner as in his discretion will best accommodate and inform the traveling public using the highways of the Commonwealth and facilitate the keeping of maps and records of the Department of Highways and to include in any route designated for the convenience of the traveling public any township road or roads" as amended by eliminating the requiring that designations assigned by the Secretary of Highways shall be the official designations for all purposes

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in the case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 693, entitled:

An Act to further amend subsection (b) of section nine hundred thirteen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" providing for payment of filing fees by cash in certain cases

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 701, on second reading, entitled:

An Act to amend section three of the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 214) entitled "An act authorizing the Commonwealth to purchase at judicial sale and thereafter to hold or sell any property upon which it has a mortgage or lien providing for the payment of the cost of such acquisitions and making an appropriation" by authorizing the Department of Justice to execute and deliver a deed for property formerly owned by a recipient of public assistance upon payment of debt interest and costs due the Commonwealth

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 754, on second reading, entitled:

An Act to further amend section two of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1513) entitled "An act regulating the construction equipment maintenance operation and inspection of boilers granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing penalties for violation of this act and repealing all acts or parts of acts inconsistent with this act" by exempting certain boilers from the provisions of the act

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READI! G

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in the case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 784, entitled:

An Act to add section one point one to the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 322), entitled "An act providing for the issuance of certified copies of death, birth, and

marriage certificates, and divorce decrees, by county officers, free of charge, to disabled war veterans and their dependents, in death and compensation cases; and prescribing penalties," requiring counties to pay the fees of officers compensated on a fee basis.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 789, on second reading, entitled:

An Act validating county treasurers' sales of unseated lands heretofore made where such sales were held under laws not at that time applicable to such lands

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 795, entitled:

An Act to further amend clause (f) of section two hundred one and to add clause (n) to section two hundred one of the act approved the twenty-fifth day of May one thousand nine hundred thirty-three (P. L. 1001) entitled as amended "An act providing for the regulation of aeronautics within this Commonwealth conferring powers and imposing duties upon the Pennsylvania Aeronautics Commission and the Department of Revenue in respect thereto providing for the licensing and registration of airman and aircraft establishing the legal status of air navigation providing for sovereignty in and ownership of space providing for lawfulness of flights regulating civil causes of action arising out of operation of aircraft fixing the status of contracts crimes and torts in by or by means of operation of aircraft imposing duties upon officers burgesses magistrates aldermen justices of the peace the courts and clerks thereof providing for denial or revocation of licenses providing for certain penalties and their disposition and repealing certain existing laws" by authorizing the commission to assist in the construction of airports and landing fields and to expend moneys appropriated to it for such purposes and to accept moneys from the Federal Government and other sources

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 866, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by providing for the use of "reflector type" flares as "danger and caution signals"

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 1082, on second reading, entitled:

An Act to further amend the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" by changing the provisions of said act as to the registration of electors before and after certain elections the preparation of street lists the cancellation of registrations for failure to vote and the destruction of records

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 1172, on second reading, entitled:

An Act to further amend the first six paragraphs of section four hundred seven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in

which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" increasing the membership of the Pennsylvania Aeronautics Commission

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1211, entitled:

An Act to further amend section six hundred sixteen of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claim registration of certain vehicles and licensing the operators thereof upon payment of presribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing or disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further prescribing the time when certain penalties imposed under the said act shall become effective.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

REPORT FROM COMMITTEE

Mr. WALKER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER, from the Committee on Judiciary General, reported as committed, Senate Bill No. 714, entitled:

An Act to amend sections eight, nine and thirteen of the act, approved the twenty-first day of May, one thousand nine hundred thirty-seven (P. L. 774), entitled "An act to facilitate vehicular traffic between the eastern and western sections of the Commonwealth by providing for the construction, operation and maintenance of a turnpike from a point at or near Middlesex in Cumberland County to a point at or near Irwin in Westmoreland County; providing for the creation of the Pennsylvania Turnpike Commission, and conferring powers and imposing duties on said commission; authorizing the issuance of turnpike revenue bonds of the Commonwealth, payable solely from tolls, to pay the cost of such turnpike; providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds and for the cost of maintenance, operation and repair of the turnpike; making such bonds exempt from taxation; constituting such bonds legal investments in certain instances; prescribing conditions upon which such turnpike shall become free; providing for condemnation; granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission; and authorizing the issuance of turnpike revenue refunding bonds," by providing for the issuance of additional bonds and regulating the sale and the use of the proceeds thereof.

SENATE BILL No. 18 TAKEN FROM TABLE

Mr. HEYBURN. Mr. President, I call from the table Senate Bill No. 18, recalled from the Governor.

RECONSIDERATION OF SENATE BILL No. 18

Mr. HEYBURN. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 18, entitled:

An Act to amend sections one and two of the act approved the eighteenth day of July, one thousand nine hundred thirty-five (P. L. 1303) entitled "An act to regulate the sale of certain hypnotic, analgesic, and body-weight reduction drugs, in the interest of public health," by redefining the meaning of "other hypnotic drug, or analgesic drug or body-weight reducing drug" and adding "inhalers" to the remedies permitted to be sold at retail

passed finally.

The PRESIDENT. How did the Senator vote?

Mr. HEYBURN. Mr. President, I voted "aye".

Mr. CARR. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. CARR. Mr. President, I voted "aye".

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. HEYBURN. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. HEYBURN. Mr. President, I voted "aye".

Mr. CARR. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. CARR. Mr. President, I voted "aye".

The motion was agreed to.

The PRESIDENT. The bill will appear on Monday's Calendar.

SENATE BILL No. 230 TAKEN FROM TABLE

Mr. HEYBURN. Mr. President, I call from the table Senate Bill No. 230, recalled from the Governor, entitled:

An Act to amend the title and the act approved the thirtieth day of April one thousand nine hundred and forty-three (P. L. 145) entitled "An act providing for and regulating the accumulation investment and expenditure by counties cities boroughs incorporated towns and townships of funds for post war projects" extending the provisions of said act to school districts and defining the term "post war period"

Mr. HEYBURN. Mr. President, Senate Bill No. 230 has already been recalled once previously from the Governor, for minor amendments, which were made by the Senate; the bill was then sent over to the House but inadvertently the amendments were not agreed to by the House.

Therefore I move that Senate Bill No. 230 be sent to the House for concurrence in amendment made by the

Senate when the bill was the first time recalled from the Governor.

Mr. WALKER. I second the motion, Mr. President.

The motion was agreed to.

Ordered, That the Clerk return said bill to the House of Representatives with the information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILLS ON FIRST READING

Mr. HEYBURN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. MALLERY. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2, entitled:

An Act to amend section seven of the act approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 899), entitled "An act regulating public bathing places swimming pools public bath houses public and private natatoriums turkish bath houses all places hired for any form of bathing or swimming and all related appurtenances fixing license fees providing in matters of sanitation cleanliness and safety for supervision by the Department of Health and prescribing penalties for violations" by eliminating certain annual fees

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 116, entitled:

An Act to further amend sections one, eleven and twelve of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," as amended, by modifying certain definitions and imposing further powers and duties upon the retirement board, prescribing the rights and liabilities of withdrawing contributors and of disability annuitants.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 329, entitled:

An Act to further amend section three hundred one and section three hundred three and to amend section three hundred four of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 789), entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by further regulating the computation of the reserve liability of life insurance companies deficiency reserve requirements and the acceptance of valuations made by other states.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 330, entitled:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by amending section four hundred ten (410) thereof relating to uniform policy provisions by adding thereto section four hundred ten A (410A) relating to non-forfeiture benefits and cash surrender values required in life insurance policies and by amending section four hundred twenty C (420C) thereof relating to uniform industrial policy provisions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 384, entitled:

An Act to add clauses XXV XXVI and XXVII to section seven hundred and two of the act, approved the first day of May, one thousand nine hundred and thirty-three, (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating and changing the law relating thereto," authorizing townships to adopt ordinances and to prescribe and enforce penalties for violation thereof; and providing the procedure in such cases and the payment of fines and penalties collected into the township treasury and providing for an appeal to the court of quarter sessions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 402, entitled:

An Act to amend subsection B of section three of the act, approved the eighth day of April one thousand nine hundred thirty-seven (P. L. 262), entitled "An act relating to consumer credit in amounts of one thousand dollars ($1,000.) or less; requiring licenses from the Secretary of Banking; restricting licenses to domestic business corporations; fixing minimum capital requirements; conferring certain powers on the Secretary of Banking; limiting interest and other charges; providing certain exemptions; and imposing penalties," excluding domestic corporations owned exclusively by and for members of the medical and dental professions from the provisions thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 473, entitled:

An Act making an appropriation to the Department of Property and Supplies for the purchase or condemnation of land for the preparation of a comprehensive plan for the Capital Park Extension for the construction of new buildings including a memorial building to honor the memory of William Penn and other necessary buildings for the State archives libraries and museum for the repair demolition and improvement of existing buildings in Capitol Park and Capitol Park Extension for the razing of buildings the relocation of water sewerage utility lines and other facilities or payment to the City of Harrisburg for such relocation and for grading paving and otherwise developing Capitol Park and the Capitol Park Extension.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 537, entitled:

An Act to amend section twenty-eight and to repeal section twenty-nine of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 414), entitled "An act relating to vital statistics and to make uniform the law with reference thereto," providing for payment of the compensation of local registrars by the Commonwealth, and relieving counties from such payments.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 553, entitled:

An Act to further amend section two hundred twelve of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 789), entitled, as amended, "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties, and repealing existing laws," changing the retaliatory provisions of law so as to equalize the burdens and prohibitions, as herein defined, placed on and relating to the insurance business and the insurance of motorists and motor vehicles between other states and this Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 560, entitled:

An Act to amend sections two hundred five, two hundred six, five hundred one, five hundred two, five hundred five, five hundred six and eight hundred seven of the act, approved the fifth day of August, one thousand nine hundred forty-one (P. L. 752), entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth; vesting in the State Civil Service Commission and a Personnel Director certain powers and duties; providing for classification of positions, adoption of compensation schedules and certification of payrolls; imposing duties upon certain officers and employes of the Commonwealth; authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service; defining certain crimes and misdemeanors; imposing penalties; making certain appropriations, and repealing certain acts and parts thereof," by further regulating and improving the civil service of certain departments and agencies of the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 599, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred and thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by changing and adding provisions relative to corporate names and addresses, advertising, filing of certificates by foreign corporations, revocation of certificates of authority, making certain certificates prima facie evidence in certain cases and by providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 600, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to non-profit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for service required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by changing and adding provisions relative to corporate names and addresses, advertising, filing of certificates by foreign non-profit corporations, revoca-

tion of certificates of authority, making certain certificates prima facie evidence in certain cases and by providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 618, entitled:

An Act relating to and regulating the practice of the profession of engineering including civil engineering mechanical engineering electrical engineering mining engineering chemical engineering surveying and constitutent parts and combinations thereof as herein defined providing for the licensing and registration of persons practicing said profession and the certification of engineers in training and the suspension and revocation of said licenses registrations and certifications for violation of this act prescribing the powers and duties of the State Registration Board for Professional Engineers the Department of Public Instruction and the courts prescribing penalties and repealing existing laws.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 626, entitled:

An Act to add section one point one to the act approved the twenty-eighth day of May one thousand nine hundred thirty-one (P. L. 202) entitled "An act providing for the licensing and regulation of motor boats operated or navigated upon any public stream artificial or natural body of water or non-tidal waters of any river within the Commonwealth conferring powers and imposing duties on certain police officers and the Board of Fish Commissioners including the enforcement of certain existing laws and prescribing penalties" by further limiting the operation of motor boats on certain waters.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 628, entitled:

An Act to amend section thirteen hundred four of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," increasing the annual amount available for bear damages.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 629, entitled:

An Act to amend section six hundred four of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225) entitled, "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto"; permitting for purposes of conservation, the designation and posting of beaver colonies; prohibiting the trapping of beavers at any time in such colonies and imposing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 673, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to convey to the County of Blair and the City of Altoona certain real property located in said county and heretofore acquired by the Commonwealth for development as an airport.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 675, entitled:

An Act to repeal The General State Authority Act of 1935 and abolish The General State Authority upon the payment of its bonds and obligations and the transfer and conveyance of all its properties to the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 679, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America, of approximately three-tenths of an acre of land in the County of Delaware, upon which is erected the Chester Range Front Light, and ceding jurisdiction to the United States.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 684, entitled:

An Act authorizing and empowering any corporation for profit, heretofore or hereafter organized under any general or special law of this Commonwealth, by action of its board of directors, to make contributions, out of its income in any taxable year, for public and charitable purposes, to an amount which does not exceed fifteen per centum (15%) of the net income of such corporation for such taxable year, as returned by it to the Federal Government for income tax purposes, and ratifying contributions heretofore made.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 714, entitled:

An Act to amend sections eight, nine and thirteen of the act, approved the twenty-first day of May, one thousand nine hundred thirty-seven (P. L. 774), entitled "An act to facilitate vehicular traffic between the eastern and western sections of the Commonwealth by providing for the construction, operation and maintenance of a turnpike from a point at or near Middlesex in Cumberland County to a point at or near Irwin in Westmoreland County; providing for the creation of the Pennsylvania Turnpike Commission, and conferring powers and imposing duties on said commission; authorizing the issuance of turnpike revenue bonds of the Commonwealth, payable solely from tolls, to pay the cost of such turnpike; providing that no debt of the Commonwealth shall

be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds and for the cost of maintenance, operation and repair of the turnpike; making such bonds exempt from taxation; constituting such bonds legal investments in certain instances; prescribing conditions upon which such turnpike shall become free; providing for condemnation; granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission; and authorizing the issuance of turnpike revenue refunding bonds," by providing for the issuance of additional bonds and regulating the sale and the use of the proceeds thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading,

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1095, entitled:

An Act to amend section one thousand one hundred one of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals, and amending, revising, consolidating and changing the law relating thereto," requiring the Pennsylvania Game Commission to pay bounties to public employees.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

HOUSE MESSAGE

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurred in resolution from the Senate as follows:

GOVERNOR URGED TO ISSUE PROCLAMATION SETTING MAY FIRST AS AMERICANISM DAY

In the Senate, March 14, 1945.

For many years this country and the world-at-large has observed May first as May Day, and at different places the observance has been marked by various kinds of celebrations.

At times these celebrations have resulted in demonstrations against organized government.

In 1932 the American Legion in Fayette County inaugurated a new kind of observance of the day by staging a parade of Americanism which has grown each year into an event of first importance.

The participation in the celebration of this day by patriotic societies, veterans' organizations, and other organizations, cannot help but make it throughout the Commonwealth a day to awaken new pride in our American institutions; therefore be it

Resolved (if the House of Representatives concur), That the General Assembly of the Commonwealth of Pennsylvania urges the setting aside of May first as Americanism Day, and urges upon all patriotic veteran, fraternal and civic organizations the planning of its celebration in such a manner as will bring to the people of the Commonwealth a full realization of the benefits and privileges and blessings that come to them through the continuance of our American form of government; and be it further

Resolved, That the Governor of the Commonwealth is hereby urged to issue his proclamation further urging the people of the Commonwealth to join in a real American celebration of Americanism Day.

ADJOURNMENT

Mr. HEYBURN. Mr. President, I move that the Senate do now adjourn until Monday, April 16, 1945, at 4:00 o'clock p. m., Eastern War Time.

Mr. STEVENSON. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned tat 12:53 o'clock p. m., Eastern War Time until Monday, April 16, 1945, at 4:00 o'clock p. m., Eastern War Time.

HOUSE OF REPRESENTATIVES

THURSDAY, April 12, 1945

The House met at 11 a. m.

The SPEAKER (Ira T. Fiss) in the Chair.

PRAYER

The Chaplain, Rev. Lester C. Updegrove, offered the following prayer:

We thank Thee, our God, for a Master who is not indifferent to human need.

We thank Thee for His words and example which even today minister to the deepest needs of all mankind.

May His grace strengthen us that we may learn to do justly, love kindness, and walk in quiet fellowship with Thee. We ask all in the name of Him whose greatest joy was to do Thy holy will, even Christ Jesus our Lord. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Wednesday, April 11, 1945.

The Clerk proceeded to read the Journal of Wednesday, April 11, 1945, when, on motion of Mr. ELISH unanimously agreed to, the further reading was dispensed with and the Journal approved.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 387.

An Act to further amend section fourteen of the act approved the nineteenth day of March one thousand nine hundred nine (P. L. 46) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" by further regulating grounds for refusal revocation or suspension of the right to practice as osteopaths in the State of Pennsylvania.

Referred to the Committee on Professional Licensure.

SENATE BILL No. 479.

An Act to enable domestic stock and mutual insurance companies to comply with the taxing statutes and to relieve officers directors and trustees of domestic stock and mutual insurance companies of personal liability by reason of the payment or determination not to contest payment of any license excise privilege premium occupation or other fee or tax imposed by any State or political subdivision thereof

Referred to the Committee on Insurance.

SENATE BILL No. 489.

An Act to amend sections one and two and to repeal section three of the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 606) entitled "An act relating to the sale transfer assignment and pledge of accounts receivable" making further provision for the sale assignment transfer or pledge of certain obligations due and to become due and the notation in certain cases of such sale assignment transfer or pledge.

Referred to the Committee on Banking.

SENATE BILL No. 591.

An Act to amend the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contributions requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from it provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" by authorizing the bringing of suits against domestic fraternal beneft societies in counties in which they maintain subordinate lodges and where claimant resides and providing for the service of process on the Insurance Commissioner as attorney therefore

Referred to the Committee on Insurance.

SENATE BILL No. 621.

An Act to further amend paragraph (d) and to amend paragraph (f) of section one thousand two hundred five of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled; "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by further regulating the employment, dismissal, suspension, demotion and retirement of professional employes.

Referred to the Committee on Education.

SENATE BILL No. 625.

An Act to amend section ten of the act, approved the third day of May, one thousand nine hundred thirty-three (P. L. 242), entitled "An act to promote the public Health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture; defining beauty culture, and regulating beauty culture shops, schools, students, apprentices, teachers, managers and operators; conferring powers and duties upon the Department of Public Instruction; providing for appeals to certain courts by applicants and licensees; and providing penalties," by further regulating the number of apprentices in beauty shops.

Referred to the Committee on Professional Licensure.

SENATE BILL No. 631.

An Act to further amend section one thousand eleven of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 565) entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over, and taking possession of and conducting or liquidating the business and property of, corporations, associations, and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries, and building and loan associations; providing for the payment of the expenses of the Department of Banking by supervised corporations, associations, or persons, and appropriating the Banking Department Fund; authorizing the Department of Banking, under certain circumstances, to examine corporations, associations, or persons affiliated, or having business transactions with supervised corporations, associations or persons; authoriziing appeals to the Supreme Court, and prescribing and limiting the powers and duties of certain other courts and their prothonotaries, registers of wills, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services rendered under this act; providing penalties; and repealing certain acts and parts of acts," by providing that hereafter any claim for the amount of any deficiency in the funds, property or investments of an estate of which the institution was fiduciary or any surcharge with respect to such estate shall have the same rank and priority upon liquidation by the secretary as receiver as given to deposits and other claims enumerated in the third category set forth in said section.

Referred to the Committee on Banking.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. HEWITT asked and obtained permission for the Committee on Mines and Mining to meet during the session of the House.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 223.

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any

agency thereof every State depository and every debtor or creditor of the Commonwealth" and known as The Fiscal Code by authorizing the Commonwealth of Pennsylvania to petition for a resettlement of claims against the Commonwealth by the Auditor General and State Treasurer and to petition for a review of settlements by the Board of Finance and Revenue and to appeal from the decisions of the Board of Finance and Revenue to the Court of Common Pleas of Dauphin County

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

PARLIAMENTARY INQUIRY

Mr. LOVETT. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman from Westmoreland will state it.

Mr. LOVETT. Mr. Speaker, may I ask the Chair what means the House has of ascertaining the names of the Members who are absent from the hall of the House without leave?

The SPEAKER. The Chair can furnish the gentleman with a list of all the Members who have asked for leave of absence and to whom leave of absence was granted by the House for today's session.

Mr. LOVETT. Mr. Speaker, is that all the information that the Chair can give? Is there any other means by which we can find out the absentees in this House who are away without leave?

The SPEAKER. The Chair would inform the gentleman that there is no other recourse than to call the roll of members.

Mr. LOVETT. Mr. Speaker, I now yield to the Minority Floor Leader in order that he may ascertain the information that I have asked for.

Mr. ANDREWS. Mr. Speaker, in view of the fact that the House has granted its permission to several Committees to meet, it would be inopportune and unfair to call the roll in any way for the purpose of ascertaining who is here and who is not, and so until the Committees come back and we have reached the first reading calendar, we will delay our effort to ascertain those who are absent without leave.

SENATE MESSAGES

The Clerk of the Senate, Mr. Steinfelt, being introduced, presented extracts from the Journal of the Senate which were laid on the table.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

VETO OF HOUSE BILL No. 472

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 11, 1945.

To the Honorable the House of Representatives of the Commonwealth of Pennsylvania:

I return herewith, without my approval, House Bill No. 472. Printer's No. 422, entitled "An act prohibiting the sale of drugs, chemicals and preparations thereof without a label bearing certain information and prescribing a penalty."

This bill prohibits the sale, at retail, of any drug, chemical or preparation thereof without affixing to the bottle, box, vessel or package a label containing the name of the article and the name and place of business of the compounder or manufacturer. It is provided that such label shall have only one address upon it and shall not conflict with any laws regulating the manufacture, sale or distribution of poisons or narcotics.

The bill as originally drafted was intended to apply only to the field of pharmacy, but the effect of this bill would be to change the practice and method of distribution to those who supply spray materials, fertilizers, lime, and other compounds to the agricultural industries of Pennsylvania. Inasmuch as other laws of this Commonwealth provide for the misbranding of drugs there appears to be no necessity for this bill and there would be an unwarranted interference and disturbance of normal business practices.

For these reasons this bill is not approved.

EDWARD MARTIN.

On the question,

Shall the bill become a law, the objections of His Excellency the Governor to the contrary notwithstanding?

Mr. LICHTENWALTER. Mr. Speaker, I move that the bill together with the communication from the Governor be laid on the table.

The motion was agreed to.

COMMITTEE REPORTS

Mr. MADDEN from the Committee on State Government reported as committed House Bill No. 197, entitled:

An Act to further amend section five hundred nine of the act, approved the eleventh day of July, one thousand nine hundred twenty-three (P. L. 998), entitled "An act for the prevention and treatment of mental diseases, mental defect, epilepsy, and inebriety; regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics; governing the transfer, discharge, interstate rendition, and deportation of mental patients; providing for the payment by individuals, counties, or the Commonwealth of the cost of the admission, care, and discharge of mental patients; and imposing penalties," providing for pro rating claims of the Commonwealth and of political subdivisions against estates of mental patients; and requiring the Commonwealth to reimburse political subdivisions for moneys heretofore collected.

Mr. HAUDENSHIELD from the Committee on Agriculture reported as committed House Bill No. 873, entitled:

An Act to further amend sections fifteen and eighteen of the act, approved the twelfth day of June, one thousand nine hundred nineteen (P. L. 466), entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations, not having a capital stock and not conducted for profit, and defining agriculture so as to include persons engaged in agriculture, dairying, livestock raising, poultry raising, beekeeping, and horticulture," providing for the termination of memberships, for filing summaries of audits; for involuntary winding up and dissolution of associations failing to file such summaries, exempting associations from payment of certain State taxes and the filing of reports relative thereto, and imposing penalties

Mr. CLARENCE E. MOORE from the Committee on Agriculture reported as committed House Bill No. 874, entitled:

An Act to further amend the act, approved the thirtieth day of April, one thousand nine hundred twenty-nine (P. L. 885), entitled "An act to provide for the incorporation and regulation of cooperative agricultural asso-

ciations having capital stock; and defining agriculture so as to include persons engaged in agriculture, dairying, livestock raising, poultry raising, floriculture, mushroom growing, beekeeping, horticulture, and other allied occupations; and providing penalties," providing for associations to be formed by two or more cooperative agricultural associations, removing certain limitations on holding of common stock; enlarging the powers to purchase stock of certain other corporations; providing for preferred stock in classes differing only as to rate of dividend, further regulating preferred stock dividends and patronage refunds; further regulating voting rights of stockholders, requiring filing of summaries of audits; imposing penalties, and changing the words "Auditor General" to the words "Secretary of Revenue."

Mr. KLINE from the Committee on State Government reported as committed House Bill No. 983, entitled:

An Act to further amend clause sixteen of section one of the act approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances returns, benefits, and rights from taxation and judicial process; and providing penalties," providing for the retirement of honorably discharged war veterans on superannuation at age fifty-five.

Mr. HAUDENSHIELD from the Committee on State Government reported as committed House Bill No. 1052, entitled:

An Act authorizing the compromise and final settlement of claims and suits for the collection of inheritance taxes upon the estate of decedents and claims and suits for the escheat of such estates.

Mr. KENNEDY from the Committee on Judiciary Special reported as committed House Bill No. 1182, entitled:

An Act to provide for the support of poor persons by the father, grandfather, mother, grandmother, children and grandchildren and under certain circumstances authorizing the arrest and imprisonment of persons liable for such support.

Mr. HALL from the Committee on State Government reported as committed House Bill No. 1194, entitled:

An Act authorizing the Pennsylvania Historical Commission to accept on behalf of the Commonwealth certain real estate in, and an endowment fund for, the Mt. Zion Cemetery which is part of the historic Ephrata Cloister land, located in Ephrata, Lancaster County, Pennsylvania.

Mr. COHEN from the Committee on State Government reported as committed House Bill No. 1267, entitled:

An Act to further amend subsection (f) of section three, and the first paragraph of section four of the act, approved the thirty-first day of July, one thousand nine hundred forty-one (P. L. 644), entitled "An act to authorize housing authorities to undertake the development or administration of projects to provide safe and sanitary dwellings for persons engaged in national defense activities who would not other wise be able to secure such dwellings within the vicinity thereof; to limit the initiation of the development of such projects until December 31, 1943; to authorize housing authorities to cooperate with or act as agent of the Federal Government in the development and administration of such projects of the Federal Government, to acquire or lease such projects and to sell or lease certain projects to the Federal Government; to authorize public bodies to assist such projects of housing authorities and of the Federal Government to provide safe and sanitary dwellings for persons engaged in national defense activities," by extending the time in which the development of projects may be initiated thereunder.

Mr. FLACK from the Committee on State Government reported as committed Senate Bill No. 293, entitled:

An Act to amend section one of the act, approved the seventeenth day of May, one thousand nine hundred twenty-nine (P. L. 1798—No. 591) entitled "An act providing a fixed charge, payable by the Commonwealth, on lands acquired by the State and the Federal Government for forest reserves, or for the purpose of preserving and perpetuating a portion of the original forests of Pennsylvania, and preserving and maintaining the same as public places and parks; and the distribution of the same for county, school, township, and road purposes in the counties, school districts, and townships where such forests are located; and making an appropriation," increasing the amount which the counties will receive from the State for forest reserves.

Mr. MOSER from the Committee on State Government reported as committed Senate Bill No. 452, entitled:

An Act to add section two thousand three hundred twenty-two to the act, approved the ninth day of April, one thousand nine hundred twenty-nine, (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trutsees of State Normal Schools, or Teachers Colleges; abolishing, creating reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards, and commissions shall be determined," by imposing upon the Department of Welfare the duty to investigate the subject of crime prevention, and to stimulate, develop, and coordinate crime prevention activities in this Commonwealth.

Mr. McKINNEY from the Committee on State Government reported as committed Senate Bill No. 510, entitled:

An Act to amend section four hundred eleven of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in

certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by providing for the appointment of two additional members of the Pennsylvania Historical Commission.

Mr. ROYER from the Committee on State Government reported as committed Senate Bill 519, entitled:

An Act to amend section eight of the act, approved the third day of June, one thousand nine hundred nineteen (P. L. 366), entitled "An act reorganizing the Department of State Police; creating therein a Bureau of Fire Protection; providing for a State Police Force, and defining the powers and duties of the same, including the enforcement of laws relating to game, fish, forestry, and water supply and certain other laws, and including the collection of information useful for the detection of crime, and the apprehension of criminals; providing for the equipment, maintenance, and transportation of such police; providing for barracks and substations therefor; and prescribing penalties," by providing for and requiring additional credit in examinations of honorably discharged persons who served in the armed forces of the United States during any war in which the United States was engaged.

Mr. O'CONNOR from the Committee on Judiciary Special reported as committed Senate Bill No. 563, entitled:

An Act prohibiting the sale of surplus property as defined in the Federal Surplus Property Act of 1944 by or to certain persons using words or names indicating an official relationship with the United States government making exceptions in certain cases and imposing penalties.

Mr. MADDEN from the Committee on State Government re-reported as amended Senate Bill No. 423, entitled:

An Act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construt improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof conferring exclusive jurisdiction on certain courts over rates

Mr. LONGO from the Committee on State Government reported as committed Senate Bill No. 465, entitled:

An Act to further amend section one of the act approved the nineteenth day of July, one thousand nine hundred thirty-five (P. L. 1356), entitled "An act to regulate the sale and delivery of solid fuel, as herein defined; providing for appointment of licensed weighmasters; prescribing their powers and duties; authorizing substitute licensed weighmasters; imposing certain duties on the Department of Internal Affairs; and providing penalties," by defining the word "vehicle".

Mr. WATKINS from the Committee on State Government re-reported as amended House Bill No. 1130, entitled:

An Act to further amend section four hundred four and to amend sections four hundred five and four hundred six of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds association reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws" by authorizing stock and mutual life insurance companies to invest in housing projects either through stock ownership or real estate acquisition or use subject to certain regulations and restrictions

Mr. WATKINS from the Committee on State Government re-reported as amended, House Bill No. 1131, entitled:

An Act to authorize the State public bodies as defined to aid redevelopment authorities in the elimination of blighted areas and their redevelopment by entering into contracts to furnish and by furnishing to said authorities and to any Federal governmental agency parks playgrounds streets and other improvements and facilities and by donating or lending money and making appropriations therefor by accepting payments and exercising certain other powers and duties.

Mr. WATKINS from the Committee on State Government re-reported as amended House Bill No. 1133, entitled:

An Act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth by declaring acquisition sound replanning and redevelopment of such areas to be for the promotion of health safety convenience and welfare creating public bodies corporate and politic to be known as Redevelopment Authorities authorizing them to engage in the elimination of blighted areas and to plan and contract with private corporate or governmental redevelopers for their redevelopment providing for the organization of such authorities defining and providing for the exercise of their powers and duties including the acquisition of property by purchase gift or eminent domain the leasing and selling of property including borrowing money issuing bonds and other obligations and giving security therefor restricting the interest of members and employes of authorities providing for notice and hearing supplying certain mandatory provisions to be inserted in contracts with redevelopers prescribing the remedies of obligees of redevelopment authorities conferring certain duties upon local planning commissions the governing bodies of cities and counties and on certain State officers boards and departments

COMMITTEE REPORT

Mr. COHEN from the Committee on State Government report as committed Senate Concurrent Resolution Serial No. 119.

The resolution was read by the Clerk as follows:

SENATE MESSAGE

SENATE CONCURRENT RESOLUTION SERIAL No. 119

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, March 14, 1945.

For many years this country and the world at large has observed May first as May Day, and at different places the observance has been marked by various kinds of celebrations.

At times these celebrations have resulted in demonstrations against organized government.

In 1932 the American Legion in Fayette County inaugurated a new kind of observance of the day by staging a parade of Americanism which has grown each year into an event of first importance.

The participation in the celebration of this day by patriotic societies, veterans' organizations, and other organizations cannot help but make it throughout the Commonwealth a day to awaken new pride in our American institutions; therefore be it

Resolved, (if the House of Representatives concurs) That the General Assembly of the Commonwealth of Pennsylvania urges the setting aside of May first as Americanism Day, and urges upon all patriotic veteran, fraternal and civic organizations the planning of its celebration in such a manner as will bring to the people of the Commonwealth a full realization of the benefits and privileges and blessings that come to them through the continuance of our American form of government; and be it further

Resolved, That the Governor of the Commonwealth is hereby urged to issue his proclamation further urging the people of the Commonwealth to join in a real American celebration of Americanism Day.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

QUESTION OF INFORMATION

Mr. ANDREWS. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman will state it.

Mr. ANDREWS. Mr. Speaker, are we now under the order of leave of absence?

The SPEAKKER. We are not under the order of leave of absence. We are clearing the desk of communications. When we return to leave of absence, the Chair will inform the gentleman.

Mr. ANDREWS. Mr. Speaker, I would like to ask permission of the Chair for leave of absence for two members—one on account of sickness and the other on account of a death in the family.

The SPEAKER. If there is no objection the Chair will return to leave of absence. The Chair hears no objection.

Mr. ANDREWS. I would like to ask for leave of absence for the gentleman from Fayette, Mr. Brothers, on account of illness and also for the gentleman from Lackawanna, Mr. Regan, on account of death in the family.

LEAVES OF ABSENCE

By consent of the House leave of absence was granted as follows:

The Speaker for Mr. HOOPES because of illness.

Mr. Andrews for Mr. BROTHERS because of illness and Mr. REGAN because of death in the family.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

SUPPLEMENT TO BUDGET MESSAGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

MESSAGE TO THE GENERAL ASSEMBLY OF PENNSYLVANIA BY GOVERNOR OF PENNSYLVANIA, THURSDAY, APRIL 12, 1945

Members of the General Assembly:

Supplementing my Budget Message of January 2, 1945, in addition to the amounts recommended at that time, I am herewith making additional recommendations as follows:

More funds are necessary for construction at mental and penal institutions, and I am recommending that $4,250,000 be added for that purpose.

For medical examination of school children, I am recommending an additional amount of $1,500,000.

For matching funds contributed by local governments or by the Federal Government for the planning and building of airports, I am recommending an appropriation of $3,725,000.

For the establishment of a permanent Pennsylvania Maritime Academy, I am recommending an appropriation of $2,000,000.

For stream clearance, I am recommending an additional appropriation of $1,500,000.

Some smaller amounts recommended are $220,000 additional for the Department of Revenue; $75,000 additional for forest fire control, and $50,000 for mine rescue apparatus. I also recommend $110,000 for the payment of local vital statistics registrars, a cost now borne by the counties.

At this time I am making no additional recommendation for school subsidies. A bill increasing teachers' salaries and subsidies has been reported from the House Committee on Education, which goes far beyond our available funds. This bill, in addition to the $27,000,000 for cost of living adjustments, would require about $36,000,000 for the 1945-1947 biennium, and the cost would increase considerably above $36,000,000 for several bienniums thereafter.

In a few years the additional cost would be about $95,000,000 for a two-year period, assuming that the pupil attendance stays at the present level. If pupil attendance regains the prewar level the increased cost would be about $126,000,000.

Moreover, the above mentioned bill, while imposing this great additional cost on the Commonwealth would at the same time bring about greatly increased costs to local districts. This bill cannot be financed by anticipated revenue from existing measures.

It is, therefore, apparent that it will be necessary to accompany this proposed legislation by a new tax bill to supply the funds required to finance it.

The amounts I am now recommending above the original Budget total $13,430,000. The additional revenue to cover this amount would be derived from a revised estimate of receipts from State liquor store profits, the corporate net income tax, inheritance taxes, and institutional collections.

EDWARD MARTIN.

The SPEAKER. The message will be noted in full in the Journals of the House, and copies distributed to the Members.

INTERROGATION

Mr. TURNER asked and obtained unanimous consent to interrogate the Chairman of the Committee on Ways and Means.

Mr. TURNER. Mr. Speaker, I rise first to ask the chairman of the Ways and Means Committee, the gentleman from Montgomery, Mr. Wood, whether he would consent to interrogation, to be followed by a request for unanimous consent to make a brief statement pertaining to the matter that is now before the House, the message of the Governor.

The SPEAKER. Will the gentleman from Montgomery permit himself to be interrogated?

Mr. LLOYD H. WOOD. I shall, Mr. Speaker.

QUESTION OF INFORMATION

Mr. COHEN. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman from Philadelphia will state it.

Mr. COHEN. Mr. Speaker, the House finds itself in a rather peculiar situation, and I was wondering whether we could not have a wider microphone for the two gentlemen to use at the same time.

Mr. TURNER. Mr. Speaker, when there is harmony among us there need be no wide space between gentlemen.

Mr. Speaker, I would like to ask the Chairman of the Ways and Means Committee whether there have been any hearings or any investigations or any attempt to arrive at the amount of revenue which we may expect during the coming biennium other than the information which has been given in the budget by the Governor.

Mr. LLOYD H. WOOD. There has not, Mr. Speaker.

Mr. TURNER. I would like to further ask the Chairman of the Ways and Means Committee whether his Committee has made any effort to determine the amount —perhaps I should not use the word effort—whether they have determined the amount of the surplus which we will have at the end of this biennium by reason of the present tax system, and whether in the 1945 to 1947 biennium there will be, because of the reenactment of our emergency taxes, a surplus over and above the amount which the Governor has set up for the ordinary operation and for extraordinary operation of the State government in the next biennium.

Mr. LLOYD H. WOOD. Mr. Speaker, if I comprehend the question, which is rather of a compound nature, I should say that the information possessed by the committee is the general information that is in the possession of all the Members of the House.

There has been some question as to the accuracy of the amounts suggested by the Governor's budget message but we have not undertaken to go into an exhaustive study to ascertain to the penny just how much the yield will be.

Mr. TURNER. I thank the gentleman.

PERMISSION TO ADDRESS HOUSE

Mr. TURNER asked and obtained unanimous consent to address the House.

Mr. Speaker, I listened with interest to the proposal of the Governor that the budget figures in certain respects be increased and that other items be added to the budget, and also his statement in reference to the amount of money that might be available for teachers and the amount of money that would be required under some other legislation. But Mr. Speaker, it seems to me that we are putting the cart before the horse.

What we ought to know is, first, how much money are we going to have in the surplus fund at the end of this biennium. The original figures were probably computed last September or October. That was necessary in order to prepare the budget and have it ready for the opening of this session, but we all know from experience that figures that might appear in September or October might have changed very radically, and we also know that if the war continues over any period of time into the next biennium, whether it be the European and the Japanese, or the Japanese war alone, that the purchases of the Federal Government and the war effort may add very materially, or if that is cut down, it may decrease very materially the income of many of our corporations and of much business in Pennsylvania. Therefore, it seems to me, and I do not say this by way of criticism, I merely say it by way of arriving at an orderly and an intelligent way of approaching a legislative process—that this House ought to determine for itself from information which it could secure what it thinks is going to be the amount of surplus at the end of this biennium.

Now, Mr. Speaker, that is not something unusual in this House. I can remember back as far as 1931, 1932, 1933 and other bienniums, when the Legislature went out to ascertain for itself the amount of money which we might have in our estimates, as compared with the administrative estimates. That is no reflection upon the administration, the administrative branch has bookkeeping, I don't know very much about it, I confess, but the matter can be worked out and arrived at in a number of different ways, you can arrive at a number of different things and conclusions depending upon the way you want to look at it.

The way I figure it, Mr. Speaker, is this, that we have sort of been confused between the appropriations for the ordinary operations of the government and the appropriations for a post war program. In that post war program are appropriations for institutions for what I might call capital expenditures by the Commonwealth. Therefore, there ought to be some segregation in a statement before the Legislature that would be comprehensive, not something that you would have to dig out of the budget, but a comprehensive statement before the Legislature, first as to the ordinary operating expenses of the government extended into the next biennium, as compared with the last three bienniums, which is the usual practice.

Then, Mr. Speaker, it seems to me, as I said, there ought to be in some sort of form that is readily understandable by the Members of the House, first, the operating expenses of the government extended into the next biennium as compared with the last biennium. I realize that that cannot always be a parallel because functions change and services which the state renders change.

Then it seems to me that we ought to know what are the new services which are contemplated in the next biennium and the amounts which they will require, and in that category I would also think perhaps the school question would come between the ordinary operation as we have experienced it, and what is now, since the studies made by the commission and by the evident public feelnig upon the part of Members that there must be increased appropriations, perhaps in both categories.

Then we are talking about the post war program, and that post war program has to my mind two phases. One part of that goes to capital expenditures which are mainly institutional expenditures, which to some extent are occasioned by the failure in the past to keep our plant at standard and by failure to expand our plant to meet growing requirements.

We now have the money, Mr. Speaker, and it is a good time to plan, but I sat in the Appropriations Committee from time to time. I have not heard all the Departments but I have failed to find a sufficient blueprinting of the institutional program. It is in somewhat a sketchy position, and during the next biennium unless blueprints are pretty well in shape at the present time,

it is hardly likely that they are going to expend a great amount of money in institutional building because it takes a lot of time to prepare blueprints.

I understand that the penal program is just coming into the House or has just been introduced in the House, and while I have not had much of a chance either of reading it or making much inquiry about it, I am rather inclined to think that that program is somewhat tied into the question of expenditures you are going to make in the next biennium.

Are we going to appropriate a lot of money in a sort of blank check idea for certain purposes about which there are sugegstions but nothing in the way of a blueprint, or are we going to have some kind of a definite program? I realize that it cannot be placed in the ultimate blueprint stage, that you cannot get down to shop drawings. That cannot be expected, but at least we ought to have some breakdown of this post war program.

Therefore, we have, as I look at it, "A" projects which would be those things which should be done immediately; things which we all agree ought to be done. Then we might have "B" projects. "B" projects are the things that are needful and things we would like to do but which are not quite so urgent as those under "A" projects, but to be determined somewhat on what may happen in the next couple years. And we might have a 'C" program or things that are in the long range field of things we want to do.

Mr. Speaker, as I view it, we are supposed to have a surplus ranging somewhere from one hundred and ten to one hundred and sixty million dollars and I have heard some people say one hundred and seventy million.

We have a nice lot of items on the budget, which mentions four or five different objectives, and in the outside column is ten or twelve million dollars. I do not think it is intelligent, nor do I think it is sound legislation, and I think the Legislature is abrogating its prerogatives when it hands money in large chunks for possible programs which we all know we may not be able to accomplish in the next two years, and we are going to leave the determination of whether or not those post-war projects shall proceed in the hands of the Post-War Planning Commission, on which there isn't, if my understanding is correct—and I would like to be corrected if I am wrong—there isn't one member of the Legislature on that committee. Am I right?

Now Mr. Speaker are we going to turn over our powers and our duties? True, the Governor has to be consulted in the last analysis. His approval would have to be had because it would have to go through the budget office, but the Governor is human. All of us have our pet ideas, many of us become enthusiastic along certain lines, and more or less, and I should think, the determination that would weigh with the Governor would be the Post-War Planning Commission. He appointed them and he must have confidence in them and he is going to take their advice, but there isn't a member of the Legislature in that group and you are going to walk out of here at the end of the session without any real knowledge of how the moneys are going to be expended; you are going to hand them over in large chunks more or less for the determination by an agency that is neither a legislative agency nor to a great extent an administrative agency because it is mainly made up of people on the outside in civilian life.

I think it is time, Mr. Speaker, that this Legislature, instead of worrying about whether you are going to get your bills out of committee or whether we are going to be here on Thursday or whether we should work ten hours or twelve hours a day or whether we have a St. Patrick's Day celebration or some other kind, or whether we have resolutions to eulogize people or something else, that we get down to something that has real meat in it; let us get down to something that is vitally important, and I think it is important to this Legislature and to the people of Pennsylvania. May I again say I have no criticism in this of the administrative or executive branch of the government. It is not meant for that purpose. I believe that the executive branch of the government has a right to function in its own way, but I have always maintained that the legislative branch is set up under the Constitution as a co-ordinate branch of the government, it is not a subservient branch of the government, it is not meant to be just a committee to meet here and to take what is handed to it and pass on it, but it is a coordinate and a co-equal branch of the government. Therefore, Mr. Speaker, I believe that the Legislature ought to perform its functions in an intellifent way first, in the best interests of the people, let the chips fall where the may. We want to cooperate, Mr. Speaker, yes, we want to take advantage of the technical skill of the administrative branch. We recognize that the administrative branch is doing a job, we recognize all that but we need not take it all the way and swallow it all the way, simply because it is handed down from the south corner of the capitol, think that it comes with all of the powers and blessings and enshrined with every bit of fine attitude and honesty and integrity and exactness. We ought to be men with brains of our own to approach our problems for ourselves, and I say to my good friend, the Chairman of the Ways and Means Committee, he might think that I should have talked to him privately, but this is a public matter and I think we ought to state it here frankly and openly. I think that the Chairman of the Ways and Means Committee should get his committee together and he ought to determine it from this end. I think the administrative branch of the government should submit to the members of the Appropriations Committee a plan which will show, "What can we do in the next biennium?" "What are the things we can actually accomplish?" Then, "How much money are we going to have left over, and how are we going to protect that money?"

Mr. Speaker, I would like to see the Legislature have some hand in the determination of how the surplus is going to be spent instead of passing over the sort of blank check that you have here.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, first I would ask the Members of the House to remain in their seats at least until we reach the calendar.

The communication which we have received this morn-

ing from his Excellency The Governor indicates that his executive budget is apparently as elastic as his legislative program. The Chairman of the Ways and Means Committss knows or can ascertain, the Budget Office knows or can ascertain that at this moment it is safe to state that the receipts during this biennium are at least thirty million dollars more than the Governor's estimate and that is a very, very moderate estimate. I presume, being in the inner council, the Chairman of the Ways and Means Committee has at least a suspicion that our program, so far as it has been received, is driving in the direction of an accumulation of a surplus during the next biennium in excess of two hundred million dollars. That figure includes the surplus now in hand and is a conservative figure. These are things to think about. At the beginning of this session the Executive Budget was the outside limit of the funds available for appropriation. Now, as an answer, as a counter-move, as a counter-attack upon House Bill 568, we have presented these figures, and it is well that we recognize what the strategy is.

Since the beginning of the year it has been recognized in the office of the executive that there is at least twenty million dollars available for increased state subsidies, but at the beginning of the session it was roundly asserted that there was not a single dollar over and above the executive budget available for state subsidies. It is very well, Members of the House, that we recognize the realities of the situation that we face, and Mr. Speaker, I yield to the gentleman from Philadelphia, Mr. Cohen. I hope the Chair will indulge him, and the House will indulge him as they have indulged me.

Mr. COHEN. Mr. Speaker, I can well understand the concern of the gentleman from Delaware concerning his suspicion that our entire post war planning for Pennsylvania is at the best a very loose collection of paper, indicating some directions in which we can go.

I would say to the gentleman that I have in my files the result of several months of very careful examination and investigation of the activities of the Postwar Planning Commission, and if he only knew the half of what I know the gentleman would have been more emphatic in his statement than we as Members on the Legislature ought to do something about the Postwar Planning Commission. I do not intend to attack that Commission now, but I think that if we take the words of the gentleman from Delaware and think of them very carefully and seriously, that we ought here now pulbically say to the Postwar Planning Commission, and if they won't listen, that we should say to the Governor that he should tell them they ought to trot out their plan and trot out their blue prints for us to examine, because up to this point all we have had is a snatch here and snatch there. They put a bill out on the calendar and snatch it back in again. There are other proposals which have come up, not with their blessings, but they merely come out to see what we think about them. I think we ought to demand today, assuming that they have been diligently working, that between today, Thursday's session and say next Monday or Tuesday we ought to demand that they place before the Members of this House a statement telling the taxpayers what they intend doing, and how they are going to do it. I have always been somewhat, well—I sort of like to find out what makes this government go. If you examine it carefully you have a whole collection of mysterious agencies that nobody knows about who continually in an advisory capacity to our state government form our policy. Maybe a great deal of good or maybe a great deal of bad has come from the Pennsylvania Economy League, and there are other outside agencies who are always offering advice, not to us but to those who make the wheels go around, and eventually we are called upon without too much knowledge of who or what is behind a given matter, to do a lot of things that we ought to take more time in doing. It seems to me that the most mysterious of these mysterious agencies is the Postwar Planning Commission. In the bill which was passed last session we offered amendments at that time to prevent the make up of the Commission as it was, to ask for minority representation, but we were turned down flatly and since we on this side have no representation we have taken it upon ourselves to find out anyway. I don't know whether I can pat myself on the shoulder or not, but I am ready to say now that I have more information on the Postwar Planning Commission than any members of the commission has, because they have been doing their work piecemeal. They don't let the left hand know what the right hand is doing, or whether the end man knows what the interlocutor is doing because it is never discussed between the end man and the interlocutor.

Mr. Speaker, I want to say in regard to the Postwar Planning Commission, we on this side want to know next week, and if we don't know we are going to unfold the whole sorry mess.

The Governor has taken the initiative again. He said to us in the early part of the session that he had no "must" bills and he also said to us that it was up to us as an independent branch of the government to determine what we want to do, but he broke the precedent when he came out about a week ago with a so called labor program and a workmens compensation program saying to us that now was the time to take executive action.

He comes to us today in another direction and if we want to examine it in passing, not in too much great detail I can understand why the Governor is trying to tell us that he now finds some additional funds in his estimates with which he may provide for mental and penal institutions, to the extent of four and one quarter million dollars. But the Postwar Planning Commission has not told the Governor yet what they have in their postwar plans, they haven't told him that the one hundred and ten million dollars or one hundred and sixty million dollars that they have left now in the bank without any more receipts is already provided for, so why not spend the money that you already have in the bank and not rob the school teachers of the money provided under House Bill 568. The same thing goes for the stream pollution proposition. There is a program which the Postwar Planning Commission has for the cleaning up of our streams which they say will amount to possibly eleven million dollars. The Commission will have one hundred and sixty million dollars to work on, so why don't they dig into that money and recommend that something be done there? Why don't they take some of this long range eleven million dollars and put

it to immediate use? Whether they did not tell the Governor or the Governor has not asked them, nobody knows, but I think I know a little about it because I have asked, I have figured it out and I agree with the gentleman from Delaware, Mr. Turner, that it was a mistake not for us to have representation on that commission, that it would be a good thing if we did, and that we ought to know next week, because, Mr. Speaker, before the week is out I am afraid that the Governor is going to exercise his leadership again. I am afraid that he is going to tell us that it is about time to adjourn without day. I am anticipating that he might suggest to us that we ought to adjourn in about two or three weeks. For my money, we have accomplished so little up to now that if we were to adjourn today the Commonwealth would not be any worse off. We could get our appropriations bills and our tax bills through and we would be through, if the Governor wants us to sit longer, I am ready to do so, but if he is going to tell us to close up shop in two or three weeks he ought to get the most important agency in Pennsylvania, the Postwar Planning Commission by their collective necks and shake them hard and let them tell us what they intend to do. Let them stand the examination and scrutiny of this House and the taxpayers of Pennsylvania as to what they propose to do because, if you do not know it, they contemplate the expenditure of over one billion dollars over the next ten years and I think if we are going to give them the blueprint legislatively, we ought to know what they are going to do.

PERMISSION TO ADDRESS HOUSE

Mr. LLOYD H. WOOD asked and obtained unanimous consent to address the House.

Mr. Speaker, I infer from what has been said by the gentleman from Philadelphia, Mr. Cohen, the Minority Floor Leader and my friend and neighbor from Delaware, that it is perhaps now time for somebody to offer a defense.

I cannot see from the facts as I understand them, where it is necessary for me to stand up here to defend the Governor because I do not think he has committed any offense. On the other hand, if it is time for the Chairman of Ways and Means Committee to defend himself I would like to say a few words on my own behalf. I just learned with interest and pleasure that I have a much more important position than I imagined I had, and I feel slighted that I have been denied this information until the waning hours of this session.

As I understand the situation, Mr. Speaker, it is the function of the Chairman of the House Ways and Means Committee to preside over the committee which has as its business to determine whether or not certain bills should be presented on the floor of the House, to determine whether or not they are proper and sensible revenue raising measures. Now, Mr. Speaker, we had a protracted debate here if I recall correctly, in the early weeks of the session on House Bills 39, 64, 80 and 83. I did not hear any of these debates at that time. Why did not somebody bring some of these questions out when we were deliberating over those bills?

The Appropriations Committee is going to spend this money, however much it may be. Now the gentleman from Delaware, Mr. Turner, suggested that the Legislature avail itself of accurate information as to how much we will have on hand at the end of this biennium and what it is going to be expended for. I think he referred to class A, B and C projects. Well, Mr. Speaker, isn't it the experience of the Members of the House over a period of years that we rely upon the administrative experts to advise us as to what the yeld will be on these tax measures from one session to another, as to how much the estimated surplus will be at the end of the succeeding biennium? It seems to me that if the Members of the House are not satisfied with the information that is available to them then somebody ought to get up and introduce a resolution and submit it to the House for consideration to make a change, so that we can get our own group of experts. I know when I am seeking data of importance connected with the operation of the government of the Commonwealth I do what I imagine other Members of the House do, generally speaking, I go to the source that has charge and has had charge thru the years of obtaining, preserving and recording that information.

On the other hand the gentleman from Philadelphia, Mr. Cohen complains about the Postwar Planning Commission. Now, it seems to me, with all due respect to him that if we follow the line of his argument and adopt what he at least seems to imply by suggestion, that we recommend to the Governor that he fire his present Postwar Planning Commission and move in a band of stooges. I don't know anything about these men except what I have heard from other people and from what I have read in the papers. The gentleman from Delaware and the gentleman from Philadelphia, Mr. Cohen, are both familiar with the fact that it is a time honored practice, when the character of individuals is in question that you always bring witnesses in to testify as to what other people think about them. I think Mr. Speaker there is minority representation, if I have not misread the roster and have not misidentified the former Lieutenant Governor and others as to their political affiliations. I think it is a bit late to stand up at this time and criticize those fine men who bear excellent reputations, each one of whom, so far as I am concerned, I am perfectly satisfied are outstanding men in their field. We have geographic location and geographic representation that I think is about as perfect as you can get it, and you have representatives of almost every important field of activity in the everyday life of the citizens of this Commonwealth.

Mr. Speaker, I say in conclusion, if it has come to a point now that we do not want to adjourn, that we want a longer session, it is O. K. with me, I am in no hurry.

I listened to the debate here yesterday as to who ought to be in their seats, who had been excused and who ought to be excused and so forth. That is no concern of mine, I am just interested in doing what I think the people of the Third District want me to do, because after all that is the crowd whom I have to answer to. If somebody else wants to come here and stay four days that is O. K. with me. If I want to stay four days I think it is more or less my own business, as long as it does not interfere with the orderly operation of the business of this House.

So, Mr. Speaker, if the Governor has made an indirect attack on salaries for teachers which I do not infer from the language that he used in this mimeographed sheet that has been placed on our desks, when he said, "At this time I am making no additional recommendation for school subsidies." Does that close the door? I do not think it does. The Governor started out by stating that he proposed to be Governor and he invited us to be Members of the House of Representatives, and I cannot infer from anything that he has done, that he has tried to disrupt the power of the Members of this House.

Now, Mr. Speaker, if there is something that we should do, I am waiting, like the gentleman from Missouri, to be cited, and if it looks good to me, I will go along.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, in view of the lateness of the hour and the fact that there are so many Members in their seats, I will not at this time endeavor to ascrtain the names of the Members who are absent without leave, but I desire to assure the Chairman of the Ways and Means Committee that in the future he will not be able to wash his hands and say that he is not responsible for attendence in this House, because I imagine that he will be required to vote as to whether those who ask for leaves be granted leaves and will therefore be placed in the position where he will be required to function and perform his proper duties, as far as the attendance in this House is concerned.

PERMISSION TO ADDRESS HOUSE

Mr. MORAN asked and obtained unanimous consent to address the House.

Mr. Speaker, two weeks ago I threatened to poll this House because of absenteeism, and my intention was to do just that today. However, Mr. Andrews is carrying the ball today, so I think he said enough that the people understand what is going to happen in the future if we have the Members of this House away without being granted leave by this House. With that, Mr. Speaker, I am not going to poll this House today, but the same thing will happen next week if we have absenteeism.

RESOLUTION

RECALLING HOUSE BILL No. 374 FROM THE GOVERNOR

Mr. ROYER offered the following resolution which was twice read, considered and adopted:

In the House of Repreesntatives, April 11, 1945.

Resolved (if the Senate concurs), That House Bill No. 374, Printer's No. 446, entitled "An Act to further amend the second paragraph of section five of the act, approved the eleventh day of June, one thousand nine hundred thirty-five (P. L. 326), entitled 'An act relating to counties of the first class; defining deceased service persons; providing for contributions by the county to the funeral expenses for such persons and their widows; providing for the erection and care of markers, headstones, and flags, and for the compilation of war records,' making counties in which deceased service persons are buried liable for the cost of headstones," be recalled from the Governor for the purpose of further consideration.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. WATKINS asked and obtain permission for the Committee on State Government to meet during the session of the House.

SENATE MESSAGES

The Clerk of the Senate, Mr. Steinfelt, being introduced, presented extracts from the Journal of the Senate:

Senate Bill for concurrence 278, 420, 590.

House Bills concurred in by Senate 547, 791.

Amended House Bills returned for concurrence 850.

Amended Senate Bills non-concurred in by Senate 52.

Amended House Bills non-concurred in by the Senate 527.

Senate Bills to be signed 63, 173, 300, 303.

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 11, 1945.

Resolved (if the Senate concurs), That House Bill No. 374, Printer's No. 446, entitled "An Act to further amend the second paragraph of section five of the act, approved the eleventh day of June, one thousand nine hundred thirty-five (P. L. 326), entitled 'An act relating to counties of the first class; defining deceased service persons; providing for contributions by the county to the funeral expenses for such persons and their widows; providing for the erection and care of markers, headstones, and flags, and for the compilation of war records' making counties in which deceased service persons are buried liable for the cost of headstones," be recalled from the Governor for the purpose of further consideration.

The SPEAKER. The Chair requests the gentleman from Armstrong, Mr. Helm, to preside during the first reading calendar.

MR. HELM IN THE CHAIR

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 127, entitled:

An Act to further amend section two of the act approved the thirteenth day of June one thousand eight hundred eighty-three (P. L. 119), entitled "An act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose and to prevent unauthorized uses and traffic in human bodies" by changing and clarifying the provisions of said act relating to the burial of unclaimed bodies unfit for anatomical purposes

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 568, entitled:

An Act to add section 1209.1 to and to repeal subsections 1 2 3 4 5 6 7 8 9 10 and 11 and paragraph (a) of subsection

19 of section 1210 and to further amend Section 1436 of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further providing for the minimum compensation and increments of members of the teaching and supervisory staffs of school districts county superintendents assistant county superintendents and district superintendents and providing for reimbursement by the Commonwealth

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 839, entitled:

An Act to further amend the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by further regulating the affairs of boroughs and revising amending and changing the law relating thereto

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 888, entitled:

An Act to add section one thousand four hundred forty-four to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" establishing maximum and minimum term contracts for transportation of pupils and requiring a bond for the faithful performance of such contracts

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 908, entitled:

An Act to amend and further amend certain sections of the act approved the eighteenth day of May one thousaid nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by changing the name of the Commissioner of Health to the Secretary of Health further regulating the duties of medical inspectors and sanitary officers and the employment of school nurses and dental hygienists requiring school employes and pupils to undergo examinations authorizing advisory health councils and repealing certain acts

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 995, entitled:

An Act to amend section four hundred five of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. . .9) entitledd "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" requiring accounts to be kept and a faculty treasurer appointed for school organizations handling money.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 172, entitled:

An Act authorizing counties (except of the first class) cities (except of the first class) boroughs incorporated towns and townships either alone or jointly to employ retain or contract for planning engineers consultants and professional planning services

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 578, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminiating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" changing the conditions to borrow money for current expenses

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 828, entitled:

An Act to further amend section two and to amend sections three and four of the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon

certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes" further regulating the returns of taxable property made by taxpayers under the provisions of said act

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 881, entitled:

An Act requiring boards of prison inspectors in counties of the fourth class to pay the premiums on all bonds required of employes appointed by the board

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1063, entitled:

An Act to provide for the appointment of a commission to study the conditions practice and laws of this Commonwealth relating to child welfare to suggest revisions and amendments to the statutes of the Commonwealth of Pennsylvania which relate to children especially those which relate to the dependent defective delinquent neglected incorrigible or illegitimate children defining the powers and duties of the commission authorizing the examination of documents records and papers and making an appropriation to meet the expense of the said commission

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1141, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" by providing for the regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business by the State Real Estate Commission instead of the Department of Public Instruction

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1184, entitled:

An Act to amend section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045) entitled "An act relating to the support of indigent persons publicly cared for assisted providing for the support of such persons by certain relative and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure" by giving jurisdiction to the Municipal Court of Philadelphia county

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1258, entitled:

An Act to amend section three of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045) entitled "An act relating to the support of indigent persons publicly cared for or assisted providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure" by abolishing the liability of grandchildren and grandparents of indigent persons to care for maintain or financially assist such persons

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 360, entitled:

An Act to amend the title and section two of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 340), entitled "An act empowering cities of the third class, boroughs, incorporated towns and townships, to co-operate with each other through joint agreements in the exercise of their governmental powers, duties and functions relating to the public health, recreation, zoning and municipal planning," by extending the power of municipalities to co-operate in the exercise of their powers, duties and functions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 523, entitled:

An Act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 607, entitled:

An Act to amend the act, approved the twenty-sixth day of May, one thousand nine hundred forty-three (P. L. 637), entitled "An act providing that the terms of constables hereafter elected in cities of the second, second class A and third classes, boroughs and townships, shall be for six years," by extending the terms of constables hereafter elected in incorporated towns to six years.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL NOT ON FILE

The SPEAKER pro tempore. The following bill on first reading on page 6 of today's calendar is not on file and will be passed over:

House Bill No. 847, Printer's No. 533.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1234, entitled:

An Act to further amend sections one and ten of the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employes retirement system in counties of the third class and imposing certain charges on counties" extending and further regulating such retirement systems

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

THE SPEAKER (Ira T. Fiss) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Armstrong, Mr. Helm, for presiding.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1116, entitled:

An Act to further amend subsection (c) of section two hundred two and to amend subsection (c) of section two hundred six of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and interinsurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," authorizing stock casualty insurance companies to be organized for purpose of guaranteeing transfers of evidences of indebtedness by fiduciaries, requiring a minimum capitalization for such companies and prohibiting other companies from engaging in such business.

The first section was read.

On the question,

Will the House agree to the section?

Mr. HAUDENSHIELD offered the following amendments:

Amend Sec. 1 (Sec. 202), page 3, line 1, by striking out the figure "(13)" and inserting in lieu thereof: "(14)";

Amend Sec. 1 (Sec. 202), page 3, line 3, by inserting after the word "transfer" "or exchange".

Amend Sec. 1 (Sec. 202), page 3, line 3, by striking out the word "annual" and inserting in lieu thereof: "animal".

Amend Sec. 1 (Sec. 202), page 3, line 4, by inserting after the word "specialties" "securities or interests".

Amend Sec. 1 (Sec. 202), page 3, line 9, by inserting after the word "corporation" "to whom such guarantee".

Amend Sec. 1 (Sec. 202), page 3, line 10, by inserting after the word "transfer" "exchange or".

Amend Sec. 1 (Sec. 202), page 3, lines 13 to 21, both inclusive, by striking out the words "provided however That no com-" in line 13, and all of lines 14, 15, 16, 17, 18, 19, 20, and 21.

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Mr. HAUDENSHIELD offered the following amendments:

Amend Sec. 2 (Sec. 206), page 4, line 9, by striking out the words "the purposes" and inserting in lieu thereof: "transfer guarantee insurance as".

Amend Sec. 2 (Sec. 206), page 4, line 9, by striking out the word and figures "Thirteen (13)" and inserting in lieu thereof: "fourteen (14)".

Amend Sec. 2 (Sec. 206), page 4, line 10, by striking out the word "subsection" and inserting in lieu thereof: "subdivision".

Amend Sec. 2 (Sec. 206), page 4, line 18, by inserting after the word "surety" "or transfer guarantee".

Amend Sec. 2 (Sec. 206), page 4, line 18, by inserting after the word "insurance" "as set forth in cause fourteen (14)".

Amend Sec. 2 (Sec. 206), page 4, line 23, by inserting after the figures "($200,000)" the following: "and the additional capital for transfer guarantee insurance provided for in clause fourteen (14) shall be two hundred thousand dollars ($200,000)".

Amend Sec. 2 (Sec. 206), page 4, line 27, by inserting light face brackets before and after the word "and" where it appears the first time.

Amend Sec. 2 (Sec. 206), page 4, line 27, by inserting after the word "surety" "and transfer guarantee".

Amend Sec. 2 (Sec. 206), page 5, line 2, by inserting after the word "mentioned" "in subdivision (c) except transfer guarantee insurance. Any company with a paid up capital of one million dollars ($1,000,000) may transact all of the classes of insurance mentioned in subdivision (c)".

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. HAUDENSHIELD offered the following amendments:

Amend title, page 1, last line of title, by inserting after the word "for" "the".

Amend title, page 2, line 1 of title, by inserting after the word "guaranteeing" "the authority of fiduciaries and others acting in a representative capacity in transfers or exchanges of certificates of stocks, bonds, securities, animal registry certificates and other specialities or interests".

Amend title, page 2, lines 1 and 2 of title, by striking out the words "transfers of evidences of indebtedness by fiduciaries".

Amend title, page 2, lines 3 and 4 of title, by striking out the words "and prohibiting other companies from engag-" in line 3, and all of line 4.

Amend title, page 2, line 4, of title by inserting after the word "business", the following: "and changing the capital stock requirements of stock casualty insurance companies in certain instances".

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 509, entitled

An Act to further amend section five hundred forty-two of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such

revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" making husbands liable for payment of per capita taxes levied against their wives and authorizing collection thereof from such husbands

The first section was read.

On the question,

Will the House agree to the section?

Mr. SNYDER offered the following amendments:

Amend Sec. 1, (Sec. 542), page 2, line 23, by inserting after the word "levied" "or every wife against whose husband a per capita tax is levied."

Amend Sec. 1, (Sce. 542), page 2, line 24, by inserting after the word "husband", "or wife as the case may be".

Amend Sec. 1, (Sec. 542), page 2, line 27, by inserting after the word "husband", "or wife".

Amend Sec. 1, (Sec. 542), page 2, line 28, by inserting after the word "husband's" "or wife's".

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. SNYDER offered the following amendments:

Amend the title, page 1, third from last line of title, by inserting after the word "husbands" "or wives".

Amend the title, page 1, second from last line of title, by inserting after the word "wives" "or husbands".

Amend the title, page 1, last line of title, by inserting after the word "husbands" "and wives".

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 670, entitled:

An Act to amend section one of the act approved the eighth day of June one thousand eight hundred ninety-three (P. L. 344) entitled "An act relating to husband and wife enlarging her capacity to acquire and dispose of property to sue and be sued and to make a last will and enabling them to sue and to testify against each other in certain cases" prescribing how husband may join in a wife's mortgage or conveyance

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 755, entitled:

An Act to add section eight hundred eighteen to the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" further providing for the election of councilmen when the terms of all encumbrants expire in the same year

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1088, entitled:

An Act to amend section six hundred two point one of article six of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further regulating the sale of land or any interest therein

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 210, entitled:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by eliminating the requirements of a periodic enumeration of adults who are not citizens and of persons ten years of age or over who are unable to read write or speak English.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 224, entitled:

An Act to extend the lien of taxes and municipal claims and the period for the redemption of real property where the commencement of proceedings or actions for the collection of taxes or municipal claims or sales for the collection thereof are stayed by a court pursuant to the Soldiers' and Sailors' Civil Relief Act of 1940 or the period for the redemption of real property expires before the end of six months after termination of the military service of a person having the right to redeem such real property

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 482, entitled:

An Act to add section two thousand two point two to the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing for cooperation of State Teachers'

Colleges with other agencies in vocational rehabilitation education of veterans and defense workers.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 544, entitled:

An Act to regulate the sale and possession of penicillium (penicillin) and its derivatives preparations and compounds in the interest of public health

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILL NOT ON FILE

The SPEAKER. House Bill No. 705, Printer's No. 534, on page 10 of today's calendar, bill on second reading is not on file and will be passed over.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 279, entitled:

An Act defining and providing for the licensing and regulation of private trade schools and classes; conferring powers and imposing duties on the State Board for Vocational Education; and prescribing penalties.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 719, entitled:

An Act to amend section one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 558) entitled "An act authorizing the Department of Property and Supplies to sell and convey a lot or piece of land in Delaware County" correcting an erroneous measurement

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 558) entitled "An act authorizing the Department of Property and Supplies to sell and convey a lot or piece of land in Delaware County" is hereby amended to read as follows

Section 1 The Department of Property and Supplies with the approval of the Governor is hereby authorized and empowered to sell and convey for such consideration as may be agreed upon and to make and execute a deed conveying an unimproved lot or piece of ground in the Township of Middletown County of Delaware being bounded and described as follows

Beginning at a point on the line of lands of the School District in the Township of Middletown a corner of lands of John L Booth and wife at the distance of two hundred forty-eight and forty one-hundredths feet [seventy-four and twenty-one and one-hundredths feet] measured South forty-nine degrees thirty minutes West from the center line of the Edgmont or Middletown Road which last said point is a corner common to the lands of the School District and of the said John L Booth and wife thence by said lands South forty-nine degrees thirty minutes West One hundred ninety-nine and seventy-three one-hundredths feet more or less to a point thence North thirty-seven degrees thirty minutes West One hundred fifty-four and seventy-seven one-hundredths feet thence North fifty-two degrees thirty minutes East One hundred ninety-nine and seventy-three one-hundredths feet to a corner of lands of the Pennsylvania Department of Highways and John L Booth and wife thence by the latter South thirty-seven degrees thirty minutes East One hundred forty-four and three tenths feet to the point and place of beginning

The deed of conveyance to the purchaser thereof shall be prepared by the Attorney General and shall be executed by the Secretary of Property and Supplies in the name of the Commonwealth of Pennsylvania The price received as the purchase price of said plot of ground shall be paid into the State Treasury

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—175

Andrews,	Gallagher,	Madigan,	Robertson,
Baker,	Gardner,	Mahany,	Rose,
Barrett,	Getchey,	McAtee,	Royer,
Barton,	Gibson,	McClester,	Rudisill,
Bentzel,	Goodling,	McDowell,	Scanlon,
Bonawitz,	Grant,	McKinney,	Schuster,
Boney,	Green,	McLanahan,	Shaffer,
Boorse,	Greer,	McMillen,	Shoemaker,
Boory,	Guthrie,	McNair,	Sloan,
Bower,	Gyger,	McNally,	Smith,
Brancato,	Haberlen,	Miller,	Snider,
Breisch,	Hall,	Milliken,	Snyder,
Brice,	Hamilton,	Mills,	Sollenberger,
Brown,	Hare,	Mooney,	Sorg,
Brunner, C. H.,	Haudenshield,	Moore, C. E.,	Stank,
Brunner, P. A.,	Heatherington,	Moore, W. J.,	Stockham,
Cadwalader,	Helm,	Moran,	Stonier,
Cohen,	Hennihan,	Moser,	Stuart,
Coleman,	Herman,	Munley,	Swope,
Cook,	Hersch,	Murray, M. L.,	Tate,
Cooper,	Hewitt,	Myhan,	Tittle,
Corrigan,	Hoffman,	Nagel,	Trachtman,
Costa,	Howells,	Nelson,	Trent,
Coulson,	Hunter,	O'Brien,	Trout,
Coyle,	Huntley,	O'Connor,	Turbett,
Cullen,	James,	O'Dare,	Turner,
Dague,	Jones,	O'Donnell,	Varallo,
Dalrymple,	Kennedy,	O'Neill,	Verona,
Depuy,	Kirley,	Owens,	Wachhaus,
Dillon,	Kline,	Pentrack,	Wagner,
Dix,	Kolankiewicz,	Pettigrew,	Waterhouse,
Duffy,	Komorofski,	Pickens,	Watkins,
Dye,	Kurtz,	Polaski,	Weiss,
Elder,	Lane,	Polen,	Welsh,
Elish,	Laughner,	Powers,	Wescott,
Erb,	Leisey,	Propert,	White,
Ewing,	Leonard,	Readinger,	Wood, L. H.,
Flack,	Lichtenwalter,	Reagan	Wood, N.,
Fleming,	Loftus,	Reese, D. P.,	Worley,
Foor,	Longo,	Reese, R. E.,	Wright,
Fox,	Lopez,	Reidenbach,	Yeakel,
Freed,	Lovett,	Reilly,	Yester,
Frost,	Lyons,	Reynolds,	Fiss,
Gaffney,	Madden,	Riley,	Speaker.

NAYS—0

NOT VOTING—4

Bentley,	Fullerton,	Root,	Salus,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON FINAL PASSAGE

BILL PASSED OVER

There being no objection

House Bill No. 717, Printer's No. 500,

was passed over at the request of Mr. LICHTENWALTER.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1017, as follows:

An Act to protect the public health and safety by requiring registration with and the securing of permits from the State Board of Pharmacy by persons copartnerships associations and corporations engaged in the manufacture or production of drugs and medical supplies regulating the manufacture of drugs and medical supplies as herein defined prohibiting the manufacture possession or sale of adulterated or misbranded drugs and medical supplies prescribing permits providing for inspections and the suspension and revocation of permits conferring powers on the State Board of Pharmacy and courts and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Definitions The following words as used in this act shall for the purposes of this act be construed as follows

(a) "Drugs" means all medicines and preparations recognized in the United States Pharmacopoeia the National Formulary or the American Homeopathic Pharmacopoeia for internal or external use for the cure mitigation or prevention of disease of either man or other animals

(b) "Medical supplies" means in addition to drugs biological products and all other parenteral medication absorbent cotton bandages gauze sutures compacts compresses surgical dressings of all kinds and descriptions and all other products preparations other than foods used in the diagnosis cure mitigation or prevention of disease in man or other animals or intended to affect the structure of any function of the body of man or other animals but shall not include instruments appliances or devices used by physicians dentists nurses or veterinarians in the pursuit of their professional practice

(c) "Manufacture" includes manufacture making producing packing packaging or preparing drugs or medical supplies but not compounding prescriptions for or selling drugs or medical supplies at retail to the public or repacking when in original packages of the manufacturer or of manufacturers consumer unit sale packages

(d) The words "drug" and "medical supplies" as used in this act do not include surgical or dental instruments or laboratory materials gases oxygen therapy equipment X-ray apparatus or therapeutic equipment their component parts or accessories or equipment instruments apparatus or contrivances used to render such articles effective in medical surgical or dental treatment or for use or consumption in or for mechanical industrial manufacturing or scientific applications or purposes

Section 2 Permits Required No place of manufacture shall be conducted or kept open for the transaction of business until it has been registered with and a permit which shall not be transferable has been issued by the State Board of Pharmacy

Section 3 Regulation of Manufacturer No drugs or medical supplies shall be manufactured in this Commonwealth except under the personal supervision of a registered pharmacist chemist or other persons possessing at least five years' experience in the manufacture of said drugs or medicinal supplies or such other person approved by the State Board of Pharmacy after an investigation and determination by the said board that such person is qualified by scientific or technical training or experience to perform such duties of supervision as may be necessary to protect the public health and safety

Section 4 Applications for Permits Fees Permit Year Application or registration and for permits required under the provisions of this act shall be made on forms prepared and furnished by the State Board of Pharmacy and shall be accompanied by a fee of five dollars ($5.00) a separate application shall be made and a separate permit shall be required for each place of manufacture Permits issued under the provisions of this act shall at all times be conspicuously displayed in the place of manufacture Permits shall be issued for a permit year commencing July first of one year and expiring with June thirtieth of the year following

Application forms for permits shall be mailed by the State Board of Pharmacy to each applicant or permittee on or before the first day of June of each year or shall be furnished on request and if application is not made before the first day of July the existing permit shall expire and become null and void on said date except upon the production of good and sufficient evidence satisfactory to the State Board of Pharmacy explaining the failure to file an application for a permit within the time prescribed by this act

Section 5 Inspection The State Board of Pharmacy or its duly authorized agents shall have the power to inspect at all reasonable hours in a lawful manner the drugs and medical supplies in any place of manufacture and for such purposes shall have power to enter any place of manufacture and to require any person to permit an examination of the drugs and medical supplies which he is engaged in manufacturing and to take samples of such drugs and medical supplies upon payment therefor for the purpose of examining and testing the same

Section 6 It shall be unlawful for any manufacturer to manfacture or sell or offer for sale package or have in possession with intent to sell any drug or medical supplies which are adulterated or misbranded within the meaning of this act

Section 7 If inspection and testing of the drugs and medical supplies which purport to be drugs or medical preparations recognized in the latest revision of the United States Pharmacopoeia the National Formulary or the American Homeopathic Pharmacopoeia or any supplement to any of them reveals that such drugs or medical supplies differ from the standard of strength quality or purity as determined by the test or formula laid down in the latest revision of the United States Pharmacopoeia the National Formuary or the American Homeopathic Pharmacopoeia or any supplement to any of them official at the time of such inspection such drugs or medical supplies shall for the purpose of this act be deemed to be adulterated Provided That no drugs or medical supplies defined in the latest revision of the United States Pharmacopoeia the National Formulary or the American Homeopathic Pharmacopoeia or any supplement to any of them official at the time of inspection except the preparations in which such drugs or medical supplies may be an ingredient in the formula thereof shall be deemed to be adulterated under this provision if the standard of strength quality or purity be plainly stated in juxtaposition with the official standard of strength quality and purity upon the bottle box or other container thereof although the standard may differ from that determined by the test or formula laid down by the latest revision of the United States Pharmacopoeia the National Formulary or the American Homeopathic Pharmacopoeia or any supplement to any of them official at the time of investigation

The drugs or medical supplies shall likewise be deemed to be adulterated if the strength quality or purity shall fall below the professed quality under which the same is manufactured prepared for distribution sale or use

Section 8 For the purpose of this act drugs and medical supplies shall be deemed to be misbranded

First All drugs the package or label of which shall bear any statement design or device regarding such article or the ingredients or substance or substances contained therein which is false or misleading in any material particular

Second If it be an imitation of or offered for sale under the name of another article

Third If the contents of the package as originally put up shall have been removed in whole or in part and other contents shall have been placed in such package or if the package fail to bear statement on the label of the presence of any alcohol narcotic drug alpha or beta eucaine chloroform cannabis indica chloral hydrate acetanilide phenacentine antipyrine or any derivative or any preparation of any such substances contained thereon Provided That nothing in this paragraph shall apply to the filling of written prescriptions furnished by practicing physicians dentists and veteranarians and kept on file by pharmacists or as to such preparations as are specified and recognized by the latest revision of the Pharmacopoeia of the United States the latest edition of the National Formulary and the American Homeopathic Pharmacopoeia or any supplement to any of them official at the time of investigation which are made in accordance therewith and are sold under titles designated therein

Fourth If its package or label shall bear or contain any statement design or device regarding the curative or therapeutic effect of such article or any of the ingredients or substances contained therein which is false or fradulent

Section 9 Formularies Required There shall be kept in each place of manufacture for which a permit is issued a copy of the latest revision of the United States Pharmacopoeia and the latest edition of the National Formulary which books must be available for and open to the inspection of the State Board of Pharmacy or its duly authorized agents

Section 10 Refusal Suspension Revocation of Permit Appeals The State Board of Pharmacy may suspend or revoke any permit obtained by false representation made in the application therefor or when any place of manufacture makes produces packs or prepares or sells drugs or medical supplies except under the personal supervision of a registered pharmacist or other person possessing at least five years' experience in the manufacture of said drugs or medical supplies or such person approved by the State Board of Pharmacy as provided herein

Section 11 Rules and Regulations The State Board of Pharmacy shall after a public hearing have power from time to time to adopt and promulgate such rules and regulations as may be necessary to carry out the provisions of this act and as it deems necessary for the protection of the public health and safety with respect to the sanitation materials equipment and supplies of places of manufacture for which permits are issued

Section 12 Equity Jurisdiction The State Board of Pharmacy may in its discretion in addition to other remedies provided for in this act apply to any court of common pleas having jurisdiction over the parties for a writ of injunction to restrain repetitious violations of the provisions of this act

Section 13 Penalties Any person violating any of the provisions of this act or any of the rules and regulations adopted thereunder shall be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100.00) nor more than five hundred dollars ($500) or undergo imprisonment for a period of not less than one month nor more than six months or both

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—175

Andrews,	Gallagher,	Madigan,	Robertson,
Baker,	Gardner,	Mahany,	Rose,
Barrett,	Getchey,	McAtee,	Royer,
Barton,	Gibson,	McClester,	Rudisill,
Bentzel,	Goodling,	McDowell,	Scanlon,
Bonawitz,	Grant,	McKinney,	Schuster,
Boney,	Green,	McLanahan,	Shaffer,
Boory,	Greer,	McMillen,	Shoemaker,
Boorse,	Guthrie,	McNair,	Sloan,
Bower,	Gyger,	McNally,	Smith,
Brancato,	Haberlen,	Miller,	Snider,
Breisch,	Hall,	Milliken,	Snyder,
Brice,	Hamilton,	Mills,	Sollenberger,
Brown,	Hare,	Mooney,	Sorg,
Brunner, C. H.,	Haudenshield,	Moore, C. E.,	Stank,
Brunner, P. A.,	Heatherington,	Moore, W. J.,	Stockham,
Cadwalader,	Helm,	Moran,	Stonier,
Cohen,	Hennihan,	Moser,	Stuart,
Coleman,	Herman,	Munley,	Swope,
Cook,	Hersch,	Murray, M. L.,	Tate,
Cooper,	Hewitt,	Myhan,	Trachtman,
Corrigan,	Hoffman,	Nagel,	Tittle,
Costa,	Howells,	Nelson,	Trent,
Coulson,	Hunter,	O'Brien,	Trout,
Coyle,	Huntley,	O'Connor,	Turbett,
Cullen,	James,	O'Dare,	Turner,
Dague,	Jones,	O'Donnell,	Varallo,
Dalrymple,	Kennedy,	O'Neill,	Verona,
Depuy,	Kirley,	Owens,	Wachhaus,
Dillon,	Kline,	Pentrack,	Wagner,
Dix,	Kolankiewicz,	Pettigrew,	Waterhouse,
Duffy,	Komorofski,	Pickens,	Watkins,
Dye,	Kurtz,	Polaski,	Weiss,
Elder,	Lane,	Polen,	Welsh,
Elish,	Laughner,	Powers,	Wescott,
Erb,	Leisey,	Propert,	White,
Ewing,	Leonard,	Readinger,	Wood, L. H.,
Flack,	Lichtenwalter,	Reagan,	Wood, N.,
Fleming,	Loftus,	Reese, D. P.,	Worley,
Foor,	Longo,	Reese, R. E.,	Wright,
Fox,	Lopez,	Reidenbach,	Yeakel,
Freed,	Lovett,	Reilly,	Yester,
Frost,	Lyons,	Reynolds,	Fiss,
Gaffney,	Madden,	Riley,	Speaker.

NAYS—0

NOT VOTING—4

Bentley,	Fullerton,	Root,	Salus,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 1190, Printer's No. 509,

was passed over at the request of the SPEAKER.

BILL NOT ON FILE

The SPEAKER. Senate Bill No. 45, Printer's No. 355, is not on file and will be passed over.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection

House Bill No. 181, Printer's No. 195,
House Bill No. 183, Printer's No. 196,
House Bill No. 149, Printer's No. 462,
House Bill No. 936, Printer's No. 363,
House Bill No. 391, Printer's No. 465,
House Bill No. 861, Printer's No. 479, and
House Bill No. 1209, Printer's No. 494,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 715, as follows:

An Act to further amend the title and the act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death defining as a transfer and taxing the right of survivorship in property as to which such right exists and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" by adding a new section by changing the provisions imposing inheritance taxes on personal property accounts in trust and transfers intended to take effect in possession or enjoyment at or after death imposing additional duties on banks safe deposit companies trust companies corporations institutions or depositories surviving parties of joint accounts or accounts in trust persons registers of wills and the Department of Revenue and providing penalties changing the provisions for rate of tax debts and deductions the computation of tax on life estates or estates for years the assessment of tax on future estates the lien of taxes and commissions to be retained by registers of wills

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death defining as a transfer and taxing the right of survivorship in property as to which such right exists and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" as last amended by the act approved the fourteenth day of July one thousand nine hundred thirty-six (P. L. 44) is hereby further amended to read as follows

An Act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death and transfers intended to take effect in possession or enjoyment at or after death defining as a transfer and taxing the right of survivorship in property as to which such right exists [and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid] imposing duties on persons associations corporations banks safe deposit companies trust companies registers of wills and the Department of Revenue with respect to stock deposits or other assets or property belonging to or standing in the name of a decedent or the joint names of a decedent and one or more persons and providing penalties and citing certain acts for repeal

Section 2 Section one of the said act as last amended by the act approved the fourteenth day of July one thousand nine hundred thirty-six (P. L. 44) is hereby further amended to read as follows

Section 1 Be it enacted &c That a tax shall be and is hereby imposed upon the transfer of any property real or personal or of any interest therein or income therefrom in trust or otherwise to persons or corporations in the following cases

(a) When the transfer is by will or by the intestate laws of this Commonwealth from any person dying seized or possessed of the property while a resident of the Commonwealth whether the property be situated within this Commonwealth or elsewhere

(b) When the transfer is by will or intestate laws of real property or tangible personal property within this Commonwealth [or of goods wares [or] merchandise] [within this Commonwealth] or of shares of stock of corporations of this Commonwealth or of national banking associations located in this Commonwealth and the decedent was a nonresident of the Commonwealth at the time of his death

(c) When the transfer is of property made by a resident or is of real property or tangible personal property within this Commonwealth [or of goods wares and merchandise within this Commonwealth] or of shares of stock of corporations of this Commonwealth or of national banking associations located in this Commonwealth made by a nonresident by deed grant bargain sale or gift made in contemplation of the death of the grantor vendor or donor or intended to take effect in possession or enjoyment by the grantee vendee or donee at or after [such] the death of such grantor vendor or donor whether or not such grantor vendor or donor retains use benefit enjoyment or possession

If such transfer is made within one year prior to the death of the grantor vendor or donor of a material part of his estate or in the nature of a final disposition or distribution thereof and without an adequate valuable consideration it shall unless shown to the contrary be deemed to have been made in contemplation of death within the meaning of this clause

(d) When any person or corporation comes into the possession or enjoyment by a transfer from a resident or nonresident decedent when such nonresident decedent's property or tangible personal property consists of real property within this Commonwealth or of shares of stock of corporations of this Commonwealth or of national banking associations located in this Commonwealth of an estate in expectancy of any kind or character which is contingent or defeasibly transferred by an instrument taking effect after the passage of this act or of any property transferred pursuant to a power of appointment contained in any instrument taking effect after the passage of this act The proceeds of policies of life insurance payable otherwise than to the estate of the insured and whether paid directly by the insurer to beneficiaries designated in the policies or to a trustee designated therein and held managed and distributed by such trustee to or for the benefit of such persons or classes of persons under such plan and in such estates as may have been prescribed by the insured under agreement with such trustee shall not be included in imposing any tax under this section Provided That property transferred pursuant to powers of appointment shall in all cases where the power is hereafter exercised be taxed as of the estate of the donor notwithstanding any blending of such property with the property of the donee

Personal property of a nonresident decedent made taxable under this section shall not be subject to the tax so imposed if a like exemption is made by the laws of the State or country of the decedent's residence in favor of residents of this Commonwealth

(e) Whenever any property real or personal is held in the joint names of two or more persons except as tenants by the entirety or is deposited in banks or other

institutions or depositories in trust for or payable on death to another or in the joint names of two or more persons except as husband and wife so that upon the death of one of them the survivor or survivors have a right to the immediate ownership or possession and enjoyment of the whole property the accrual of such right by the death of one of them shall be deemed a transfer taxable under the provisions of this act of a fractional portion of such property to be determined by dividing the value of the whole properly by the number of joint tenants in existence immediately preceding the death of the deceased joint tenant Subject to the provisions of paragraph (c) of this section the provisions of paragraph (e) shall apply regardless of when such joint estate was first created

Whenever personal property is deposited in banks or other institutions or depositories in trust for or payable on death to another or in the joint names of two or more persons except by a husband and wife as tenants by the entireties and one of the parties to such deposit shall die it shall be the duty of the surviving party or parties to such deposit to notify immediately such bank or other institution or depository of such death Any such surviving party or parties who after knowledge of the death of one of the parties to such deposit shall fail immediately to notify the bank or other institution or depository as herein required shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a maximum fine of one thousand dollars ($1,000.00) or thirty (30) days in prison or both Fines collected hereunder shall be paid into the State Treasury

Whenever personal property is deposited in banks or other institutions or depositories in trust for or payable on death to another or in the joint names of two or more persons except by a husband and wife as tenants by entireties and one of the parties to such deposit shall die it shall be the duty of such bank or other institution or depository within ten days after knowledge of such death to notify the Department of Revenue of such death giving the names of such deceased person the date of creation of the joint deposit the amount on deposit at date of death with such bank or other institution or depository and the name and address of the survivor or survivors to such account Such bank or other institution or depository shall require the surviving party or parties of such joint deposit or deposit in trust or payable on death to another to produce a waiver from the Department of Revenue certifying to the payment of tax imposed by this section upon such deposit before any funds may be withdrawn or transferred from such joint deposit Any bank or other institution or depository which after knowledge of any such death shall fail immediately to notify the Department of Revenue or shall fail to obtain a waiver as herein required shall be liable to a penalty of one hundred dollars ($100.00) to be recovered by the said department as debts of like amounts are by law recoverable

Section 3 Section two of the said act as last amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-three (P. L. 757) and by the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 868) is hereby further amended to read as follows

Section 2 All taxes imposed by this act shall be imposed upon the clear value of the property subject to the tax and shall be at the rate of two per centum upon the clear value of the property subject to such tax passing to or for the use of father mother grandparents husband wife lineal descendants born in lawful wedlock and descendants through adoption wife or widow of any such male descendants and stepchildren and also on the clear value of such property passing from the mother of an illegitimate child or from any person of whom the mother is a lineal descendant to such child his wife or widow and passing from an illegitimate child to his mother and at the rate of ten per centum upon the clear value of the property subject to such tax passing to or for the use of any other person or persons bodies corporate or politic to be paid for the use of the Commonwealth Provided That when the transfer is by the intestate laws of this Commonwealth and at the expiration of seven years from the date of the death of the intestate the estate of the intestatte has not been distributed the taxes imposed by this act shall be at the rate of eighty per centum upon the clear value of the property subject to such tax passing to or from the use of a first cousin or other relative more remote in degree than a first cousin and the taxes imposed by this proviso are imposed upon every transfer by the intestate laws of this Commonwealth of an estate or a portion of an estate which estate or portion thereof shall not have been distributed prior to the passage of this act In ascertaining the clear value of [such] any estate subject to tax the only deduction to be allowed from the gross values of such estate by the register of wills shall be the debts of the decedent reasonable and customary funeral expenses bequests or devises in trust in reasonable amounts the entire interests or income from which is to be perpetually applied to the care and preservation of the family burial lot or lots their enclosures and structures erected thereon reasonable expenses for the erection of monuments or grave stones grave and lot markers and the expenses of the administration of such estates and no deduction whatsoever shall be allowed for or on account of any taxes paid on such estates to the Government of the United States or to any other State or Territory except as otherwise provided in section one of this act Provided That the deductions herein allowed in the case of any indebtedness of the decedent shall when founded upon a promise or agreement be limited to the extent that they were contracted bona fide and for an adequate and full consideration in money or money's worth and provided that no deduction for executor's or administrator's fees or commissions with reference to real estate owned by the decedent shall be allowed unless such real estate has been sold by the executor or administrator or the will of the decedent contains a specific direction to sell such real estate and in such cases the commission or fee allowed shall not exceed three per centum on improved real estate or five per centum on unimproved real estate And provided further That whenever the allowance of any deduction by the register of wills from the gross value of such estates shall be in dispute the question of allowance shall be determined by the court having jurisdiction of the accounts of the personal representative of the decedent in the adjudication made by such court upon any such account and unless either party shall by exceptions to the account or to the adjudication thereon duly presented as provided by law raise its objection to the allowance or disallowance of a deduction for any credit claimed in the account or any award made in the adjudication as the case may be the adjudication confirming the account or making the award shall conclusively establish that the deduction should be allowed or disallowed as the case may be

In no event shall any deduction be allowed in an amount greater than the amount actually or ultimately paid by or on behalf of the decedent's estate and whenever it shall appear that a deduction has been allowed in excess of the amount actually or ultimately paid it shall be the duty of the Register of Wills or the Department of Revenue to reassess the inheritance tax such reassessment to be based upon the amount actually or ultimately paid upon the item theretofore allowed as a deduction

As an alternate method for ascertaining the clear value of the property of a decedent subject to tax by deductions as hereinbefore provided the executor or administrator or personal representative may elect to accept a statutory deduction of one thousand dollars ($1,000.00) and such statutory deduction shall then be subtracted from the appraised value of the decedent's estate in order to determine the clear value of the property subject to tax The acceptance of such an alternate statutory deduction shall be presumed unless a statement of debts and deductions is filed with the register of wills within three years from the date of the death of the decedent The actual or presumed acceptance of such an alternate

statutory deduction shall be deemed to be a waiver of all classes of debts and deductions now allowable by law

Section 4 Section three of the said act as last amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-three (P. L. 757) is hereby further amended to read as follows

Section 3 Where there is a transfer of property by a devise descent bequest gift or grant liable to the tax hereinbefore imposed which devise descent bequest gift or grant is to take effect in possession or to come into actual enjoyment after the expiration of any one or more life estates or a period of years and where the rate of tax applicable to such transfer cannot be ascertained until the expiration of such life estates or estates for years the tax on such estate shall not be payable nor shall interest begin to run thereon until the person liable for the same shall come into actual possession or employment of such estate by the termination of the estates for life or years The tax shall be assessed upon the value of the estate at the time the right of possession accrues to the owner [but the owner may pay the tax at any time prior to his coming into possession In such cases the tax shall be assessed on the value of the estate at the time of the payment of the tax after deducting the value of the life estate or estates for years] In all other cases the tax shall be assessed on the value of the estate at the date of the death of the decedent after deducting the value of the life estate or estates for years The tax shall also be assessed at the applicable rate upon the value of the life estates or estates for years ascertained by computing the rate on the principal at four per centum per annum In those cases where the owners of the life estates or estates for years have the power to consume the principal the tax on such life estates or estates for years shall be computed by applying to the value of the entire principal the rate applicable to the owners of such life estates or estates for years and at the expiration of such life estates or estates for years the tax on the remainders shall be computed by applying to the value of the unconsumed principal the tax rate applicable to the owners of such remainders allowing as a credit the tax theretofore paid in such life estates or estates for years upon such unconsumed principal The tax on real estate shall remain a lien on the real estate on which the same is chargeable until paid The owner or person in possession of any such personal estate passing from a resident decedent shall make a full return of the same to the register of wills within one year from the date of the decedent If the register of wills deems it necessary for the protection of the Commonwealth's interest the register may by giving notice to the owner or person in possession within sixty days after such return is filed or in case of failure to file a return then within sixty days after notice to file such return require him to enter into satisfactory security for the payment of the tax and in case of failure to enter into such security within the said period of sixty days the tax shall be immediately payable

The owner or person in possession of any such personal estate passing to him from a nonresident decedent shall make a full return of the same to the Department of Revenue within one year from the date of the decedent If the Department of Revenue deems it necessary for the protection of the Commonwealth's interest the department may in its discretion by giving notice to the owner or person in possession within sixty days after such return is filed or in case of failure to file a return then within sixty days after notice to file such return require him to enter into satisfactory security for the payment of the tax and in case of failure to enter into such security within the said period of sixty days the tax shall be immediately payable

Provided that in case of sale and conveyance or mortgage of real property if the fiduciary or other person making such sale or mortgage or any person interested shall enter into security for the payment of the tax to the satisfaction of the Department of Revenue the real property so sold or mortgaged shall be free of the lien of the tax

Section 5 Section thirty-nine of the said act as last amended by the act approved the fourteenth day of July one thousand nine hundred thirty-six (P. L. 44) is hereby further amended to read as follows

Section 39 The lien of all taxes imposed by this act shall continue until the tax is settled and satisfied and shall be limited to the property chargeable therewith All such taxes shall be sued for within five years after [they are due] the property chargeable therewith has been reported for tax purposes to the register of wills or the Department of Revenue otherwise they shall be presumed to have been paid and cease to be a lien as against any purchasers of real estate Provided however At any time within said five year period if the inheritance taxes on the realty appraised are not paid the Department of Revenue shall have power to file a certificate under its seal certifying to such nonpayment which when filed in the prothonotary's office of the county where such real estate is situated shall become a lien against decedent's real estate for a further period of five years from the date of such filing and such lien shall be indexed in the judgment index in the name of the decedent as defendant If the inheritance taxes on the realty appraised are not paid within said further period of five years the Department of Revenue shall have power to extend the lien for [an] additional [period] of five years each by filing [a certificate] certificates in the manner aforesaid

Section 6 Section forty-seven of the said act as amended by the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1597) is hereby further amended to read as follows

Section 47 The act approved May sixth one thousand eight hundred and eighty-seven entitled "An act to provide for the better collection of collateral inheritance taxes" and the amendments and supplements thereto and the act approved the eleventh day of July one thousand nine hundred and seventeen entitled "An act for the imposition and collection of certain inheritance taxes" and all other acts or parts of acts inconsistent with the provisions of this act are hereby repealed but nothing in this repealer shall affect or impair the lien of any taxes heretofore assessed or any tax due owing or payable or any remedies for the collection of the same or to surrender any remedies powers rights or privileges acquired by the Commonwealth under said act approved May sixth one thousand eight hundred and eighty-seven entitled "An act to provide for the better collection of collateral inheritance taxes" its amendments and supplements and the said act approved the eleventh day of July one thousand nine hundred and seventeen entitled "An act for the imposition and collection of certain inheritance taxes" or to relieve any person or corporation from any tax or penalty imposed by said acts [Provided That the registers of wills shall not retain any amount for their own use for the collection of taxes under said acts as agents for the Commonwealth]

Section 7 That after section thirty-seven of the said act the following new section is hereby added

Section 37-A Whenever a decedent has leased purchased licensed or otherwise obtained the use of a safe deposit box or valut in any safe deposit company trust company corporation bank or other similar institution whether or not the safe deposit box or valut is in the name of the decedent or in the joint names of the decedent and one or more other persons the safe deposit company trust company corporation bank or other institution shall deny to the executors administrators or legal representatives of said decedent or the survivor or survivors of the joint lessees of the safe deposit box or vault any access to such safe deposit box or valut following the death of decedent unless notice of the time and place of the intended opening of such safe deposit box or vault be served upon the register of wills of the county wherein the decedent died a resident or in the case of a nonresident decedent upon the Department of Revenue at

least ten (10) days prior to said opening It shall be lawful for the appraiser or other representative of the Department of Revenue to examine all securities deposits or assets contained in such safe deposit box or vault at the time of such opening The Secretary of Revenue may prescribe reasonable rules and regulations to carry out the terms of this section Failure to serve such notice or failure to allow such examination shall render said safe deposit company trust company corporation bank or other institution having knowledge of the death of said decedent liable to the payment of the amount of tax and interest due or thereafter to become due upon the said securities deposits or other assets contained in said safe deposit box or vault together with a penalty of one thousand dollars ($1,000.00) such penalty and tax and interest may be enforced in an action brought by the Attorney General on behalf of the Department of Revenue in any court of competent jurisdiction

Section 8 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—175

Andrews,	Gallagher,	Madigan,	Robertson,
Baker,	Gardner,	Mahany,	Rose,
Barrett,	Getchey,	McAtee,	Royer,
Barton,	Gibson,	McClester,	Rudisill,
Bentzel,	Goodling,	McDowell,	Scanlon,
Bonawitz,	Grant,	McKinney,	Schuster,
Boney,	Green,	McLanahan,	Shaffer,
Boorse,	Greer,	McMillen,	Shoemaker,
Boory,	Guthrie,	McNair,	Sloan,
Bower,	Gyger,	McNally,	Smith,
Brancato,	Haberlen,	Miller,	Snider,
Breisch,	Hall,	Milliken,	Snyder,
Brice,	Hamilton,	Mills,	Sollenberger,
Brown,	Hare,	Mooney,	Sorg,
Brunner, C. H.,	Haudenshield,	Moore, C. E.,	Stank,
Brunner, P. A.,	Heatherington,	Moore, W. J.,	Stockham,
Cadwalader,	Helm,	Moran,	Stonier,
Cohen,	Hennihan,	Moser,	Stuart,
Coleman,	Herman,	Munley,	Swope,
Cook,	Hersch,	Murray, M. L.,	Tate,
Cooper,	Hewitt,	Myhan,	Tittle,
Corrigan,	Hoffman,	Nagel,	Trachtman,
Costa,	Howells,	Nelson,	Trent,
Coulson,	Hunter,	O'Brien,	Trout,
Coyle,	Huntley,	O'Connor,	Turbett,
Cullen,	James,	O'Dare,	Turner,
Dague,	Jones,	O'Donnell,	Varallo,
Dalrymple,	Kennedy,	O'Neill,	Verona,
Depuy,	Kirley,	Owens,	Wachhaus,
Dillon,	Kline,	Pentrack,	Wagner,
Dix,	Kolankiewicz,	Pettigrew,	Waterhouse,
Duffy,	Komorofski,	Pickens,	Watkins,
Dye,	Kurtz,	Polaski,	Weiss,
Elder,	Lane,	Polen,	Welsh,
Elish,	Laughner,	Powers,	Wescott,
Erb,	Leisey,	Propert,	White,
Ewing,	Leonard,	Readinger,	Wood, L. H.,
Flack	Lichtenwalter,	Reagan,	Wood, N.,
Fleming,	Loftus,	Reese, D. P.,	Worley,
Foor,	Longo,	Reese, R. E.,	Wright,
Fox,	Lopez,	Reidenbach,	Yeakel,
Freed,	Lovett,	Reilly,	Yester,
Frost,	Lyons,	Reynolds,	Fiss,
Gaffney,	Madden,	Riley,	Speaker.

NAYS—0

NOT VOTING—4

Bentley,	Fullerton,	Root,	Salus,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 806, Printer's No. 493,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 62, as follows:

An Act to further amend sections four and ten of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled "An Act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commecially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" as last amended by imposing an additional tax on liquid fuels providing for the payment thereof into the Motor License Fund and providing for the distribution to certain political subdivisions of this Commonwealth with certain conditions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four and section ten of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usuable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by amending section four as last amended by the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 616) and section ten as last amended by the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 634) to read as follows

Section 4 Imposition of Tax Exemptions and Deductions A permanent State tax of three cents a gallon or fractional part thereof is hereby imposed and assessed upon all liquid fuels used or sold and delivered by distributors within this Commonwealth excepting liquid fuels delivered to the United States Government on presentation of a duly authorized United States Government exemption certificate or other evidence satisfactory to the department and such liquid fuels used or sold and delivered as are not within the taxing power of this Commonwealth under the Commerce Clause of the Constitution of the United States provided that the tax herein imposed and assessed shall be collected by and

paid to the Commonwealth but once in respect to any liquid fuels

In addition to such tax an additional [emergency] State tax of one cent a gallon or fractional part thereof is hereby imposed and assessed upon all liquid fuels used or sold and delivered by distributors within this Commonwealth for the period [for the period] beginning on the day this act becomes effective June first nineteen hundred forty-five [and ending on the thirty-first day of May one thousand nine hundred and forty-five] and ending on the thirty-first day of May one thousand nine hundred and forty-seven

Distributors shall be liable to the Commonwealth for the collection and payment of the tax imposed by this act The tax imposed by this act shall be collected by the distributor at the time the liquid fuels are used or sold and delivered by the distributor and shall be borne by the consumer

The tax shall be payable upon liquid fuels sold and delivered to or used by the Commonwealth and every political subdivision thereof

The department shall allow such handling and storage losses of liquid as are substantiated to its satisfaction

Section 10 Disposition and Use of Tax (a) One-half cent per gallon of the permanent tax collected under the provisions of this act shall be paid into the Liquid Fuels Tax Fund of the State Treasury and such moneys paid into said fund are hereby specifically appropriated for the purposes hereinafter set forth

The moneys so paid into the Liquid Fuels Tax Fund except those that are refunded as hereinafter provided shall be paid to the respective counties of this Commonwealth on the first day of June and December of each year in the ratio that the average return made during the three (3) preceding years to each county bears to the average amount returned to all counties for the three preceding years Provided That the distribution of tax to the counties from the Liquid Fuels Tax Fund that is payable the first day of August one thousand nine hundred and thirty-one shall be made under the provisions of the acts of Assembly repealed by this act

All moneys received by the counties hereunder shall be used only for the purpose of construction reconstruction maintenance and repair of roads highways and bridges including the payment of property damage now due or hereafter to become due occasioned by or the relocation or construction of highways and bridges and for the payment of interest and sinking fund charges on bonds issued or used for highways and bridge purposes or on so much of any bonds as have been used for such purposes and all such payments heretofore made are hereby validated The county commissioners of each county shall make to the department on or before the first day of May and November of each year on forms prescribed prepared and furnished by the department a report showing the receipts and expenditures of such moneys received during the preceding six months by the county from the Commonwealth under the provisions of this section Such reports shall be transmitted to the Department of the Auditor General for audit Upon the failure of the county commissioners to file any such report the department shall withhold further payments to the county out of the Liquid Fuels Tax Fund until the delinquent report is filed

(b) The remaining two and one-half cents per gallon of the permanent tax collected under the provisions of this act all penalties and interests and all interest earned on deposits of the Liquid Fuels Tax Fund shall be paid into the Motor License Fund and are hereby specifically appropriated for the same purposes for which moneys in the Motor License Fund are appropriated by law

(c) The entire amount of the additional [emergency] tax of one cent per gallon or fractional part thereof collected under the provisions of this act [before June first one thousand nine hundred thirty-six] shall be paid into the Motor License Fund and from such fund the following specific appropriations are hereby made for the purposes hereinafter set forth One cent per gallon of the tax collected under the provisions of this act shall be paid into the Motor License Fun of the State Treasury and such moneys paid into said fund are hereby specifically appropriated to the cities boroughs towns and townships of the Commonwealth for the purpose hereinafter set forth

Fifty per cent of the money shall be allocated on the basis of population and the other fifty per cent shall be allocated on the basis of road and street mileage Each city borough town and township shall receive its proportionate share of the moneys allocated on a population basis as their population bears to the total population of all the political subdivisions of the Commonwealth and each city borough town and township will receive an allocation based upon the number of miles of local roads and streets under its jurisdiction in relation to the total number of miles of roads and streets in all of the cities boroughs towns and townships of the Commonwealth

The calculation of mileages shall be determined annually by the Department of Highways of the Commonwealth from reports submitted annually by the cities boroughs towns and townships and the populations shall be those shown in the latest United States Decennial Census The terms "roads and streets" is defined to mean public roads and streets used for travel by horse drawn and motor vehicles and to exclude ways courts and alleys

The money so paid into the Motor License Fund from time to time shall be paid over in the manner provided by law on requisition of the Secretary of Highways to cities of the first class cities of the second class cities of the second class A cities of the third class boroughs incorporated town and townships on the first day of March June September and December of each year

The funds so allocated apportioned and received shall be deposited and maintained in a special fund into which no other moneys shall be deposited and commingled and shall be expended by the corporate authorities of said political subdivisions directly or by contract let but only after approval of the Department of Highways as to the most beneficial and efficient manner of making such expenditures and shall be used only for the maintenance construction reconstruction resurfacing and improvement of public roads and streets not maintained by the Department of Highways under the provisions of existing laws and the maintenance construction and reconstruction of bridges on such roads and streets in said political subdivisions except that in political subdivisions which do not have sufficient funds from other sources for the maintenance and repair of all roads and bridges not maintained by the Department of Highways under the provisions of existing laws the allocation to such political subdivisions may be used in whole or in part for such maintenance and repair purposes Where road and bridge work is performed by the political subdivision this paragraph shall be construed to permit the funds so allocated to be used and expended only for labor rental of equipment payrolls purchase of material including repair parts necessary for the maintenance of equipment small tools road drags and snow fences

Each political subdivision shall submit to the Department of Highways a report on the fifteenth day of January and July for the periods during December thirty-first and June thirtieth respectively of each year showing the cost of the work done pursuant to the moneys so allocated and apportioned in such detail as may be required by the Department of Highways In case any records or reports required by law are not made in the manner or at the time required no further moneys shall be approved for payment by the Department of Highways to such political subdivision until such reports have been made and approved

Nothing herein contained shall be construed to prevent the use of any moneys so allocated and apportioned for Federated projects sponsored by the political subdivision or for county-aid work relating to the improvement of roads and bridges

The corporate authorities of the said political subdivisions shall at the time of fixing the real estate tax rate for highway road and street purposes for the calendar year one thousand nine hundred and forty-six and

for each year thereafter give consideration to the anticipated revenue to be received under the provisions of this act

The Department of Highways shall annually issue to the corporate authorities of the said political subdivisions copies of the laws with special reference to the pertinent provisions thereof and regulations relating to the receipt and expenditure of any funds authorized herein to be apportioned allocated or expended

Section 2 This act shall become effective on the first day of June one thousand nine hundred and forty-five

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—175

Andrews,	Gallagher,	Madigan,	Robertson,
Baker,	Gardner,	Mahany,	Rose,
Barrett,	Getchey,	McAtee,	Royer,
Barton,	Gibson,	McClester,	Rudisill,
Bentzel,	Goodling,	McDowell,	Scanlon,
Bonawitz,	Grant,	McKinney,	Schuster,
Boney,	Greenwood,	McLanahan,	Shaffer,
Boorse,	Greer,	McMillen,	Shoemaker,
Boory,	Guthrie,	McNair,	Sloan,
Bower,	Gyger,	McNally,	Smith,
Brancato,	Haberlen,	Miller,	Snider,
Breisch,	Hall,	Milliken,	Snyder,
Brice,	Hamilton,	Mills,	Sollenberger,
Brown,	Hare,	Mooney,	Sorg,
Brunner, C. H.,	Haudenshield,	Moore, C. E.,	Stank,
Brunner, P. A.,	Heatherington,	Moore, W. J.,	Stockham,
Cadwalader,	Helm,	Moran,	Stonier,
Cohen,	Hennihan,	Moser,	Stuart,
Coleman,	Herman,	Munley,	Swope,
Cook,	Hersch,	Murray, M. L.,	Tate,
Cooper,	Hewitt,	Myhan,	Tittle,
Corrigan,	Hoffman,	Nagel,	Trachtman,
Costa,	Howells,	Nelson,	Trent,
Coulson,	Hunter,	O'Brien,	Trout,
Coyle,	Huntley,	O'Connor,	Turbett,
Cullen,	James,	O'Dare,	Turner,
Dague,	Jones,	O'Donnell,	Varallo,
Dalrymple,	Kennedy,	O'Neill,	Verona,
Depuy,	Kirley,	Owens,	Wachhaus,
Dillon,	Kline,	Pentrack,	Wagner,
Dix,	Kolankiewicz,	Pettigrew,	Waterhouse,
Duffy,	Komorofski,	Pickens,	Watkins,
Dye,	Kurtz,	Polaski,	Weiss,
Elder,	Lane,	Polen,	Welsh,
Elish,	Laughner,	Powers,	Wescott,
Erb,	Leisey,	Propert,	White,
Ewing,	Leonard	Readinger,	Wood L. H.,
Flack	Lichtenwalter,	Reagan,	Wood, N.,
Fleming,	Loftus,	Reese, D. P.,	Worley,
Foor,	Longo,	Reese, R. E.,	Wright,
Fox	Lopez,	Reidenbach,	Yeakel,
Freed,	Lovett,	Reilly,	Yester,
Frost,	Lyons,	Reynolds,	Fiss,
Gaffney,	Madden,	Riley,	Speaker.

NAYS—0

NOT VOTING—4

Bentley,	Fullerton,	Root,	Salus,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 78, as follows:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-five (P. L. 414) entitled as amended "An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills recorders of deeds prothonotaries and court clerks and on persons copartnerships associations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation" by excepting and excluding therefrom the obligations of municipal corporations by exempting scrip bonds certificates and evidences of indebtedness held in certain employes pension trusts and held under certain circumstances for the benefit of non-residents of this Commonwealth and by making further provisions for the assessment collection and the making of payment of and report concerning the tax imposed by the act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 17 and 18 of the act approved the twenty-second day of June one thousand nine hundred thirty-five (P. L. 414) entitled as amended "An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills recorders of deeds prothonotaries and court clerks and on persons copartnerships associations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation" as last reenacted and amended by the act approved the eleventh day of July one thousand nine hundred forty-one (P. L. 361) is hereby further amended to read as follows

Section 17 State Tax on Scrip Bonds Et Cetera Imposition and Rate of Tax All scrip bonds certificates and evidences of indebtedness issued and all scrip bonds certificates and evidences of indebtedness assumed or on which interest shall be paid by any and every private corporation incorporated or created under the laws of this Commonwealth or the laws of any other state or of the United States and doing business in this Commonwealth and having a resident corporate treasurer therein except first class or nonprofit corporations are hereby made taxable for State purposes at the rate of eight mills on each dollar of the nominal value thereof during the calendar years one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty one thousand nine hundred forty-one one thousand nine hundred forty-two and one thousand nine hundred forty-three on reports filed for the calendar years one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty one thousand nine hundred forty-one one thousand nine hundred forty-two and one thousand nine hundred forty-three or for any fiscal year beginning in the calendar years one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty one thousand nine hundred forty-one one thousand nine hundred forty-two and one thousand nine hundred forty-three and at the rate of four mills on each dollar of the nominal value thereof during the calendar years one thousand nine hundred forty-four and every year thereafter on reports filed for the calendar years one thousand nine hundred forty-four (or for any fiscal year beginning in the calendar year one thousand nine hundred forty-four) and for every year thereafter [and all scrip bonds certificates and evidences of indebtedness issued and all scrip bonds cer-

tificates and evidences of indebtedness assumed or on which interest shall be paid by any county city borough township school district or incorporated district of this Commonwealth are hereby made taxable for State purposes at the rate of four mills on each dollar of the nominal value thereof during the calendar year one thousand nine hundred thirty-eight and every year thereafter on reports filed for the calendar year one thousand nine hundred thirty-seven or for any fiscal year beginning in the calendar year one thousand nine hundred thirty-seven and for every year thereafter] Provided That whenever under the provisions of this section any private corporation shall become liable for such taxes upon evidences of indebtedness by it assumed or on which it shall pay interest it shall be the duty of such corporation not later than ten (10) days thereafter to give notice in writing to any person who may at such time be liable for the payment of any taxes upon such evidences of indebtedness under the provisions of the third section of this act that the corporation has assumed such indebtedness or the payment of the interest thereon and will deduct and pay the taxes imposed thereon by this section Such notice shall also be given before the first day of October of each and every subsequent year during which such corporation is liable for the payment of such interest Where any private corporation shall assume such evidences of indebtedness or the payment of interest thereon prior to the first day of October in any year and shall give notice as hereinbefore provided such corporation shall be relieved from the duty of deducting and paying the taxes imposed by this section for the balance of such year but shall deduct and pay said taxes for the ensuing year and the person to whom such notice shall be given shall for such ensuing year be relieved from the payment of tax under the provisions of the third section of this act upon such evidences of indebtedness so assumed or on which the corporation shall pay interest Where any private corporation shall assume such evidences of indebtedness or the payment of interest thereon on or subsequent to the first day of October in any year and shall give the notice as hereinbefore provided such corporation shall be relieved from the duty of deducting and paying the tax upon such evidences of indebtedness by it assumed or on which it shall pay interest for the balance of such year and for the ensuing year and the person to whom notice is so given shall pay the tax for the period for which the corporation is relieved upon such evidences of indebtedness so assumed or on which the corporation shall pay interest as provided for in the third section of this act Neglect or failure on the part of any corporation upon assuming any evidences of indebtedness or becoming liable for the payment of interest thereon to give the notice as herein provided and within the time prescribed shall make such corporation liable for the payment of taxes from the time when such evidences of indebtedness are assumed or for the entire period for which interest shall be paid Neglect or failure to give such notice before the first day of October of each and every subsequent year during which such corporation is liable for the payment of such interest shall make the corporation liable for such taxes for the year following without any deduction from interest due as hereinbefore provided Provided That this section shall not apply to bank notes or notes discounted or negotiated by any bank or banking institution savings institution or trust company nor to interest-bearing accounts in any bank banking institution savings institution employes' thrift or savings association whether operated by employes or the employer or trust company nor to any scrip bonds certificates or evidences of indebtedness held in any trust forming part of a stock bonus pension or profit sharing plan of an employer for the exclusive benefit of this employees or their beneficiaries which trust under the latest ruling of the Commissioner of Internal Revenue is exempted from Federal income tax And provided further That the provisions of this act shall not apply to building and loan associations or to savings institutions having no capital stock and if at any time either now or hereafter any persons individuals or bodies corporate have agreed or shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the tax or any part tehreof provided for in this act or in the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) or have agreed or shall hereafter agree to pay the same nothing herein contained shall be so construed as to relieve or exempt him it or them from paying the tax imposed herein on any of such securities bonds or other evidences of indebtedness as may be held owned by or owing to the said savings institution having no capital stock And provided further That the provisions of this act shall not apply to fire companies firemen's relief associations life insurance companies casualty or fire insurance corporations having no capital stock secret and beneficial societies labor unions and labor union relief associations and all beneficial organizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members of such associations societies or unions And provided further That corporations limited partnerships and joint-stock associations liable to tax on capital stock for State purposes shall not be required to pay any further tax under this section on the mortgages bonds and other securities owned by them in their own right but corporations limited partnerships and jointstock associations holding such securities as trustees executors administrators guardians or in any other manner except as executor or administrator of the estate of a non-resident decedent and except as trustee for a resident or nonresident religious charitable or educational organization no part of the net earnings of which inures to the benefit of any private stockholder or individual shall be liable for the tax imposed by this section upon all securities so held by them as in the case of individuals And provided further That none of the classes of property made taxable by this section for state purposes shall be taxed or taxable for county school or other local purposes And provided further That the provisions of this section shall not apply to personal property of the classes hereinabove enumerated received or acquired with proceeds of money or property received from any person or persons copartnership or unincorporated association or company nonresident in or not located within this Commonwealth or from any joint-stock association limited partnership bank or corporation formed created or incorporated by under or in pursuance of any law of the United States or of any person or persons copartnership or unincorporated association resident in this Commonwealth company joint-stock company or association limited partnership bank or corporation created or existing under the laws of this Commonwealth or doing business within this Commonwealth as active trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any person or persons copartnership or unincorporated association or company nonresident in or not located within this Commonwealth or for the use benefit or advantage of any joint-stock company or association limited partnership bank or corporation formed created or incorporated by under or in pursuance of any law of the United States or of any state or government other than this Commonwealth or any such property whatsoever owned held or possesssed by any person or persons copartnership or unincorporated association resident in this Commonwealth company joint-stock company or association limited partnership bank or corporation created and existing under the laws of this Commonwealth or doing business within this Commonwealth in the capacity of executor or administrator of a nonresident decedent or as trustee agent or attorney-in-fact for any resident or nonresident religious charitable scientific literary or educational organization no part of the net earnings of which inures to the benefit of any private stockholder or individual

It is the intent of this act that all scrip bonds certificates and evidences of indebtedness made taxable under this section are not taxable under the third section of

this act and that only such scrip bonds certificates and evidences of indebtedness which cannot be made taxable under this section are to be taxed under the third section of this act

Section 18 Reports and payment of the State Tax by Private Corporations [and Municipalities] It shall be the duty of the resident treasurer of each private corporation incorporated by or under the laws of this Commonwealth or the laws of any other state or the United States or any foreign country and doing business in this Commonwealth except non profit corporations and cooperative agricultural associations not having capital stock and not conducted for profit [and it shall be the duty of the treasurer of each county city borough township school district or incorporated district in this Commonwealth] upon the payment of any interest upon any scrip bond certificate or evidence of indebtedness issued or assumed by such corporation [county city borough township school district or incorporated district] or upon which it is liable for the payment of interest to residents of this Commonwealth and held by them to assess the tax imposed for State purposes by the seventeenth section of this act upon the normal value of each such scrip bond certificates or evidence of indebtedness and to report under oath or affirmation annually on or before the fifteenth day of March for the calendar year next preceding to the department the amount of such indebtedness owned held or in any manner possessed by residents of this Commonwealth [together with such information as the department may require Provided That such scrip bonds certificates and evidences of indebtedness shall be deemed to be owned held or possessed by residents of this Commonwealth unless it is established that they are not so owned held or possessed] as nearly as the same can be ascertained and it shall be his further duty to deduct the tax imposed by the seventeenth section of this act on the payment of any interest upon such indebtedness and return the same to the State Treasury through the department within the time prescribed by law and his compensation for his services shall be five per centum on the first one thousand dollars ($1.000.00) or fractional part thereof one per centum on all amounts over one thousand dollars ($1,000.00) and not over two thousand dollars ($2,000.00) and one-half of one per centum of all amounts over two thousand dollars ($2,000.00) Upon the payment of said State tax such scrip bonds certificates or evidences of indebtedness shall be exempt from all other taxation in the hands of the holder of the same

The time for filing reports may be extended taxpayers may be permitted to file their reports on a fiscal year basis and the procedure and penalties in case of failure to report and pay the tax shall be as prescribed by law

It is the intent and meaning of this act that the tax for State purposes imposed upon obligations of private and public corporations by section seventeen of this act shall be collected in the same manner as the tax heretofore imposed for State purposes upon such obligations

Section 2 The provisions of this act shall become effective immediately upon the date of its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas yeas and nays were taken and were as follows:

YEAS—175

Andrews,	Gallagher,	Madigan,	Robertson,
Baker,	Gardner,	Mahany,	Rose,
Barrett,	Getchey,	McAtee,	Royer,
Barton,	Gibson,	McClester,	Rudisill,
Bentzel,	Goodling,	McDowell,	Scanlon,
Bonawitz,	Grant,	McKinney,	Schuster,
Boney,	Green,	McLanahan,	Shaffer,
Boorse,	Greer,	McMillen,	Shoemaker,
Boory,	Guthrie,	McNair,	Sloan,
Bower,	Gyger,	McNally,	Smith,
Brancato,	Haberlen,	Miller,	Snider,
Breisch,	Hall,	Milliken,	Snyder,
Brice,	Hamilton,	Mills,	Sollenberger,
Brown,	Hare,	Mooney,	Sorg,
Brunner, C H.,	Haudenshield,	Moore, C. E.,	Stank,
Brunner, P A.,	Heatherington,	Moore, W. J.,	Stockham,
Cadwalader,	Helm,	Moran,	Stonier,
Cohen,	Hennihan,	Moser,	Stuart,
Coleman,	Herman,	Munley,	Swope,
Cook	Hersch,	Murray, M. L.,	Tate,
Cooper,	Hewitt,	Myhan,	Tittle,
Corrigan,	Hoffman,	Nagel,	Trachtman,
Costa,	Howells,	Nelson,	Trent,
Coulson,	Hunter,	O'Brien,	Trout,
Coyle,	Huntley,	O'Connor,	Turbett,
Cullen,	James,	O'Dare,	Turner,
Dague,	Jones,	O'Donnell,	Varallo,
Dalrymple,	Kennedy,	O'Neill,	Verona,
Depuy,	Kirley,	Owens,	Wachhaus,
Dillon,	Kline,	Pentrack,	Wagner,
Dix,	Kolankiewicz,	Pettigrew,	Waterhouse,
Duffy,	Komorofski,	Pickens,	Watkins,
Dye,	Kurtz,	Polaski,	Weiss,
Elder,	Lane,	Polen,	Welsh,
Elish,	Laughner,	Powers,	Wescott,
Erb,	Leisey,	Propert,	White,
Ewing,	Leonard,	Readinger,	Wood, L. H.,
Flack,	Lichtenwalter,	Reagan,	Wood, N.,
Fleming,	Loftus,	Reese, R. E.,	Worley,
Foor,	Longo,	Reese, D. P.,	Wright,
Fox,	Lopez,	Reidenbach,	Yeakel,
Freed,	Lovett,	Reilly,	Yester,
Frost,	Lyons,	Reynolds,	Fiss,
Gaffney,	Madden,	Riley,	Speaker.

NAYS—0

NOT VOTING—4

Bentley,	Fullerton,	Root,	Salus,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 807, as follows:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances for the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" as amended by further regulating the

procedure and the jurisdiction of the Board of Finance and Revenue relative to certain claims for refund changing and restricting the right of the Commonwealth to impose interest on certain unpaid taxes and bonus when such taxes and bonus are not settled within a prescribed period of time further providing for the report settlement and resettlement of taxes bonus and other accounts due the Commonwealth and for the furnishing of receipts for transfer inheritance and estate taxes eliminating provisions for an Attorney Generals commission and further regulating the procedure for filing petitions for resettlement petitions for review appeals to court

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (a) of section five hundred three of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) enttiled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees for other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" as last amended by the act approved the seventh day of May one thousand nine hundred forty-three (P. L. 229) is hereby further amended to read as follows

Section 503 Refunds of State Taxes License Fees Et Cetera The Board of Finance and Revenue shall have the power and its duty shall be

(a) To hear and determine any petition for the refund of taxes license fees penalties fines bonus or other moneys paid to the Commonwealth and to which the Commonwealth is not rightfully or equitably entitled and upon the allowance of any such petition to refund such taxes license fees penalties fines bonus or other moneys out of any appropriation or appropriations made for the purpose or to credit the account of the person association corporation body politic or public officer entitled to the refund The jurisdiction of the Board of Finance and Revenue to hear and determine a petition for refund as aforesaid shall not be affected or limited by the fact that proceedings under sections 1102 1103 or 1104 of this act involving the same tax or bonus and period for which a refund is sought are pending or have been closed provided such proceedings relate to other objections than those raised in the petition for refund All such petitions must be filed with the board within two years of the payment of which refund is requested or within two years of the settlement in the case of taxes or bonus whichever period last expires except

(1) Where a petition for refund filed by a domestic or foreign corporation involves the valuation of its capital stock or in case of a foreign corporation the valuation of its tangible property for bonus purposes or where a petition for refund filed by a bank title insurance or trust company involves the valuation of its shares of stock such petition must be filed with the board within one year of the payment of which refund is requested or within one year of the settlement of such taxes or bonus whichever period last expires

(2) When the estate upon which any transfer inheritance tax has been paid shall have consisted in whole or in part of a partnership or other interest of uncertain value or shall have been involved in litigation by reason whereof there shall have been an overvaluation of that portion of the estate on which the tax has been assessed and paid which overvaluation could not have been ascertained within said period of two years In such case the application for repayment shall be made to the Board of Finance and Revenue within one year from the termination of such litigation or ascertainment of such overvaluation

(3) When a court of record has adjudged a person to be legally dead and thereafter in the settlement of his or her estate a transfer inheritance tax shall have been paid on such estate and after such payment has been made such person shall reappear and the court shall rescind its order and adjudication In such case the petition to the board shall be filed within six months after the court shall have rescinded its order and adjudication

(4) When any tax or other money has been paid to the Commonwealth under a provision of an act of Assembly subsequently held by final judgment of a court of competent jurisdiction to be unconstitutional or under an interpretation of such provision subsequently held by such court to be erroneous In such case the pettiion to the board shall be filed within five years of the payment of which a refund is requested or within five years of the settlement of such taxes bonus or other moneys due the Commonwealth whichever period last expires But the limitation of five years herein prescribed shall not be deemed to apply in the case of applications for refunds of taxes paid on liquid fuels by political subdivisions prior to the effective date of this amendment where by court decision it has been held that the collection of such tax was erroneous and without authority of law if application for such refunds shall be made within two years after the effective date of this amendment The aforesaid limitation of five years shall likewise not be deemed to apply in the case of applications for refunds of taxes paid on certain alcohol usable for beverage purposes under the provisions of the act approved the twenty-second day of November one thousand nine hundred and thirty-three (P. L. 5 (1933-34) entitled "An act imposing a State floor tax on alcohol usable for beverage purposes and certain alcoholic liquors in the Commonwealth between the date this act becomes effective and the date the Twenty-first Amendment to the Constitution of the United States is ratified describing the method and manner of collection of such tax conferring powers and imposing duties on certain State officers and departments and certain individuals firms and corporations and imposing penalties" where by court decision it has been held that the imposition or collection of such tax was erroneous and without authority of law if application for such refunds shall be made within two years after the effective date of this amendment

Section 2 Section seven hundred ten of the said act as amended by the act approved the second day of February one thousand nine hundred thirty-seven (P. L. 3) is hereby further amended to read as follows

Section 710 Gross Receipts Tax Returns and Payment of Tax Every corporation or association and every individual liable by law to pay to the Commonwealth a tax upon the gross receipts derived from any transportation traffic or other business done wholly within this Commonwealth shall transmit to the Department of Revenue on or before the first [days] day of February [and August] of each year a statement of the amount of such corporation's association's or individual's gross receipts from all sources and gross receipts from business done wholly within the State during the period of [six] twelve months immediately preceding the first [days] day of January [and July] of each year with such other

relevant information as the Department of Revenue may require Every such corporation association and individual at the time of making every report required by this section shall compute and pay to the department the tax due the Commonwealth upon its gross receipts for the period for which such report is made

Section 3 Section eleven hundred three of the said act as last amended by the act approved the seventh day of May one thousand nine hundred forty-three (P. L. 229) is hereby further amended to read as follows

Section 1103 Petition to Board of Finance and Revenue for Review Within sixty days after the date of mailing of notice by the Department of Revenue or of the Auditor General of the act taken on any petition for a resettlement filed with it the party with whom the settlement was made may by petition request the Board of Finance and Revenue to review such action

Every petition for review filed hereunder either shall state specifically therein the reasons upon which the petitioner relies or shall incorporate by reference the petition for resettlement in which such reasons shall have been stated The petition shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true If the petitioner be a corporation joint-stock association or limited partnership the affidavit must be made by one of the principal officers thereof A petition for review may be amended by the petitioner at any time prior to the hearing thereon as hereinafter provided

[The Board of Finance and Revenue shall dispose of such petitions filed with it within ninety (90) days after they have been received] The Board of Finance and Revenue shall list and hear such petitions within three months after they have been received and shall act finally in disposition of such petitions within six months after they have been received and in the event of the failure of the Board of Finance and Revenue to dispose of any such petition within [ninety (90) days] six months the action taken upon the petition for resettlement shall be deemed sustained

The Board of Finance and Revenue may sustain the action taken on the petition for resettlement or it may resettle the account upon such basis as it shall deem according to law and equity

Notice of the action of the Board of Finance and Revenue shall be given by mail or otherwise to all departments involved and to the petitioner

Section 4 Section eleven hundred four of the said act as amended by the act approved the seventh day of May one thousand nine hundred forty-three (P. L. 229) is hereby further amended to read as follows

Section 1104 Appeal to Courts Any person association corporation public officer or other debtor aggrieved by the decision of the Board of Finance and Revenue or by the board's failure to act upon his or its petition for review within [ninety (90) days] six months may within sixty (60) days appeal to the court of common pleas of Dauphin County from the decision of the Board of Finance and Revenue or from the decision of the Department of Revenue or of the Department of the Auditor General as the case may be The said sixty (60) day period shall begin to run (a) From the end of the [ninety (90) day] six months period where the board fails to act or (b) from the date of mailing of notice of the refusal of the petition for review or (c) from the date of mailing by the Department of Revenue of the certification of a resettlement where the board has made a resettlement Such appeal shall be in such form as shall be prescribed by the rules of the court of common pleas of Dauphin County All such appeals shall be lodged with the prothonotary of the court of common pleas of Dauphin County and a conformed copy thereof indicating the date on which it was filed shall be forwarded immediately to the Department of Justice

Every such appeal shall be accompanied with a specification of objections to the settlement resettlement or other decision as the case may be and the party appealing shall enter sufficient security before one of the judges of the court of common pleas of Dauphin County within sixty (60) days next after the filing of the appeal with the clerk to prosecute the appeal with effect to pay all costs and charges which the court shall award and any sum of money which shall appear by the judgment of the court to be done by such party to the Commonwealth

The party appealing shall file with every such appeal and [an affidavit containing] the specification of objections an affidavit [and] stating that the appeal is not taken for delay but because appellant believes injustice has been done by the settlement or resettlement or other decision appealed from and that the facts set forth therein are true to the best of affiant's knowledge and belief If a corporation limited partnership or joint-stock association is the party appellant such affidavit shall be taken by one of its chief officers

Appeals taken hereunder shall be hearings de novo [but no facts shall be admitted in evidence and] no questions shall be raised by the appellant that were not brought to the attention of the department making the settlemen or in the application for resettlement or petition for review prior to the appeal and set forth in the specification of objections contained in the affidavit accompanying the appeal unless the court shall be satisfied that the appellant was unable by the exercise of reasonable diligence to have [laid such evidence] raised such questions before the department making the settlement and the Board of Finance and Revenue and no questions shall be raised which are not included in the specification of objections filed as hereinbefore provided

The Commonwealth may raise any question on appeal although no appeal has been filed by it and may introduce any facts in support of its settlement or in correction thereof provided notice of thirty (30) days is given the appellant of the intention of raising such new questions or presenting new facts

From the judgment of the court of common pleas of Dauphin County an appeal may be taken by either party as in other cases

Section 5 Section eleven hundred five of the said act as last amended by the act approved the second day of February one thousand nine hundred thirty-seven (P. L. 3) is hereby amended to read as follows

Section 1105 Authorization of Resettlement Upon Petition of the Department which made the Settlement Within two years after the date of any settlement or resettlement made subsequent to June first one thousand nine hundred and twenty-nine except such as have been appealed from [the department which made the settlement may by petition request the Board of Finance and Revenue to authorize a resettlement thereof and the Board of Finance and Revenue may grant the prayer of such petition and permit a resettlement to be made] the Department of Revenue with the approval of the Department of the Auditor General may make a resettlement

[With respect to any settlement or resettlement made prior to June first one thousand nine hundred and twenty-nine the department which made it or the department which has succeeded to its functions may at any time prior to June first one thousand nine hundred and thirty-two request permission of the Board of Finance and Revenue under like circumstances to make a resettlement and the board may in its discretion grant such permission]

Whenever a resettlement shall have been [authorized] made hereunder [the department which made the settlement] the Department of Revenue shall resettle the account according to law and shall credit or charge as the case may be the amount resulting from such resettlement upon the current accounts of the party with whom or with which it is made

In the case of settlements made by the Department of Revenue the resettlement shall be subject to approval by the Department of the Auditor General as in the case of original settlements and in case of the failure of the two departments to agree the resettle shall be submitted to the Board of Finance and Revenue as in the case of original settlements

In the case of settlements made jointly by the Department of the Auditor General and by the Treasury Department either of said departments may request authority from the Board of Finance and Revenue to make a resettlement hereunder and if such authority be granted the resettlement shall be made by joint action of said departments as in the case of original settlements

If a resettlement shall not be made or authorized hereunder within the time above prescribed an account upon which a final discharge has been granted shall not be opened but shall be quieted and finally closed

Section 6 Section eleven hundred eight of the said act as last amended by the act approved the second day of February one thousand nine hundred thirty-seven (P. L. 3) is hereby further amended to read as follows

Section 1108 Payment of Accounts After Settlement Without Prejudice to Right of Resettlement Review and Appeal

Any person association corporation public officer or other debtor who or which is required to make to the Department of Revenue a report upon the basis of which any bonus tax or other charge is to be settled or assessed shall have the right at any time to pay to the Department of Revenue the amount of any bonus tax or other charge due or deemed by him it or them to be due with interest if any as is then due and payable thereon without projudice to his its or their right to present and prosecute a petition for resettlement or redetermination to the Department of Revenue a petition for review to the Board of Finance and Revenue or an appeal to the court of common pleas of Dauphin County in the manner and within the times provided by law

[Provided that if such payment be made at any time after twenty-one (21) days after an appeal has been filed in the court of common pleas of Dauphin County it shall be accompanied with a commission to the Attorney General at the rate fixed by this act]

Whenever the principal amount due upon a settlement determination resettlement or redetermination or the principal amount determined to be due upon a petition to the Board of Finance and Revenue is less than the principal amount paid to the Department of Revenue and the person association corporation public officer or other debtor against whom such settlement has been made is satified therewith or whenever the principal amount due upon the final judgment entered on any appeal is less than the principal amount paid to the Department of Revenue the Department of Revenue shall enter a credit in the amount of such difference to the account of such person association corporation public officer or other debtor Such credit may be used by the person association corporation public officer or other debtor to whose account it is entered in payment of any tax bonus or other claim which may be or become due from him it or them to the Commonwealth and if all such charges have been fully paid any remaining credit may be assigned to any other person association corporation public officer or other debtor and such assignee may use it in payment of any such obligation to the Commonwealth

Section 7 Subsection (g) of section twelve hundred one of the said act as amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 380) is hereby further amended to read as follows

Section 1201 Procedure Relating to Collection of Tax on Transfers of Property of Resident Decedents

* * * * *

(g) To receive from registers of wills all duplicate receipts for taxes paid to them by executors and administrators and to charge the registers receiving the money with the amount receipted for [to seal with its official seal and countersign the original receipt and transmit it to] The original of each such receipt shall be signed and sealed by the register of wills and transmitted to the executor or administrator whereupon it shall be a proper voucher in the settlement of the estate In no event shall the executor or administrator be entitled to a cerdit in this account by the register unless the receipt is so signed and sealed by the register of wills [sealed and countersigned by the Department of Revenue]

Section 8 Section fourteen hundred two of the said act as amended by the act approved the second day of February one thousand nine hundred thirty-seven (P. L. 3) is hereby further amended to read as follows

Section 1402 Protection of Commonwealth Liens on Judicial Sales No sheriff receiver trustee assignee master or other officer shall sell the property or franchises of any corporation limited partnership or joint-stock association without first filing with the Department of Revenue not less than ten (10) days prior to such sale a statement containing the following information

First Name or names of the plaintiff or party at whose instance or upon whose account the sale is made

Second The name of the corporation limited partnership or joint-stock association whose property or franchise is to be sold

Third The time and place of sale

Fourth The nature of the property to be sold and the location of the same

It shall be the duty of the Department of Revenue after receiving notice as aforesaid to settle according to law all tax bonus or other public accounts for which reports have been filed and to make estimated settlements of all tax bonus or other public accounts for which reports have not been filed to date of such sale whether or not reports for such tax bonus or other public accounts are due and to furnish to the sheriff receiver trustee assignee master or other officer having charge of the sale a certified statement of account showing all unpaid taxes bonus or other public accounts on file in the department as liens against such corporation limited partnership or joint-stock association and in the case of no liens a certificate showing that fact which certified statement or certificate shall be publicly read by such officer at and immediately before the sale of the property or franchise of such corporation limited partnership or jointstock association For the services performed in accordance with the provisions hereof the officer having charge of the sale shall receive the sum of three dollars ($3.00) to be taxed and paid as part of the costs of sale

Section 9 Section fourteen hundred eight of said act as last amended by the act approved the first day of June one thousand nine hundred thirty-one (P. L. 318) is hereby repealed

Section 10 Section eight hundred six of the said act as last amended by the act approved the seventh day of May one thousand nine hundred forty-three (P. L. 229) is hereby further amended to read as follows

Section 806 Interest on Taxes and Bonus Due the Commonwealth All tax and bonus due the Commonwealth as provided by law shall bear interest at the rate of six per centum per annum from the date they are due and payable until paid Provided That in the case of all taxes and bonus which other provisions of this act require taxpayers to compute and pay at the time of filing the report or return if a settlement is not made within [two] one year after the date upon which the report or return was filed no interest whatsoever shall be imposed for the period between the end of such [two] one year and sixty days after the date of the approval of the settlement unless the taxpayer has filed a written waiver permitting interest to run after the end of said [two] one year The payment of interest as aforesaid shall not relieve any person association or corporation from any of the penalties or commissions prescribed by law for neglet or refusal to furnish reports to the Department of Revenue or to pay any claim due to the Commonwealth from such person association or corporation

Whenever the tax or bonus liability of a taxpayer is so affected by any settlement or resettlement as to change the interest liability which has been settled against such taxpayer such interest liability shall be adjusted by the Department of Revenue and the Department of the Auditor General so as to correspond to the tax or bonus liability as changed without the necessity for the filing of any petition or request by the taxpayer or by said departments

Section 11 The amendments hereinbefore made to sections eleven hundred eight and fourteen hundred eight of The Fiscal Code by which Attorney General's commission is repealed and to section eight hundred six by which the imposition of interest is modified shall apply only to tax or bonus due under reports filed for the calendar year one thousand nine hundred forty-four or any fiscal year beginning in one thousand nine hundred forty-four and for every calendar or fiscal year thereafter

All other provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall th ebill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—175

Andrews,	Gallagher,	Madigan,	Robertson,
Baker,	Gardner,	Mahany,	Rose,
Barrett,	Getchey,	McAtee,	Royer,
Barton,	Gibson,	McClester,	Rudisill,
Bentzel,	Goodling,	McDowell,	Scanlon,
Bonawitz,	Grant,	McKinney,	Schuster,
Boney,	Green,	McLanahan,	Shaffer,
Boorse,	Greer,	McMillen,	Shoemaker,
Boory,	Guthrie,	McNair,	Sloan,
Bower,	Gyger,	McNally,	Smith,
Brancato,	Haberlen,	Miller,	Snider,
Breisch,	Hall,	Milliken,	Snyder,
Brice,	Hamilton,	Mills,	Sollenberger,
Brown,	Hare,	Mooney,	Sorg,
Brunner, C. H.,	Haudenshield,	Moore, C. E.,	Stank,
Brunner, P. A.,	Heatherington,	Moore, W. J.,	Stockham,
Cadwalader,	Helm,	Moran,	Stonier,
Cohen,	Hennihan,	Moser,	Stuart,
Coleman,	Herman,	Munley,	Swope,
Cook,	Hersch,	Murray, M. L.,	Tate,
Cooper,	Hewitt,	Myhan,	Tittle,
Corrigan,	Hoffman,	Nagel,	Trachtman,
Costa,	Howells,	Nelson,	Trent,
Coulson,	Hunter,	O'Brien,	Trout,
Coyle,	Huntley,	O'Connor,	Turbett,
Cullen,	James,	O'Dare,	Turner,
Dague,	Jones,	O'Donnell,	Varallo,
Dalrymple,	Kennedy,	O'Neill,	Verona,
Depuy,	Kirley,	Owens,	Wachhaus,
Dillon,	Kline,	Pentrack,	Wagner,
Dix,	Kolankiewicz,	Pettigrew,	Waterhouse,
Duffy,	Komorofski,	Pickens,	Watkins,
Dye,	Kurtz,	Polaski,	Weiss,
Elder,	Lane,	Polen,	Welsh,
Elish,	Laughner,	Powers,	Wescott,
Erb,	Leisey,	Propert,	White,
Ewing,	Leonard,	Readinger,	Wood, L. H.,
Flack,	Lichtenwalter,	Reagan,	Wood, N.,
Fleming,	Loftus,	Reese, D. P.,	Worley,
Foor,	Longo,	Reese, R. E.,	Wright,
Freed,	Lopez,	Reidenbach,	Yeakel,
Fox	Lovett,	Reilly,	Yester,
Frost	Lyons,	Reynolds,	Fiss,
Gaffney,	Madden,	Riley,	Speaker.

NAYS—0

NOT VOTING—4

Bentley,	Fullerton,	Root,	Salus,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGES

The Clerk of the Senate, Mr. Steinfelt, being introduced presented extracts from the Journal of the Senate which were laid on the table.

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 547.

An Act to further amend the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and duties and limitations upon powers of corporations or persons authorized to engage in a banking or fiduciary business or both

HOUSE BILL No. 791.

An Act to further amend section two of the act approved the ninth day of March one thousand eight hundred forty-seven (P. L. 278) entitled "An act in relation to the sales of unseated lands in the several counties of this Commonwealth" by providing that the cost of advertising such sales shall be paid out of the proceeds of the sale

With the information that the Senate has passed the same without amendment.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 63.

An Act to further amend section one of the act approved the thirteenth day of June, one thousand eight hundred eighty-three (P. L. 118), entitled "An act ceding concurrent jurisdiction of this State over certain lands owned or hereafter acquired by the United States" by further regulating cession of jurisdiction by the Commonwealth of Pennsylvania to the United States of America.

SENATE BILL No. 172.

An Act providing for the appointment of guardian in inter vivas deeds or gifts or under insurance or annuity policies.

SENATE BILL No. 300.

An Act to further amend sections twenty-five twenty-six and thirty-six of the act approved the second day of May, one thousand nine hundred twenty-nine (P. L.

1237) entitled "An act affecting martial relations prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages and amending revising and consolidating the law relating thereto" by providing that libels in divorce may be presented subpoenas awarded and masters appointed by a judge at chambers

SENATE BILL No. 303.

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Allentown State Hospital to acquire a certain tract of land for the use of said hospital and making an appropriation therefor

Whereupon,

The SPEAKER in the presence of the House, signed the same.

SENATE MESSAGE

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 527.

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurred in by the House of Representatives, to House Bill No. 527, entitled:

An Act to amend section four thousand three hundred one of the act approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto," by further regulating the administration of the police pension fund.

And has appointed Messrs. Walker, Tallman and Gourley a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee on the subject of the differences existing between the two houses in relation to said bill.

Mr. READINGER. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF CONFERENCE COMMITTEE

The SPEAKER. The Chair appoints as a Committee of Conference on said bill Messrs. McClester, Ray L. Riley and Readinger.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGES

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 850.

An Act to further amend sections five hundred twenty-two and five hundred twenty-four and to repeal section five hundred twenty-three of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law proviling for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by providing regulations relating to standard fire insurance policies

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 6, line 6, by striking out after the word "Insurance" the word "Commission" and inserting in lieu thereof the word "Commissioner"; also on page 14, line 19, by striking out after the word "or" the word "exposure" and inserting in lieu thereof the word "exposures".

Amend Section 2, page 19, line 15, by striking out after the word "violation" the word "or" and inserting in lieu thereof the word "of".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—175

Andrews,	Gallagher,	Madigan,	Robertson,
Baker,	Gardner.	Mahany,	Rose,
Barrett,	Getchey,	McAtee,	Royer,
Barton,	Gibson,	McClester,	Rudisill,
Bentzel.	Goodling,	McDowell,	Scanlon,
Bonawitz,	Grant,	McKinney,	Schuster,
Boney,	Green,	McLanahan,	Shaffer,
Boorse,	Greer,	McMillen,	Shoemaker,
Boory,	Guthrie,	McNair,	Sloan,
Bower.	Gyger.	McNally,	Smith,
Brancato,	Haberlen,	Miller,	Snider,
Breisch,	Hall,	Milliken,	Snyder,
Brice.	Hamilton,	Mills,	Sollenberger,
Brown,	Hare,	Mooney.	Sorg,
Brunner, C. H.,	Haudenshield,	Moore, C. E.,	Stank,
Brunner P. A.,	Heatherington,	Moore, W. J.,	Stockham,
Cadwalader,	Helm.	Moran,	Stonier,
Cohen.	Hennihan,	Moser.	Stuart,
Coleman,	Herman,	Munley,	Swope,
Cook,	Hersch,	Murray, M. L.,	Tate.
Cooper,	Hewitt.	Myhan,	Tittle,
Corrigan,	Hoffman,	Nagel,	Trachtman,
Costa,	Howells,	Nelson,	Trent.
Coulson,	Hunter,	O'Brien,	Trout,
Coyle,	Huntley,	O'Connor,	Turbett,
Cullen,	James,	O'Dare,	Turner,
Dague,	Jones,	O'Donnell,	Varallo,
Dalrymple,	Kennedy,	O'Neill,	Verona,
Depuy,	Kirley,	Owens,	Wachhaus,
Dillon,	Kline,	Pentrack,	Wagner,
Dix.	Kolankiewicz,	Pettigrew,	Waterhouse,
Duffy,	Komorofski,	Pickens,	Watkins,
Dye,	Kurtz,	Polaski,	Weiss,
Elder,	Lane.	Polen,	Welsh,
Elish,	Laughner,	Powers,	Wescott,
Erb,	Leisey.	Propert,	White,
Ewing,	Leonard.	Readinger,	Wood, L. H.,
Flack	Lichtenwalter,	Reagan,	Wood, N.,
Fleming,	Loftus,	Reese, D. P.,	Worley,
Foor,	Longo,	Reese, R. E.,	Wright,
Fox	Lopez,	Reidenbach,	Yeakel,
Freed.	Lovett,	Reilly,	Yester.
Frost.	Lyons,	Reynolds,	Fiss,
Gaffney,	Madden,	Riley,	Speaker.

NAYS—0

NOT VOTING—4

Bentley, Fullerton, Root, Salus,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED SENATE BILLS NON-CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has non-concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 52.

An Act relating to the practice procedure regulations and adjudications of departments departmental administrative boards and commissions independent administrative boards and commissions officers and other administrative agencies of this Commonwealth and judicial review thereof and preserving equitable jurisdiction in certain cases.

Mr. SORG. Mr. Speaker, I move that the House insist upon it amendments non-concurred in by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

RESOLUTIONS

Mr. WACHHAUS offered a resolution which was filed with the Clerk.

Mr. TURNER offered a resolution which was filed with the Clerk.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 547.

An Act to further amend the act approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National Banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders, of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by further providing for the powers and duties and limitations upon powers of corporations or persons authorized to engage in a banking or fiduciary business, or both.

HOUSE BILL No. 791.

An Act to further amend section two of the act approved the ninth day of March one thousand eight hundred forty-seven (P. L. 278) entitled "An act in relation to the sales of unseated lands in the several counties of this Commonwealth" by providing that the cost of advertising such sales shall be paid out of the proceeds of the sale

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

SENATE INSISTS ON ITS AMENDMENTS NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1, entitled:

An Act to amend the title and certain sections and to add certain new sections to the act approved the twenty-second day of June one thousand nine hundred thirty-seven (P. L. 1987) entitled "An act to preserve and improve the purity of the waters of the Commonwealth for the protection of the public health, animal and aquatic life, and for industrial consumption, and recreation; empowering and directing the creation of indebtedness or the issuing of non-debt revenue bonds by political subdivisions to provide works to abate pollution; providing protection of water supply; providing for the jurisdiction of courts, magistrates, aldermen and justices of the peace in the enforcement thereof; and providing additional remedies for abating pollution of waters; imposing certain penalties; and repealing certain acts," by changing the definitions of "establishment" and "industrial waste," by changing penalties for violations and requiring prosecutions to be instituted or approved by the Attorney General by prohibiting the discharge of silt into any waters of the Commonwealth and regulating the discharge of acid mine drainage into waters thereof authorizing the Sanitary Water Board to establish standards of purity and to determine the time for compliance with the provisions of the act in certain cases and requiring the Board's approval of plans for opening reopening or extending coal mines by authorizing the acquisition by purchase or condemnation or otherwise by the Sanitary Water Board of easements or right of ways and the acquisition or construction of pipes conduits drains or tunnels and pumps and pumping equipment and providing for the payment of the costs thereof by the Commonwealth

Mr. CHARLES H. BRUNNER, Jr. Mr. Speaker, I move that the House insists on its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF CONFERENCE COMMITTEE

The SPEAKER. The Chair appoints as said Committee Messrs. Charles H. Brunner, Jr., Sorg and Cohen.

Ordered, That the Clerk inform the Senate accordingly.

ANNOUNCEMENT

Republican Caucus in the New House Caucus Room Monday evening, April 16 at 7:45. It is very important that all members be present.

ADJOURNMENT

Mr. BREISCH. Mr. Speaker, I move that this House do now adjourn until Monday, April 16, 1945, at 9 p. m.

The motion was agreed to, and (at 1:29 p. m.) the House adjourned.

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